

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D: FUTURE LAND USE ELEMENT**

OBJECTIVE FLUE A-1: PLAN AND DESIGN FOR RESIDENTIAL QUALITY. Sufficient space shall be provided for residential development and required community facilities to adequately meet the housing needs of the present and expected future population. Residential development shall be planned and designed to create and perpetuate stable residential neighborhoods and implement policies stipulated below.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-1.1: Provide Access to Goods and Services and Protect Residential Areas from the Adverse Impacts of Transition in Land Use. Stable residential areas and projected future residential areas as delineated on the Future Land Use Map shall be protected from encroachment by incompatible nonresidential development. This objective does not preclude necessary community facilities from locating within residential areas when such activities satisfy established criteria of this plan and the City's Land Development Code (LDC).</p> <p>Any potential adverse impacts caused by different land uses located adjacent to each other shall be minimized by landscaping, including vegetated berms with tree canopy, and other appropriate screening and buffering techniques. These landscaping techniques shall be incorporated into the design of new or redeveloping nonresidential projects located adjacent to existing or planned residential development.</p> <p>Similarly, perimeter landscaping techniques shall be applied in multiple family residential developments in order to appropriately screen and buffer existing and planned single family home sites from residential development having differing structure types.</p> <p>In addition, Land Development Code shall incorporate standards and/or review criteria for mandating retention of open space and for regulating building design, including setbacks, building placement on site, and building orientation. These provisions shall be directed toward protecting privacy, as well as to light, air, and open space. Other reasonable design principles shall be included in the Land Development Code in order to alleviate adverse impacts of potentially incompatible land uses.</p>	<p>No uses were developed during the evaluation period that have created incompatibilities. The multifamily developments that have occurred have provided for proper perimeter buffer.</p> <p>Nonresidential uses developed during the evaluation period have been properly located to avoid incompatibilities or have provided appropriate buffers.</p> <p>The land development code provides for standards for retention of open space and for regulating building design, including setbacks, building placement on site, and building orientation.</p>	<p>None.</p>
<p>Policy FLUE A-1.2: Promote Orderly Land Use Transition. Where it is infeasible to separate residential from nonresidential land uses, buffering shall be required to promote a smooth land use transition. Buffering may take the form of: 1) physical barriers, such as vegetative berms, hedges or other landscape cover; walls or fences aesthetically designed for screening purposes; and open space systems with dense native vegetation and tree canopy; and/or 2) the development of a transitional use between the incompatible uses (such as low intensity office development between general retail commercial centers and residential areas).</p>	<p>Implemented through LDR.</p>	<p>None.</p>
<p>Policy FLUE A-1.3: Promote Orderly Transition in Residential Densities. Highest residential densities shall continue to be allocated to sites accessible to major thoroughfares or collector streets as identified on the City's Transportation Plan (Map II-1). Residential densities shall be allocated in a manner compatible with available public services, natural features of land as well as existing and anticipated future development.</p>	<p>FLU and Zoning Maps are consistent with this policy</p>	<p>None.</p>
<p>Policy FLUE A-1.4: Encourage Separation of Urban and Rural Land Uses. Although the City contains no agricultural lands, the Land Development Code shall incorporate performance standards, urban service availability standards, and other similar incentives and disincentives that encourage a separation of urban and rural land uses. This is necessary in order to maintain responsive land management policies along the City's outer fringe where urban development could potentially impact unincorporated rural lands.</p>	<p>With recent annexations, this policy should be revised to reflect current conditions</p>	<p>Revise to acknowledge agricultural lands in the City as a result of the annexations.</p>

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Objective FLUE A-2: Existing Neighborhoods and Residential areas: Existing residential neighborhoods and areas shall be largely unaffected by this Plan.

Policies	Current 2009 Conditions	Comments
Policy FLUE A-2.1: Existing Residential Developments. Any changes to existing residential areas shall result by residents initiatives or from a specific sub area plan prepared in collaboration with residents. Such initiatives should improve the quality of existing neighborhoods, such as changing mobility and access, connectivity to adjacent commercial centers or service areas, and the placement of new neighborhood centers, parks, or small civic facilities.	No changes have occurred to existing residential areas. No sub-area plans have been prepared.	None.
Policy FLUE A-2.2: Collaboration with Surrounding Residents. The City recognizes that public involvement in local decisions is an important aspect of community. Preferences of neighbors will be considered in determining acceptable intensity and character of infill and redevelopment to the extent allowed by law and be balanced with community wide interests.	No controversial land use issues have occurred during the evaluation period.	None.

Objective FLUE A-3: Infill Development and Redevelopment. Infill/redevelopment projects shall be encouraged within existing residential and commercial areas in the core of the City. The Land Development Code will define specific policies, standards, and procedures to regulate such development.

Policies	Current 2009 Conditions	Comments
Policy FLUE A-3.1: On any redevelopment or infill parcel with one owner or developer that contains 20 or more acres, the provisions for new neighborhoods shall apply. Other policies for new neighborhoods should be taken into consideration if applicable.	Two developments of this size have occurred during the evaluation period. The single family project (Habitat for Humanity) incorporated new neighborhood design principles. The multifamily project (Sonrise Vilas) did not.	Revise to define "new neighborhood" provisions.
Policy FLUE A-3.2: For individual parcels under twenty (20) acres, infill and redevelopment activities shall be designed to complement adjacent development and buildings in terms of general intensity and use for residential projects; and, for commercial projects special consideration shall be given to street pattern, identifiable style, proportions, shapes, relationship to the street, pattern of buildings and yards, and patterns created by doors, windows, projections and recesses. Compatibility with these existing elements does not mean uniformity.	Implemented through LDR.	None.
Policy FLUE A-3.3: Forms of potential infill development include: <ul style="list-style-type: none"> • The addition of new dwellings on vacant lots and other undeveloped parcels surrounded by existing residential development • Dwelling units added to existing houses or commercial structures in the "Old Town" or CR 512 corridor (e.g., upstairs apartments) • Small, detached dwellings added to lots of sufficient size with existing houses (e.g., "alley houses " or "granny flats ") • Redevelopment of properties • Neighborhood-related, non-residential development 	Definitional policy.	None.

OBJECTIVE FLUE A-4: PLANNING FOR COMMERCIAL DEVELOPMENT. The allocation of land resources for commercial uses shall consider the location and space requirements of commercial activities, potential fiscal and environmental impacts on the City of Fellsmere, wise use of natural resources, and ability to meet concurrency standards. Commercial infill, redevelopment, general commercial and regional commercial/industrial land use activities shall be targeted to the existing Fellsmere "Old Town", CR 512 corridor and interchange areas as

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appropriate and as shown on the Future Land Use Map. New commercial designations shall be assigned within areas currently planned for commercial use or within close proximity thereto, when consistent and compatible with the Plan and surrounding area, in order to:

1. Promote efficient flow of traffic;
2. Achieve orderly development;
3. Avoid encroachment into established residential neighborhoods; and
4. Prevent negative impacts on the fragile eco-system.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-4.1: The City shall consider and support commercial and economic development within four(4) primary target commercial land use areas as shown on the Future Land Use Map, each having a different style, function and intensity. These areas are:</p> <ol style="list-style-type: none"> 1. Fellsmere “Old Town”, the historical downtown district, which shall retain, to the extent practicable its existing buildings, promote re-development and infill, provide for smaller-scale, new development and redevelopment, encourage a mix of uses within the district and within buildings, incorporate design standards to promote aesthetics, pedestrian movement, on-street parking, and other measures which will re-create Broadway as the thriving “Main Street” In order to promote the use of the entire site and re-create a Main Street, FAR shall be a minimum of 1. Historical buildings within the downtown area shall be preserved and rehabilitated to the extent practicable and feasible and adaptively re-used to promote their conservation and retention as part of the cultural fabric of the community. 	<p>Implemented through the LDC. No new development within Old Town occurred during the evaluation period. All redevelopment was consistent with this policy.</p>	<p>None.</p>

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<p>2. CR 512 General (Community and Neighborhood) Commercial Corridor, which will include community and neighborhood serving uses. These uses will be predominately located with frontage on the CR 512 corridor. Neighborhood Commercial (NC) may also be nearby or within existing neighborhoods as appropriate to serve the nearby residents. Areas designated as General Commercial (GC) on the Future Land Use Map may be used as either general community (GC) or neighborhood (NC) uses as regulated in the Land Development Code. Areas designated as "NC" may only be used as specified in those categories. Both community and neighborhood commercial land uses can be developed under the following minimum guidelines and principles:</p> <ul style="list-style-type: none"> a. Include a variety of commercial uses that will be delineated in the Land Development Code, including in general retail, office, professional, and the like b. Have a minimum FAR of .5, in order to encourage a greater use of the site within the urban setting c. Can include medium density residential types of development, d. Utilize frontage or adjacent local roads as applicable for access e. Incorporate design standards as adopted by the City's LDR f. Buffer adjacent developments, particularly residential areas g. Shall have sidewalks to promote pedestrian activity and movement h. Combine ingress and egress for access management i. Incorporate stormwater management, tree preservation, landscaping and other conservation tools j. Provide environmental studies on lands of 2 acres or more, where there is a determination that wetlands or significant habitat exist k. Provide for traffic impact studies where a development is expected to generate more than 250 average daily trips as determined from the Institute of Transportation Engineers (ITE) manual l. Meet all other concurrency standards or the developer will have to provide for public facilities and services as needed at their own expense 	<p>Implemented through the LDC. New development and redevelopment within this area during the evaluation period was consistent with this policy.</p>	<p>None.</p>
<p>3. Regional Employment Activity Center (Commercial/Industrial) (REAC) areas, generally to be located at or near the CR 512 and I-95 interchange. Designed to capture and accommodate large scale regional uses, this area will provide for large commercial shopping, office or business parks; large scale industrial complexes; hotels/motels; restaurant; gas stations; and other uses which not only serve the local areas of Indian River County but also capture the I-95 travelers. These areas are not expected nor intended to be connected to population trends or projections for the City as they will serve a regional and interstate market area, similar to the lands along SR 60 and I-95 in Indian River County.</p>	<p>Implemented through the LDC. No new development or redevelopment within this area occurred during the evaluation period.</p>	<p>None.</p>

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<p>4. Low Density Mixed Use Neighborhoods (LDMXN), which are master planned communities that will have a mix of residential and commercial areas. The commercial areas will be found within neighborhood commercial villages, town centers, or other non-residential portions of these planned communities. These mixed use communities serve the needs of the overall community as dictated by economic factors. Specific standards for planning for LDMXN requirements will be set forth in the Land Development Code, but they must meet the following minimum guidelines:</p> <ul style="list-style-type: none"> • Mixed use LDMXN developments may contain a maximum of 85% residential of the total acreage for residential uses; the non-residential portions may consist of up to 15% of the total acreage of a Low Density Mixed Use Neighborhood planned community • Non-residential portions may be located on local or collector or higher classifications of roadways • The non-residential portions of the LDMXN may contain a mix of commercial and residential uses, in attached or detached styles, encouraging residential uses in the upper floors of commercial structures, as well as a variety of housing styles and types. • Must be designated as part of the overall plan of the community, but may change location within the community as environmental, transportation, and other internal land use patterns dictate as long as approved by the City 	<p>Implemented through the LDC. No new development or redevelopment within this area occurred during the evaluation period</p>	<p>None.</p>
<p>Policy FLUE A-4.2: General Considerations for Locating Commercial Development. The location and distribution of specific types of commercial activities shall be determined based on the following considerations:</p> <ol style="list-style-type: none"> 1. Trip generation characteristics, impact on existing and planned transportation facilities and ability to achieve a functional internal circulation and off-street parking system, with landscaping amenities; 2. Location and site requirements based on specific needs of respective commercial activities, their market area, anticipated employment generation and floor area requirements; 3. Compatibility with and impact on other surrounding commercial activities; 4. Relationship to surrounding land uses and natural systems; <p>Impact on existing and planned community services and utilities.</p>	<p>Implemented through the LDC. Commercial development and redevelopment has occurred during the evaluation period consistent with this policy.</p>	<p>None.</p>
<p>Policy FLUE A-4.3: General Pattern of Commercial Land Use. Commercial development shall be concentrated in strategically located areas having location characteristics that best accommodate specific land, site, public facilities, and market location requirements of their respective commercial uses. The strategically located areas shall promote efficient flow of traffic along major thoroughfares cited in the Transportation Element, achieve orderly development, and minimize adverse impact on residential quality. Proliferation of strip commercial development shall not be encouraged.</p>	<p>All commercial development occurs on land appropriately designated and meeting the requirements of this policy.</p>	<p>None.</p>

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<p>Policy FLUE A-4.4: Designate Various Types of Commercial Nodes to Accommodate Diverse Commercial Uses. Commercial development designations shall be based upon the Land Development Code which shall set forth districts and standards for commercial activities within the designated land use categories. The commercial development designations on the Land Use Map shall be complemented by zoning, performance standards, and site plan review requirements which shall regulate development on such land. For instance, the land development regulations shall address issues surrounding:</p> <ol style="list-style-type: none"> 1. Intensity of use 2. Floor area 3. Natural constraints to development 4. Perimeter and internal landscape requirements 5. Availability of public facilities at adequate levels of service 6. Concurrency management 7. Controlled access and egress 8. Off-street parking with safe and convenient internal vehicle and pedestrian circulation. 9. Open space preservation 10. Adequate building setbacks 11. Urban design and required amenities, including, but not limited to, signage controls, pedestrian amenities, building height, and orientation, and other similar design features. 	<p>The LDC addresses the items noted in this policy.</p>	<p>None.</p>

OBJECTIVE FLUE A-5: PLANNING FOR INDUSTRIAL DEVELOPMENT. Sufficient land shall be allocated to accommodate industrial development.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-5.1: General Considerations for Locating Industrial Development. The allocation of land resources for industrial development shall be responsive to the location and space requirements of industrial activities and potential fiscal and environmental impacts on the City of Fellsmere. Generally located east of Willow Street off CR 512 near the interchange, the location and distribution of specific types of industrial activities shall be determined based on the following considerations: Trip generation characteristics and impact on existing and planned transportation systems, including dependency on rail, air, or trucking for distribution of material and goods;</p> <ol style="list-style-type: none"> 1. Anticipated employment generation, floor area requirements, and market area; 2. Ability to meet established performance standards for preventing or minimizing nuisance impacts, such as generation or emission of air pollutants, glare, noise, odor, or hazardous by-products; 3. Impact on established as well as anticipated future development and natural systems; and 4. Availability of and impact on existing or planned public services, utilities, water resources, and energy resources. 	<p>Implemented through the LDC. No new development or redevelopment within this area occurred during the evaluation period</p>	<p>None.</p>

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Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-5.2: General Pattern of Industrial Land Use. A high priority shall be given to reserving strategically located lands adaptive to the unique location requirements of industry. Industrial sites shall generally be allocated in areas accessible to CR 512 and I-95 but adequately buffered from residential uses. The design of industrial activities adjacent to or near residential land use designations shall accommodate smaller-scale and less intensive uses with no outdoor manufacturing, assembly, storage that will adversely impact the character of residential neighborhoods.</p>	The FLUM is consistent with this policy	None.
<p>Policy FLUE A-5.3: Pursue Selective Industrial Expansion Policy. The City shall pursue a strategy of selective expansion of its industrial base within its urban service area. The City shall encourage industries that contribute optimally to the City's economy and that of the Treasure Coast and Space Coast. Highest priority shall be directed toward recruiting industries which:</p> <ol style="list-style-type: none"> 1. Generate high levels of employment together with higher than average wage and salaries; 2. Promote an industrial mix to counterbalance the impact of cyclical economic changes; 3. Produce services/products that complement the needs and resources of existing industry; 4. Provide industry and service activities required to support and attract prime industrial land uses, which are compatible with the City's goals, objectives and policies; 5. Contribute a net revenue to Fellsmere and thus enhancing the fiscal capacity of the City; and 6. Do not adversely impact the City's natural resources including groundwater quality, infrastructure, and public facility improvement needs. 	The City has began a number of planning initiatives that will hopefully attract industry from tax abatement, to impact fee reduction, to reductions in permitting and land development obstacles, to expansion of lands available for such uses.	None.
<p>Policy FLUE A-5.4: Pursue Nuisance Abatement Standards and Criteria. The City shall prevent nuisance impacts frequently associated with industrial activities by maintaining performance standards for managing emission of noise, air pollutants, odor, vibration, fire or explosive hazard, and glare. Similarly, land shall be allocated to industrial uses in a manner that allows for separation and co-location of industrial activities capable of complying with the most restrictive performance standards and exhibiting minimal adverse impacts on surrounding development</p>	All industrial development occurs on land appropriately designated and meeting the requirements of this policy. Performance standards for industrial developments are addressed in the LDC.	None.

OBJECTIVE FLUE A-6: PLANNING FOR PUBLIC AND INSTITUTIONAL FACILITIES AND PUBLIC SERVICES. The City shall assure that needed public services and facilities are developed concurrent with new development, including adoption of an adequate facilities ordinance within the City's Land Development Code. In general, institutional facilities may be located throughout the city, as determined to be consistent with the comprehensive plan and compatible with the surrounding area. In addition, the City shall use the capital improvement program and budget process to pursue advance acquisition of land required to provide recreation, conservation, and related public benefits and promote multiple use of public lands.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-6.1: Coordinate Public and Private Investments in Land Improvements. The location, scale, timing, and design of necessary public and semi-public services and utilities shall be closely coordinated with development activities in order to promote more effective and efficient delivery of requisite services and utilities.</p>	Implemented through annual capital improvement programming.	None.

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Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-6.2: Maintain and Enforce Standards and Specifications for Design and Construction of Public and Semi-Public Services. The City shall maintain and enforce appropriate standards and specifications for the design and construction of public and semi-public services in order to promote cost effectiveness and quality control consistent with all applicable federal, state, regional, and local standards. Community facilities include police and fire protection, public schools, health care, emergency services, drainage, and water and wastewater facilities.</p>	<p>Implemented through local processes of public project development and intergovernmental coordination for public facilities provided by others.</p>	<p>None.</p>
<p>Policy FLUE A-6.3: Provision of On-Site and Off-Site Improvements. The City shall evaluate all plans for new development. Prior to receiving a development permit, the applicant's plans must incorporate necessary on- and off-site improvements or equitable contributions in lieu thereof, which are required as part of a development application pursuant to the Comprehensive Plan and Land Development Code, as they exist currently or as they may hereinafter be amended.</p> <p>Supportive facilities, services, or other improvements (or equitable contributions in lieu thereof), as required by ordinance, shall be agreed to by the applicant prior to City approval of a development petition and facilities shall be constructed as agreed upon prior to issuance of a development permit. The intent of this policy is to ensure that the City of Fellsmere does not assume unanticipated fiscal liabilities for supportive facilities and services that are expressly attributed to new development. In cases involving unpaved roads adjacent to a proposed development, the applicant shall be required to pave the portion of the road, which the development will be utilizing. The applicant shall not be required to pave adjacent unpaved roads if the development will not be accessing those roads unless such roads are critical to emergency response for police, fire, and paramedical services. In cases of insufficient rights-of-way adjacent to a proposed development, the City can require an applicant to donate the land necessary to make the rights-of-way conform to the requirements of the Land Development Code.</p>	<p>The City has not experienced unanticipated fiscal liabilities as a result of new development or redevelopment.</p>	<p>None.</p>

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OBJECTIVE FLUE A-7: PROMOTE COMMUNITY APPEARANCE, NATURAL AMENITIES AND URBAN DESIGN PRINCIPLES. The appearance of major transportation corridors serving as gateways into the City, as well as major activity centers such as the Downtown, public parks, other public grounds, and institutions shall be managed and enhanced through application of the site plan review process, the CR 512 overlay, other design guidelines and the Land Development Code, which may be adopted or amended from time to time. Any development subject to site plan review shall at a minimum be required to comply with either the Old Town, CR 512 and/or any other architectural and site design guidelines that may be adopted by the City Council in the Land Development Code.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-7.1: Reinforce and Enhance the City's Community Appearance. Major attributes shall be preserved through application of design review standards and management of signs, landscaping, open space, tree protection, and other urban design amenities. Special emphasis shall be placed on preserving and/or improving the character of major natural and man-made corridors, including major drainage corridors; pedestrian facilities linking residential areas to parks, schools, and the Downtown; and entrance points to the City and to the Downtown residential areas to parks, schools, and the Downtown; and entrance points to the City and to the Downtown.</p>	<p>Standards are in place, although concern exists as to whether they are adequate to ensure an ultimate end vision of the community.</p>	<p>None.</p>
<p>Policy FLUE A-7.2: CR 512 Overlay. The City's CR 512 Overlay district, adopted in the Land Development Code in 2000, and as may have been amended from time to time, sets forth development design and aesthetic features, as defined therein, to be incorporated into development on properties which abut CR 512 in the City. This district applies as follows:</p> <ol style="list-style-type: none"> a. For all those properties fronting CR 512, the overlay district treatments described therein shall apply to all portions of the site and buildings located to a depth of 250 feet of the edge of the CR 512 right-of-way, except those lands designated as "Regional Employment-Activity Centers (REAC)", located at or near the I-95/CR 512 interchange. b. For those properties with the 'REAC' designation at the I-95/CR 512 interchange, the overlay district treatments described therein shall apply to all portions of the site and buildings located to a depth of 800 feet of the edge of the CR 512 right-of-way. <p>This CR 512 Overlay district promotes the following values and objectives:</p> <ol style="list-style-type: none"> 1. Maintain development consistency with the Goals, Objectives and Policies of the Comprehensive Plan and promote compatibility with surrounding uses; 2. Promote economic development, eliminate blighting community influences, provide a diverse range and mix of development opportunities, protect existing residential areas, and preserve intrinsic natural and man-made resources; 3. Create and incorporate design guidelines for renovations, remodeling, redevelopment and new construction, which includes, but is not limited to: architectural styles, landscaping, signage, walls/fences, and the like; 4. Maintain strong community standards and aesthetics, while encouraging diversity in design, materials, lay-out and other characteristics of development; 5. Establish a set of performance standards for all development to follow. 6. Establish a theme for streetscape, signage, lighting, furniture, and other outside features for use within the district when undertaking development; and finally, 7. Create and re-affirm, a sense of place and community for the City of Fellsmere 	<p>During the evaluation period, the City has not had a new development within the area covered by the CR 512 overlay.</p> <p>The LDC has been revised to incorporate a CR 512 overlay consistent with the requirements of this policy.</p> <p>To date, the City has not implemented graphic design themes in support of the overlay for such items as architectural styles, signage, lighting, streetscapes, etc.</p>	<p>None.</p>

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Objective FLUE A-8: Economic Development Policy. In order to thrive, grow and be sustainable, the City will pursue a balanced and feasible economic development program. Economic health, vitality and development play a crucial role in maintaining and furthering the quality of life of the community. Fellsmere shall foster economic development opportunities by:

1. Encouraging private investment within the city and its urban service boundary
2. Providing diverse employment opportunities preferably ones that offer higher wage jobs in order to enhance the economic base of the City
3. Taking positive steps to encourage and accept private investment in new business, business expansion, and business relocation

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-8.1: Locational Opportunities. Fellsmere shall support the location, retention, and expansion of businesses that provide higher wage jobs than currently exist and that make a positive commitment to the economic and environmental health of the community.</p>	<p>The City is investigating a number initiatives to spur economic development. The development of an economic element will coalesce these efforts.</p>	<p>None.</p>
<p>Policy FLUE A-8.2: Partnerships. The City shall work to achieve these objectives through a partnership between the public and private sectors that:</p> <ol style="list-style-type: none"> 1. Maintains and improves the quality of the natural environment 2. Maintains and improves the City as a good place to live and work 3. Maintains and improves municipal services, such as streets and utilities as the City 's role in dealing with respective expansions or relocations 4. Creates a positive climate for both local and new business 5. Assists small business retention and expansion as appropriate 	<p>This policy provides no clear guide to measure its current condition. In general, the City maintains each oi these items through any number of avenues.</p>	<p>None.</p>
<p>Policy FLUE A-8.3: Infrastructure and Capital Facilities. The City shall require the private sector to fund, develop, and install necessary public facilities and services in an efficient, cost effective, and compatible manner to support their development, consistent with adopted concurrency management provisions. The City shall work with other agencies to assure sound permitting, necessary funding, and in general provision of public facilities by those responsible. To assure that infrastructure needed to support the economy is in place, the City shall use Chapter 163, F.S, Development Agreements as one of several means to secure funding for infrastructure anticipated to be required by land use amendments or final development orders.</p>	<p>The City has maintained all required levels of service during the evaluation period.</p>	<p>None.</p>
<p>Policy FLUE A-8.4: The City may designate lands for residential development around employment centers in order to encourage housing development nearby and travel to work by all modes of transportation. The City shall include in the Land Development Code allowances for employers to provide for employee needs on site with such amenities as child care facilities or the like.</p>	<p>The City has implemented this policy through numerous mixed use land use categories including OTC, RPO, LDMXN, and VOF.</p>	<p>None.</p>
<p>Policy FLUE A-8.5: The City will continue to identify and preserve industrial parcels in locations that are accessible to arterial and collector streets, have available public services meeting levels of service standards and provided by either the private or public sector, and that can attain environmental objectives in the eastern end of the city or other areas within the urban service boundary in order to attract or retain industrial and economic development.</p>	<p>This policy has been implemented through the allocation of Industrial and REAC land use categories throughout the City.</p>	<p>None.</p>

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Objective FLUE A-9: Annexation: The City shall consider and encourage annexation of new lands into the City limits when the annexation of such property is consistent with the Plan, meets statutory requirements, and will be compatible in use with adjacent lands.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-9: Annexation Ordinance. The addition of real property to the boundaries of the City shall be by ordinance. The ordinance shall contain an Annexation Agreement setting forth the minimum responsibilities and obligations to be imposed as a result of the annexation, as well as the density and/or intensity of development allowed on the real property. The ordinance may contain a Declaration of Covenants governing the use of real property that shall be duly recorded and run with the land. Notwithstanding any other provisions contained in this Comprehensive Plan, the terms and conditions contained within any ordinance annexing real property into the City shall control the use and development of such real property. The real property known as Pine Grove in this Comprehensive Plan is not subject to the above provisions. Pine Grove was annexed prior to the City's current policy regarding annexations. The use and development of Pine Grove will be as set forth in this Comprehensive Plan or other applicable documents.</p>	<p>Numerous annexations have occurred meeting the requirements of this policy.</p>	<p>Revise to indicate that the Comprehensive Plan shall govern until amended as allowed by Chapter 163, FS.</p>

Objective FLUE A-10: Urban Service Area. The City of Fellsmere hereby establishes an urban service area consistent with Florida Statutes the boundary of which shall be coterminous with the City limits and delineate the extent of urban development in the community

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE A-10.1: Coordination and Collaboration with Indian River County. The City will continue to cooperate with Indian River County to accomplish mutually beneficial land use goals and decisions, but final decisions shall vest solely with the City.</p>	<p>The City has implemented this policy through numerous initiatives as summarized in the evaluation of the ICE.</p>	<p>None.</p>
<p>Policy FLUE A-10.2: Collaboration with Other Agencies. The City will cooperate with other governmental entities, such as SJRWMD, to ensure that contiguous areas are developed in ways that preserve the environment, limit sprawl and provide sound community transitions.</p>	<p>The land uses assigned to annexed lands will allow for development that will minimize sprawl and provide for transitions.</p>	<p>None.</p>
<p>Policy FLUE A-10.3: Annexation Required. Lands outside the corporate limits of the City shall be required to annex into the City in order to receive public facilities and services.</p>	<p>No services are being offered outside of the City.</p>	<p>None.</p>
<p>Policy FLUE A-10.4: Provisions for pre-annexation agreements. There may arise situations where the City determines that a proposed project located within the urban service area but is not contiguous will be beneficial to the community's future, is consistent with the goals, objectives and policies of the plan, and will promote economic development. In such cases, the City may choose to provide services to a non-contiguous property through a pre-annexation development agreement until such time as the property becomes contiguous and can be annexed.</p>	<p>This policy has not been implemented to date.</p>	<p>None.</p>

Objective FLUE A-11: Master Planned Communities or Planned Developments: The Land Development Code shall establish regulations, conditions, restrictions, and general provisions for planned developments, which can be either single purpose residential, commercial or industrial land uses, or contain a mix of uses. Such planned developments are to be located on a minimum of five (5) or more acres of land. PD's shall be approved and conditioned only upon submittal of a master development plan describing in detail the density, intensity, style, character, and mix of uses contained within the proposed project, as well as specific requirements set forth in the Land Development Code. PD's shall include techniques and incentives to protect environmentally sensitive areas, provide on-site and common amenities, and mitigate flood hazards

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Policy FLUE A-11.1: Planned Developments allowed. Planned developments are an allowable use and are deemed to be a consistent zoning district or use within all land use categories except the "Low Density Mobile Home" classification.	Definitional.	None.
Policy FLUE A-11.2: PD Zoning. Approval for "Planned Development projects" will be obtained through a rezoning or conditional use process using a conceptual, preliminary and final development plan and/or plat as the process for obtaining City Council approval. The plan or plat shall become a binding upon the developer and be made a part of the development order.	This policy has been implemented through codification in the LDC.	None.
Policy FLUE A-11.3. Conditional Approvals. The City Council shall have the ability to approve, approve with conditions or deny a request for Planned Developments based upon broad discretionary criteria to be set forth in the Land Development Code. The City Council shall apply any condition deemed necessary to assure consistency with the Comprehensive Plan, compatibility with the surrounding area, and promote the safety, health, welfare, and aesthetics of the City as a whole for any Planned Development project.	This policy has been implemented through codification in the LDC.	None.
Policy FLUE A-11.4: Master Agreement. The City shall require the use of development agreements, or other means of financial obligation including, but not limited to annexation agreements, conditions imposed within development orders, letters of credit, etc. as a means to secure financial commitments for on and off-site improvements necessitated by a private development	This policy has been implemented through codification in the LDC.	None.

Objective FLUE A-12: Agricultural and Rural Uses. As the city has expanded or continues to expand within outlying areas, agricultural pursuits and rational conversion of rural lands shall be allowed pursuant to the Comprehensive Plan and Land Development Regulations.

Objective FLUE B-1: Residential Neighborhoods. Existing and new residential neighborhoods are the life blood of the community and will be integral parts of the broader community structure. New neighborhoods, those planned on three (3) or more acres, shall be:

- "Walkable " means that an area is pedestrian and bicycle friendly, with choices of routes to everyday destinations.
- "Liveable "means that a neighborhood is safe, and has easy access by various means of travel to schools, parks, shopping and services.
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Policies	Current 2009 Conditions	Comments
Policy FLUE B-1.1: Residential Districts. All existing and new neighborhoods shall be considered as part of a Residential District as defined in the City's Land Development Code and zoning map. Residential districts shall include: single family, mobile home, multi-family, and low density mixed use neighborhoods. Such districts shall be more specifically regulated through districts that are to be consistent and compatible with the Comprehensive Plan and delineated within the Land Development Code. Low Density Mixed-Use Neighborhoods will have a Neighborhood Commercial Center as its core. This provides nearby access to most things a resident or household needs on an everyday basis.	Implemented through the zoning atlas.	None.

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<p>Policy FLUE B-1.2: General Development Standards for New Residential Neighborhoods</p> <ol style="list-style-type: none"> 1. Street Networks. New residential areas shall have interconnected streets and sidewalk networks, which allow automobile, bicycle and pedestrian routes within and between neighborhoods. Dead ends and cul-de-sacs should be avoided or minimized. Multiple streets and sidewalks will connect into and out of a neighborhood. Streets will converge upon or lead directly to the shared facilities in the neighborhood. Within neighborhoods, street widths and corner curb radii should be as narrow as possible, while still providing safe access for emergency and service vehicles. Traffic calming measures shall be used to minimize excessive speed, including controlled intersections and raised and textured crosswalks. 2. Street Lighting. All outdoor lighting shall be scaled for the safety of the neighborhood and the comfort and interest of a pedestrian, providing the minimum level of illumination adequate for safety. All utilities shall be placed underground. 3. Public Spaces: A wide range of open lands, such as small parks, squares, greens, play fields, natural areas, orchards and gardens, greenways, and other outdoor spaces should be integrated into neighborhoods. Small parks or other outdoor spaces shall be located within walking distance of all homes. Outdoor spaces should be designed in conjunction with streets and walkways. They should be mostly surrounded by streets or house fronts, to maintain safety and visibility. 4. Neighborhood Connectivity: If applicable, new residential development must contribute to existing Residential Districts, when contiguous, in terms of interconnecting streets, schools, parks, Neighborhood Centers, Neighborhood Commercial Centers, and open space systems, to the extent possible, in order to weave together the City's residential neighborhoods. 5. Neighborhood Edges. Neighborhood edges should consider adjoining neighborhoods, major streets or street patterns, greenways, and natural features (such as rivers, streams and major irrigation ditches). Landscaping, linear parks, and trails are possible ways to treat the neighborhood's edges. 6. Multi-Family Neighborhoods. Where new neighborhoods incorporate multi-family dwellings, the following principles shall apply: <ol style="list-style-type: none"> a. Architectural styles should reflect the characteristics and amenities typically associated with single-family detached houses b. Building Variation. Multiple-building projects should offer variation among individual buildings and monotonous complexes of identical buildings should be discouraged. 7. Lot Variation. Lot width and depth, in conjunction with block size and shape, should be varied to the extent practicable among residential areas within new communities in order to reinforce variety in building mass, avoid a monotonous streetscape, and eliminate the appearance of a standardized subdivision. 8. Home Occupations. Home occupations may be allowed in residential areas provided they do not generate excessive traffic and parking, or have signage that is not consistent with the residential character of the neighborhood, subject to compliance with the Land Development Code. 	<p>Generally implemented through land development review and LDC provisions. However, some neighborhoods have been developed with less than ideal interconnectivity.</p> <p>Implemented through the LDC.</p> <p>Generally implemented through land development review and LDC provisions. However, some neighborhoods have been developed with less than ideal public spaces.</p> <p>Generally implemented through land development review and LDC provisions. However, some neighborhoods have been developed with less than ideal interconnectivity.</p> <p>Generally implemented through land development review and LDC provisions. However, some edge considerations have been less than ideal.</p> <p>Generally implemented through land development review and LDC provisions. However, some MF neighborhoods have been developed with less than ideal building variations.</p> <p>Generally implemented through land development review and LDC provisions.</p> <p>Generally implemented through land development review and LDC provisions.</p>	<p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p> <p>None.</p>

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OBJECTIVE FLUE B-2: ALLOCATING RESIDENTIAL DEVELOPMENT. Map I-1: Future Land Use Composite Map, 2020, shall allocate residential density based on the following considerations:

1. Past and projected future population and housing trends and characteristics;
2. Provision and maintenance of quality residential environments;
3. Protection of environmentally fragile natural systems;
4. The need to plan for smooth transition in residential densities; and
5. Provision and maintenance of traffic circulation and public facility improvements.

Redevelopment, rehabilitation, and/or renovation of existing structures shall also be required to meet acceptable level as indicated in the Land Development Code. This objective shall be measured through implementation of the following policies.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-2.1: Density Defined. Maximum gross residential density shall be determined by dividing the "maximum allowable units" by the "gross land area" (i.e., dwelling units/gross land area). All residential densities denoted on the Future Land Use Map stipulate the maximum gross densities permitted for development on the land. Gross land area shall be defined as those contiguous land areas under common ownership proposed for residential development. In cases where residential land abuts waters of the State, the boundary shall be delineated as established by the State and no density credit shall be granted for waters of the State. In cases where residential land abuts other natural floodplains or wetlands, the Land Development Code shall provide performance standards and/or criteria that may further restrict the character of land for which density credit may be granted. These criteria shall be incorporated within the Land Development Code. Density is expressed in terms of a range up to a specified maximum. Where so stated as a range, the maximum density is not guaranteed by right. Subdivision, zoning and site plan review criteria and procedures shall assure that specific density assigned to new development is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1. Protect the integrity and stability of established residential areas; 2. Assure smooth transition in residential densities; 3. Require application of sound landscaping and urban design principles and practices; 4. Protect environmentally sensitive areas; 5. Minimize the impact of flood hazards; 6. Coordinate with Indian River County as well as appropriate state and regional agencies charged with managing land and water resources; and 7. Provide reasonable use of the land. 	<p>Definitional. Land use densities have not been applied inconsistent with this policy.</p>	<p>None.</p>

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<p>.Policy FLUE B-2.2: Low Density Residential (LDR). Areas delineated on the Future Land Use Map for single family residential development shall accommodate low density residential development in locations meeting specific conditions and criteria with a maximum density up to an average of five (5) dwelling units per acre and shall be comprised of single family detached or attached homes on individual lots. Attached dwellings are townhomes, duplexes, or row-houses. Specific densities and development clusters will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, consumer preference and other factors that may be identified in the Land Development Code. Supportive community facilities and accessory land uses may be located within areas designated for single family low density residential uses. Mobile Homes are not allowed within this land use designation. The Land Development Code shall provide regulatory procedures for considering such uses. The low-density designation is established to:</p> <ol style="list-style-type: none"> 1. Protect the quality and character of existing low density single family neighborhoods; 2. Preserve open space; 3. Encourage densities that are compatible with existing and anticipated future developments; 4. Promote compatibility with natural features of the land; 5. Minimize burden on existing and projected public services and facilities within the area; and 6. Create stabilized neighborhoods accommodating complementary permanent structures. 7. Mobile home units existing within the Single Family Home designation at the time of the adoption of the Comprehensive Plan, shall be considered non-conforming uses but may continue on-site according to criteria that shall be established within the Land Development Code. 	<p>Definitional. Land use densities have not been applied inconsistent with this policy.</p>	<p>None.</p>
<p>Policy FLUE B-2.3: Low Density Mobile Home (LDMH). Areas delineated on the Future Land Use Map for single family – mobile home residential development shall accommodate low density residential development with a maximum density less than five (5) dwelling units per acre. Primary uses compatible with this future land use designation include mobile homes, manufactured homes, mobile home parks and single family detached homes. Recreational vehicles are not considered mobile homes. One residential unit is allowed on an individual lot.</p> <p>Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, consumer preference and other factors that may be identified in the Land Development Code. Supportive community facilities and accessory land uses may be located within areas designated for single family – mobile homes. The Land Development Code shall provide regulatory procedures for considering such uses. The single family – mobile home designation is established to:</p> <ol style="list-style-type: none"> 1. Promote opportunities for affordable housing within single family neighborhoods; 2. Preserve open space; 3. Encourage densities that are compatible with existing and anticipated future developments; 	<p>Definitional. Land use densities have not been applied inconsistent with this policy.</p>	<p>None.</p>

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<p>4. Promote compatibility with natural features of the land;</p> <p>5. Minimize burden on existing and projected public services and facilities within the area.</p> <p>6. Mobile home parks shall be viewed as reasonable development options but the applicant shall provide plans for mobile home development which assure that the development contains a significant open space buffer. Natural landscaping, including a landscaped berm where appropriate, upper story tree canopy and lower story shrubbery, and/or an aesthetic decorative wall or fence to effectively screen the mobile home development from adjacent residential development which exists or may potentially exist in the future.</p> <p>Replacement of existing mobile homes in existing mobile home plats and sites of record, as of the effective date of this ordinance, shall be permitted and shall not be deemed inconsistent with the Comprehensive Plan.</p>		
<p>Policy FLUE B-2.4: Medium Density Residential (MDR). Areas delineated on the Future Land Use Map for multiple family, medium density residential development shall be developed, redeveloped, and/or maintained as stable medium density residential neighborhoods. Medium density, residential developments shall range from a minimum of three (3) to a maximum of seven (7) units per acre. Primary uses allowed in this land use designation are single-family homes detached, duplexes, town homes, condominiums, and apartment buildings. Height restrictions, design guidelines, environmental, traffic, drainage and other regulations governing specific developments and zoning district classifications shall be contained in the Land Development Code. Mobile homes, campgrounds, and recreational vehicles as residences are specifically prohibited in this district.</p> <p>The medium density designation is intended to provide sufficient land area for developments of medium density residential development adequately supported by public services and facilities and compatible with existing and anticipated future land uses. The medium density policy designation shall allow for a mixture of single and multiple family structure types as further defined with the Land Development Code. Supportive neighborhood commercial facilities and accessory land uses may be located within areas designated MDR, on parcels developed under a site plan in tracts of 5 acres or more. Such neighborhood commercial or support facilities shall consume no more than 10% of the total land area within the development tract and shall be limited by an FAR of .25 or minimum open space requirement of 15%, as defined by the Land Development Code. The City Land Development Code shall provide further regulatory procedures for considering such uses.</p> <p>Review of specific densities of developments shall be directed toward preserving stability of established residential areas. Sites for medium density residential developments should be:</p> <ol style="list-style-type: none"> 1. Located so that they provide a smooth transition between lower density residential areas and areas developed and/or designated for other more intense uses. 2. Sufficient in acreage to accommodate all parking and other regulatory requirements for stormwater management, open space, landscaping, and others found in the Land Development Code demanded by its residents. 3. Generally, located between the perimeter of low density residential areas and the following areas: high density residential concentrations, commercial and industrial locations. 	<p>Definitional. Land use densities have not been applied inconsistent with this policy.</p>	<p>None.</p>

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<p>Policy FLUE B-2.5: High Density Residential Development (HDR). High density residential development shall range from a minimum of five (5) to a maximum of eight (8) units per acre; The high density policy designation is intended to provide sufficient acreage for high density residential development which shall be adequately supported by public services and facilities, and maintain compatibility with the surrounding area. Sites used for high density residential housing must be sufficient in acreage to accommodate all regulatory requirements for traffic, environment, drainage, open space, and others required by the Land Development Code.</p> <p>The specific areas designated for high density development shall be accessible to existing or anticipated future major thoroughfares and requisite utilities. In addition, these areas generally shall be highly accessible to commercial services. Specific density of future development proposals within these areas shall provide for smooth transition in residential density, preserve stability of established residential areas, and shall include sufficient open space, parking and landscaping to reinforce goals and objectives for quality living areas. Central sewer must be available or extended to buildings in this land use designation. On-site treatment systems shall not be allowed.</p> <p>Recreation facilities to serve the residents, including—but not limited to golf courses, parks swimming pools, other leisure activities and management offices accessory to the residential uses are allowed and encouraged. Other permissible uses allowed within the HDR designation include public utilities, golf courses, country clubs with golf courses, and schools as allowed herein. Other uses that may accompany a golf course or country club include limited retail (small scale specialty shops, beauty care, or other personal services), restaurant, child care, maintenance facilities, practice facilities such as driving range or putting greens, golf training facilities, and recreation facilities (such as tennis courts, swimming pools, ball fields) so long as the permeable open space area of the golf course occupies at least 70% of the site. For non-residential permissible uses, the Land Development Code shall prescribe standards and criteria to assure their compatibility with residential uses. At a minimum, such commercial facilities shall consume no more than 10% of the total land area within the development tract and shall be limited by an FAR of .25 or minimum open space requirement of 15%, as defined by the Land Development Code.</p>	<p>Definitional. Land use densities have not been applied inconsistent with this policy.</p>	<p>None.</p>
<p>Policy FLUE B-2.6: New Low Density Mixed-Use Neighborhood (LDMXN). The City recognizes that new large scale planned neighborhoods or developments are desirable to promote economic development, provide a diverse range of housing styles and costs to upgrade and improve the City's housing stock and promote employment centers. These neighborhoods and communities provide a place for a predominance of residential dwellings, along with other non-residential uses that serve the community, and are in harmony with the overall character of the area. Specific standards for Low Density Mixed-Use Neighborhoods shall be adopted as part of the City's Land Development Code, and at a minimum, meet the following principals:</p> <ul style="list-style-type: none"> ■ Shall be planned on a minimum of five (5) acre tracts or as part of an overall Planned Development project using the Planned Development zoning district and process. <ol style="list-style-type: none"> 1. For lands annexed into the City as of December, 2006, they may have an overall maximum average density up to five (5) dwelling units per acre. 	<p>Implemented through the LDC.</p>	<p>Revise consistent with directives obtained from DCA as part of DCA #08-02 (now DCA 09-01) found not in compliance and subsequently withdrawn by the City (includes subpolicies 2.6.1 through 2.6.5).</p>

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<ul style="list-style-type: none"> ■ For lands annexed after December, 2006, the maximum overall average density shall not exceed 3 dwelling units per acre. ■ Shall be served by an internal transportation system that includes pedestrian and bicycle facilities. <p>Shall incorporate conservation areas into the overall design and development pattern to the extent practicable to promote multi-purpose use of open space and conservation of natural resources.</p> <ul style="list-style-type: none"> ■ Shall provide for public facilities and services, such as water, wastewater, stormwater management, transportation networks, and other utilities at its own expense and such facilities shall be available at accepted levels of service at the time of development. ■ Utility services for the new development, such as electric, gas, cable, and the like shall be underground ■ To the extent practicable, developments should include a mix of housing types or styles to provide architectural and market interest and diversity including, but not limited to single family detached; town homes, condominiums, garden apartments, ACLF, zero lot line, and urban estates. ■ Clustering of residential development shall be utilized to the extent feasible around the edges and adjacent to designated conservation areas so that portions of the land may remain as undeveloped open space, creating a sense of openness and creating natural linkages with open space areas. <p>2. Conservation areas shall be protected and managed as open lands (through use of conservation easements or other tools) and densities may be transferred to other portions of the development through a transfer of development rights program established within the Land Development Code. [EDITORS NOTE – moved above]</p> <ul style="list-style-type: none"> ■ Golf courses and support facilities, tennis or other leisure clubs, including, but not limited to club houses, pro-shops, restaurants, golf cart parking/ storage/ maintenance areas, and other non-residential uses compatible with or supportive of Golf Course leisure activities shall be allowed within low-density mixed-used developments and shall be included in the Development Plan. Golf courses and support facilities shall not exceed 75% of the project areas. ■ Shall adhere to higher levels of architectural and site design guidelines than traditional developments. 		
<p>Policy FLUE B-2.6.1: Transitions Where a new low density neighborhood develops next to designated open lands, rural lands or large lot residential areas at the city limit line, the neighborhood design and layout should create a gradual transition to a harmonious edge that minimizes physical, visual and useful contrast to the extent practicable along the edge.</p>	<p>Implemented through the LDC.</p>	<p>None.</p>

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<p>Policy FLUE B-2.6.2: Commercial uses within LDMXN. Mixed use neighborhoods shall contain a Village Center, Town Center, or other commercial area to promote a sense of community, provide internal vehicle capture, and serve as year-round gathering places accessible to all residents. Such commercial areas shall be governed by the Land Development Code, which shall include design guidelines, buffers, access management, landscaping/tree preservation, pedestrian and park areas, and other development regulations. No industrial uses will be permitted in these non-residential areas. In general, the mix of uses within the commercial areas shall be defined as follows:</p> <ol style="list-style-type: none"> 1) commercial land uses –up to 100% of the commercial area acreage 2) recreational or institutional land uses- up to 75% of the commercial area acreage 3) residential land uses-up to 50% of the commercial area acreage 	Implemented through the LDC.	None.
<p>Policy FLUE B-2.6.3: Mix of Housing Types and Lot Sizes. Mixed-use and single use residential planned neighborhoods shall be governed by the Land Development Code, and may include a variety of housing types, which make an attractive, marketable neighborhood with housing for a diversity of people, including, but not limited to the following:</p> <ol style="list-style-type: none"> a. Urban estate homes b. Single-family houses c. Duplex houses d. Townhouses (attached housing), condominiums, garden apartments, and the like e. Group homes and Adult Congregate Living Facilities as regulated in Florida Statutes f. Multi-family housing provided they are compatible in scale and character with other dwellings in the proposed neighborhood g. Retirement communities, assisted living, nursing homes, and adult day care 	Implemented through the LDC.	None.
<p>Policy FLUE B-2.6.4 Land Use Boundaries. In order to receive approval of a low density mixed neighborhood development Future Land Use designation, a conceptual development plan shall be submitted to and approved by the City Council. The Comprehensive Plan amendment designating the parcel(s) as LDMXN may stipulate conditions for development, maximum densities and intensities, and general locations for various types of land uses within the development and conservation areas. Upon receipt of that designation, placement of various land use within the approved development may change upon approval of the City Council as long as the maximum densities and intensities of development adopted as part of that land use amendment or within a master development agreement are not exceeded. Any density or intensity changes which are in excess of those adopted within the master development agreement, or changes which create additional land uses within the LDMXN shall constitute a land use amendment.</p>	Implemented through the LDC.	None.
<p>Policy FLUE B-2.6.5 Planned Developments. Low Density Mixed Use neighborhoods (LDMXN) are considered master planned communities and shall be regulated, conditioned, and implemented through PDD zoning district to be defined and contained within the City's Land Development Code.</p>	Implemented through the LDC.	None.

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OBJECTIVE FLUE B-3: ALLOCATING COMMERCIAL DEVELOPMENT. The Future Land Use Map shall identify the designation of commercial land uses for:

1. Fellsmere "Old Town" Downtown
2. General commercial (GC), which allows for either general community commercial or neighborhood commercial (NC) uses;
3. Neighborhood Commercial (NC), which only allows for neighborhood commercial uses
4. Regional Commercial/Industrial Employment Activity Center (REAC); and

The allocation of land for commercial development shall be compatible with goals and objectives identified in the Comprehensive Plan and consistent with supportive research and analysis. The policies stated below provide an explanation of the purpose, intent and character of the commercial land use designations.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-3.1: The Fellsmere "Old Town". The Fellsmere "Old Town" will provide a balanced mix of land use activities, including residential and non-residential uses. The Fellsmere "Old Town" is shown on the Future Land Use Map. Commercial development shall be comprised of a wide range of business uses as will be defined in the Land Development Code. In general, residential uses may be on the upper floors of commercial structures. No industrial uses shall be allowed.</p> <p>The City shall promote the image and function of the Fellsmere "Old Town" generally located as the City's center for commerce, civic and cultural enrichment and entertainment. The essence of the "Old Town" Downtown District is to create a range of choice in things to do and see, drawing people throughout the day and evening, for office, finance, civic, government, entertainment functions, retail shops, services and restaurants. These facilities shall be served by a local and regional transportation system (CR 512 and Broadway) that promotes pedestrian activity and vitality. The Downtown shall remain compact and walkable, and new development should be consistent in size, scale, height, and design with the existing historical character and development patterns to re-establish Downtown as the focal point of the community.</p>	Implemented through the LDC.	None.
<p>Policy FLUE 3.1.1: Land Use. Basic land use activities will be clustered and located in ways to promote movement of pedestrians between areas and to efficiently use public services and facilities, while preserving the historical buildings and character of the area. The allocation of commercial uses shall recognize that the downtown has different site, spatial, and market area characteristics. FAR's shall be a minimum of 1; residential densities shall be as in the HDR category.</p>	Implemented through the LDC. Enhanced design guidelines are still required.	None.
<p>Policy FLUE B-3.1.2: Ground Floor Uses. Uses that generate high pedestrian activity will be encouraged on the ground level and apartments will be considered for upper floors</p>	Implemented through the LDC. Enhanced design guidelines are still required.	None.
<p>Policy FLUE B-3.1.3: Design Overlay. The City shall create specific standards for the Fellsmere "Old Town" area located on Broadway to retain existing businesses, preserve historic properties, promote a "Main Street" business district, encourage pedestrian activity, encourage new development of a similar size, scale, and character of the area, and promote economic development. The design of streets, parking areas, public spaces and buildings shall reflect the unique history and character of the City of Fellsmere.</p>	Implemented through the LDC. Enhanced design guidelines are still required.	None.
<p>Policy FLUE B-3.1.4: Architectural Elements. In general:</p> <ol style="list-style-type: none"> 1. Human-scale design and architectural elements shall be incorporated into design guidelines and development. These will include signage, awnings, storefronts, and proportional windows and other human-scale building details. 2. Building materials and design features should be sensitive to the character of Downtown. 3. Outside display or sales shall be regulated by the Land Development Code 	Implemented through the LDC. Enhanced design guidelines are still required.	None.

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<p>Policy FLUE B-3.1.5: Improve the Image and Function of Fellsmere's "Old Town", (Downtown). Commercial development decisions shall promote the function and revitalization of the Downtown as a center for government, institutional services, retail trade, business and professional offices, and civic and cultural enrichment within a walking distance to residential uses. Land Development Code shall be directed to achieving a mix of land use activities consistent with Future Land Use Map policies. The City shall coordinate with the residents, business community, and the private sector interest groups concerned with enhancing the Downtown in order to directly improve its image and function. Design strategies shall provide a physical theme for development and redevelopment opportunities that reinforce the unique setting and history of the Downtown.</p>	<p>The City is pursuing a number of avenues to revitalize the historic downtown from the CRA, to beautification programs, to grant funding, etc. Design standards have not been developed to date.</p>	<p>None.</p>
<p>Policy FLUE B-3.1.6: Historical Downtown Buildings. Historically and architecturally significant buildings in "Old Town" will be preserved and enhanced, to the extent practicable per the Land Development Code. New building design will respect the existing historic and architectural character of the District. The utilization of compatible building materials, colors, scale, mass, and design detailing of structures will be encouraged.</p>	<p>The City has been successful in preserving historic structures in the City. Design standards have not been developed to date.</p>	<p>None.</p>
<p>Policy FLUE B-3.1.7: Adaptive Reuse. The City shall encourage the redevelopment and adaptive reuse of historically significant and architecturally important structures.</p>		<p>None.</p>
<p>Policy FLUE B-3.2: General Commercial (Community and Neighborhood) Development (GC). General Commercial (GC) Districts are community-wide destinations. They serve as hubs offering retail, offices, services, small civic uses, and higher density housing. These areas are accessible to nearby residential areas and promote walking and bicycling for residents. Vertical mixed-use structures will be encouraged. Areas designated under the (GC) category for general commercial uses can accommodate both community and neighborhood commercial activities and zoning districts as regulated in the Land Development Code. These areas are predominately located along the CR 512 Corridor. The general commercial (GC) areas are designated on the Future Land Use Map for purposes of accommodating general retail sales and services; highway oriented sales and services; general office, and other general commercial activities defined in the Land Development Code. General commercial designations also are located in highly accessible areas adjacent to major thoroughfares that possess necessary location, site, and market requirements. Zoning policy shall stipulate provisions regulating specific land uses. The maximum intensity of general commercial development is measured in floor-to-area ratios. The maximum floor area ratio is 0.25 for sites ten (10) acres or less or a minimum of 15% open space; or 0.35 for sites over ten (10) acres or a minimum of 15% open space. Further intensity, density, design, and regulatory measures will be directed by the Land Development Code. Uses that are intended to be accommodated within the general commercial area include: general retail; office; business with drive-through facilities; large scale discount stores, health spas; supermarkets; department stores; full service hardware stores; wholesale and warehousing activities; general appliance shops; printing shops; sales, service or repair of motor vehicles, machine equipment or accessory parts, including tire and battery shops; gas and limited automotive service centers; commercial amusements; restaurants, including, convenience stores; personal services including barber, beauty care; specialty shops, motel and hotel lodging establishments; and other similar uses and services to be expressly defined within the Land Development Code. Neighborhood Commercial uses may be allowed within the GC designated areas on the map. The location of certain uses listed above may be restricted to zoning districts, transportation corridors, or overlay districts established within the Land Development Code.</p>	<p>Definitional.</p>	<p>None.</p>

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<p>Policy FLUE B-3.2.1: Future Development and Infill/Redevelopment. Future development and redevelopment activities in any of the Commercial land use categories shall be implemented through the Land Development Code. Design guidelines from the CR 512 overlay district or others as may be contained within the Land Development Code shall apply to properties located along CR 512 as contained in the Land Development Code. Other regulations will govern such items as commercial uses, street layout, building siting, building scale and character, pedestrian access, and site design. Large retail use establishments shall support the pedestrian scale environment of the district.</p>	Implemented through the LDC.	None.
<p>Policy FLUE B-3.2.2: Patterns of Streets and Buildings. On all commercial developments within the General Commercial land use classification that are over 2 acres, street design and patterns shall be scaled to the needs of pedestrians, and building design and placement shall be on a pedestrian scale. Super blocks, dead-end streets, and cul-de-sacs should be avoided.</p>	Implemented through the LDC.	None.
<p>Policy FLUE B-3.2.3: Streetscapes. Urban streetscape design shall be in conformance with the City design guidelines and will at a minimum require: street trees incorporated into the sidewalk design, street furniture, pedestrian scale lighting, and mid-block planting areas for enhanced pedestrian crossings.</p>	No city design guidelines have been prepared.	None.
<p>Policy FLUE B-3.2.4: Nuisances. This Land Use classification is not intended for activities that may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. Examples of these types of uses include manufacturing, processing, or assembly of goods(except food products), sales and service of heavy commercial vehicle and equipment, or related services or maintenance activities; warehousing; or uses requiring extensive outside storage.</p>	Implemented through the LDC.	None.
<p>Policy FLUE B-3.2.5: Location Criteria. Future General Commercial designations shall be located to have access from arterial or collector streets, including CR 512 and Willow Street, except where frontage or other access management standards set by the City or Indian River County preclude such access in which case local roads may be used; be compatible with adjacent land uses; use buffering and screening; and be served by central water and sewer.</p>	All commercial designations in the City are consistent with this policy.	None.
<p>Policy FLUE B-3.2.6: "Big Box " Large retail establishments shall be permitted only in General and Regional commercial districts and shall be required to meet overlay standards for design, scale, access, connectivity, environmental and public facilities impacts, and pedestrian mobility as defined for each type of district within the Land Development Code.</p>	Implemented through the LDC.	None.
<p>Policy FLUE B-3.2.7: Existing Strip Commercial Corridor Developments. The City will encourage and support the gradual evolution of existing, auto-dominated strip commercial areas to compact, multi-modal-oriented, mixed-use places with enhanced walking connections between destinations.</p>	The City does not have a preponderance of such uses.	None.
<p>Policy FLUE B-3.2.8: Pedestrian Access. Pedestrian environments within Commercial Districts will be supported by connecting them to adjoining uses. Buildings should be oriented both to public streets and to internal streets, with parking areas located internally on the property, or behind buildings when possible</p>	Implemented through the LDC.	None.
<p>Policy FLUE B-3.3: Neighborhood Commercial (NC). The neighborhood commercial (NC) designation, generally located in the central core of the City, allows limited, smaller scale commercial and office uses internal or adjacent to residential neighborhoods to serve the needs of the residents within adjacent residential neighborhoods. Uses are limited to retail, administrative services, semi-public clubs (i.e., social or civic organizations), places of worship, assisted living facilities, restaurants, personal services, and</p>	Definitional.	None.

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<p>business/professional offices that serve adjacent residential neighborhoods. The maximum floor area ratio is .50. Design guidelines, densities and intensities of development, and other regulatory issues will be directed by the Land Development Code, but shall be intended to create a concentration of uses for infill, redevelopment, and service to nearby residential areas. Only NC uses are allowed within the Neighborhood commercial land use category.</p> <p>NC designation may be assigned to an area or property based on the following minimum criteria:</p> <ol style="list-style-type: none"> 1. Sites shall abut a collector road, intersection of a collector road and a local road, or intersection of two local roads. 2. Buildings shall be designed and constructed similar in appearance and character to single family residential structures. 3. The use and location shall not create cut-through traffic within residential areas. <p>Uses that are not intended to be accommodated within the neighborhood commercial area include: large scale discount stores, health spas; motels; wholesale, warehousing, and mini-warehousing activities; outdoor storage; package stores; sales, service or repair of motor vehicles, machine equipment or accessory parts, including tire and battery shops; commercial amusements; and other similar services to be expressly defined in the Land Development Code or other City ordinance.</p> <p>Development occurring within the NC designation must include buffer and screening to mitigate impacts to adjacent residential uses. The Land Development Code shall include performance and design criteria to assure that site design and building appearance are compatible with adjacent residential areas.</p>	
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OBJECTIVE FLUE B-4: Regional Employment Activity Centers (REAC). This designation allows primarily commercial and light industrial uses to occur within areas designated on the Future Land Use Map in accordance with the City's Land Development Code and approved pursuant to a master planned development plan.

Policies	Current 2009 Conditions	Comments
Policy FLUE B-4.1: Uses within REAC Districts shall be regulated through the Land Development Code, but may include a mix of commercial uses, or commercial and/or industrial uses. REAC projects shall be approved through a master development plan and use the planned development approval process.	Definitional	None.
Policy FLUE B-4.2: Fellsmere shall encourage a range of employment opportunities from small businesses to large scale employers needing large parcels of land to meet their needs.	Implemented through private applications for land development.	None.
Policy FLUE B-4.3: Primary and secondary or supporting uses in Regional Centers shall be defined by the City's Land Development Code.	Implemented through the LDC.	None.
Policy FLUE B-4.4: Regional employment/activity centers shall be encouraged through land use incentives, and performance standards to have a "park-like" form, with a connected network of streets and sidewalks. Natural features shall be used to connect the activity centers with the larger community.	Implemented through the LDC and through private applications for land development.	None.
Policy FLUE B-4.5: "REAC" projects shall be planned on a minimum of 5 acres; shall have access to an arterial and collector roadway network; provide environmental and traffic studies as deemed necessary by the regulatory agencies and City; be connected to public water and wastewater facilities and provide private connection/extension/expansion of those facilities to meet concurrency standards at the time of development.	Definitional	None.
Policy FLUE B-4.6: Maximum Intensity of Use within the Regional Center Designation. Projects shall maintain a minimum average of 15% open space and other density and intensity standards regulated within the	Definitional	None.

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Land Development Code, but in no case shall the overall intensity exceed an FAR of .5.		
Policy FLUE B-4.7: Development Agreements. The City shall require the development agreements, annexation agreements, conditions imposed within development orders, letters of credit, or other surety, in order to secure provision of and payment for all necessary public facilities needed to maintain level of service standards and meet concurrency management standards, including but not limited to transportation improvements, internal roadways, water systems, sanitary sewer systems, and stormwater management, for projects developed an approved master plan.	Implemented through the LDC.	None.

OBJECTIVE FLUE B-5: ALLOCATING INDUSTRIAL DEVELOPMENT (IND). The Future Land Use Map shall allocate land resources for existing and anticipated future industrial needs and requisite support services.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-5.1: Industrial Land Use Designation. The allocation of land use designations will provide a high priority to industry's frequent need for strategically located lands which are accessible to highway transport facilities, as well as labor markets and necessary urban services. The City shall work with industrial interest groups to pursue a selective industrial expansion policy. The maximum intensity of industrial development measured in floor-to-area ratios is .25 for sites up to 5 acres; 0.35 for sites 5 to 20 acres; and 0.5 for sites more greater than 20 acres.</p> <p>Generally, industrially designated areas are not adaptive to residential use and as such industrial activities shall not be located within areas designated for residential development. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. Such a use may be permitted as a conditional use through appropriate zoning procedures.</p> <p>The industrial land use designation shall be allocated to industrial sites accessible to major thoroughfares. The sites shall be buffered from residential neighborhoods. Industrial uses include: manufacturing, assembling and distribution activities; warehousing and storage activities; general commercial activities; and other similar land uses which shall be regulated through appropriate zoning procedures. The Land Development Code performance standards for regulating the nuisance impacts sometimes associated with intense commercial and industrial development shall be enforced to promote nuisance abatement.</p> <p>Heavy metal fabrication, batch plants, salvage yards, chemical or petroleum manufacturing or refining, rubber or plastics manufacturing, or other use generating potentially harmful environmental or nuisance impacts shall be prohibited. These uses typically generate heavy truck traffic, require significant acreage, are difficult to screen and buffer from residential areas. Privately owned Recreation activities, with the exception of golf courses, are allowed where the use is located at least 500 feet from lands designed residential on the FLUM or used for residential purposes. Industrial land use designations shall also be located where central sewer is available or planned to be available before the issuance of a certificate of completion or occupancy.</p>	Definitional.	None.
<p>Policy FLUE B-5.1.2: Acceptable Sites for Future Industrial Designations. Future designation of industrial lands (IND) on the Future Land Use Map shall be contingent on meeting the following minimum criteria: meet appropriate buffering, clustering or open space standards, be able to be served by central water and sewer; be adjacent to an arterial or collector roadway or railroad track; be a minimum of ten (10) acres; be located where industrial activities will not adversely affect residential areas; provide assurance of meeting all safety regulations; provide adequate landscaping, buffering and screening; and be compatible with adjacent land uses. The Land</p>	Implemented through the LDC. No current nuisances exist within the City due to proximity of industrial to incompatible uses.	None.

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Development Code shall include the above minimum criteria and may include additional criteria.	
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OBJECTIVE FLUE B-6: ALLOCATING PUBLIC AND INSTITUTIONAL SERVICES. The Future Land Use Map shall allocate land resources for public and institutional facilities and services as specified in the policies stipulated below. The sites shall be compatible with adjacent land uses to the greatest practical extent. The sites shall also fulfill the unique site location requirements included in respective functional plans and shall be responsive to the needs identified in related demographic and supportive needs analysis.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-6.1: Public and Institutional Land Use Designation (PIN). The institutional (PIN) land use designation is intended to accommodate existing public and semi-public services including: governmental administration buildings; public schools and not-for-profit educational institutions; hospital facilities and supportive health care units; arts and cultural or civic facilities; essential public services and facilities; cemeteries; fire and emergency operation facilities; utilities; and other similar activities as shall be identified in the Land Development Code. Lands designated for institutional services shall contain sufficient acreage and open space and be properly screened and buffered in order to minimize potential adverse impacts on adjacent land uses. The maximum intensity of institutional activity measured in floor-to-area ratio is 0.35 FAR.</p> <p>The City shall monitor the need for increased land area for institutional uses and shall assure that the institutional land use designation on the Future Land Use Map is expanded to accommodate the development of public and semi-public facilities such as governmental administration buildings; fire, police and rescue services; educational institutions and similar public uses. Land uses such as places of worship, cultural or civic centers, and other similar public or private not-for-profit uses may be included within this land use designation or within other land use designations as provided for in the zoning regulations. School-siting criteria are addressed within Objective FLUE B-9.</p>	Adequate lands have been designated as PIN on the future land use map.	None.

OBJECTIVE FLUE B-7: MANAGING CONSERVATION RESOURCES. The Future Land Use Map shall identify lands that are environmentally fragile natural resources for long term preservation by designating them as "Conservation." Environmentally fragile natural resources shall be referred to as conservation resources, which are defined in §9J-5.003(28), FAC. The protection and preservation of conservation resources shall be achieved through the implementation of the following policies.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-7.1: Conservation Designation (CON). The Future Land Use Map (FLUM) shall designate lands that are conservation resources as "Conservation." It is the intent of the "Conservation" land use designation to provide for the long term protection and preservation of environmentally sensitive natural resource systems. Environmentally sensitive natural resource systems, scrub or other wildlife habitat, wetlands, or other areas shown on the FLUM shall have their boundaries defined and governed by the regulatory agencies, including St. Johns River Water Management, U.S. Fish and Wildlife Service, Florida Department of Environmental Protection, or other state or federal agency involved in the development permitting process. If it is impractical to designate the area containing conservation resources as Conservation due to size, location, or other factors, the City shall have the option of obtaining a conservation easement from the property owner(s) to protect the area. Areas covered by a conservation easement shall be treated the same as areas designated as Conservation on the FLUM Map series of Maps 1-1A, 1-1B and 1-1C. No development, other than passive recreation, is permitted within "Conservation" designated areas. The applicant shall bear the burden of proof in determining that development on adjacent properties shall not adversely impact conservation resources.</p>	Since 2003, the City has added 80 acres of conservation lands.	None.

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<p>Policy FLUE B-7.2: Any permissible development within the conservation areas shall not exceed a FAR of .05 to .20, as long as approved by the permitting agencies.</p>	<p>Implemented through the LDC. No development on conservation lands occurred during the evaluation period.</p>	<p>None.</p>
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OBJECTIVE FLUE B-8: ALLOCATING SITES FOR RECREATION AND PUBLIC OPEN SPACE. The recreation (REC) land use designation is intended to accommodate existing public and private recreation areas and facilities. Such sites shall be provided at minimum to conform to the City's adopted level of service standard.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-8.1: Recreation Designation (REC). The Future Land Use Map shall designate sites for recreation and public open space. It is the intent of the "Recreation" land use designation to provide sites for public and private parks and recreation areas for passive or active recreation; extensive open areas comprising major committed public and semi-public open spaces, including golf courses; and recreation corridors such as bicycle trails. Adequate buffer and screening shall be provided to reduce impacts to adjacent residential areas.</p>	<p>The City continues to exceed the level of service standards of the Plan.</p>	<p>None.</p>
<p>Policy FLUE B-8.2: The maximum intensity of institutional activity measured in floor-to-area ratio is 0.5 FAR, unless determined by the local government or agency constructing the public facility that a higher intensity is needed. A minimum average of 15% open space shall be maintained on the development site.</p>	<p>Implemented through the LDC.</p>	<p>None.</p>

OBJECTIVE FLUE B-9: SCHOOL SITING WITHIN THE FUTURE LAND USE MAP. The Future Land Use Map shall accommodate schools at locations that minimize impacts to adjacent residential land use, that provide safe and efficient access to school sites, and that create compatibility between the size of the school facility and adjacent residential land uses. The City of Fellsmere shall work cooperatively with the Indian River County School Board on the issue of siting schools to serve the needs of the area population.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE B-9.1: Suitable Locations for Schools. Schools shall be located where a school type will be compatible with the following Future Land Use Map designations and location criteria:</p> <ol style="list-style-type: none"> 1. Elementary Schools (primary and intermediate): Institutional, all residential future land use designations. A site should contain a minimum of ten acres and shall have public water and sewer facilities. 2. Secondary Schools (middle and high): Institutional (Inst), Multiple Family – High Density (MFH), General Commercial (C). A site should contain a minimum of twenty acres, shall be located adjacent to a collector or arterial road, and shall have public water and sewer facilities. [EDITOR'S NOTE – covered in Chapter 10] 	<p>No new schools have been developed within the City during the evaluation period.</p>	<p>None.</p>
<p>Policy FLUE B-9.2: Collocation of Facilities. The City of Fellsmere and the Indian River County School Board should encourage the collocation of schools, public facilities, parks and other institutional uses where feasible, practical, safe and beneficial.</p>	<p>Implemented through continuing intergovernmental coordination.</p>	<p>None.</p>
<p>Policy FLUE B-9.3: School Capacity. The City shall work cooperatively with adjacent municipalities, Indian River County, the Indian River County School Board and other agencies involved in school facility planning, location, expansion, and capacity to assure that schools are capable of accepting new students from approved development.</p>	<p>Implemented through continuing intergovernmental coordination.</p>	<p>None.</p>

Objective FLUE B-10: Pine Grove/ Ansin Development. Concurrent with the adoption of this Comprehensive Plan 2020, the City concluded a development agreement with RO-Ed Corporation dated December 4, 2003 pertaining to Pine Grove, which shall be considered a part of this plan.

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Policies	Current 2009 Conditions	Comments										
<p>Policy B-10.1: Limitations on development. Development within the Pine Grove property shall be limited to the densities and intensities specified in this policy until further amendments to the City's Comprehensive Plan are made:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Non-Residential:</td> <td>1.52 million square feet</td> </tr> <tr> <td> <i>Industrial:</i></td> <td><i>up to 80% of total square feet</i></td> </tr> <tr> <td> Commercial:</td> <td>up to 20% of total square feet</td> </tr> <tr> <td> Office:</td> <td>up to 5% of total square feet</td> </tr> <tr> <td> Residential:</td> <td>5,600 total dwelling units</td> </tr> </table>	Non-Residential:	1.52 million square feet	<i>Industrial:</i>	<i>up to 80% of total square feet</i>	Commercial:	up to 20% of total square feet	Office:	up to 5% of total square feet	Residential:	5,600 total dwelling units	Pine Grove has not developed.	None.
Non-Residential:	1.52 million square feet											
<i>Industrial:</i>	<i>up to 80% of total square feet</i>											
Commercial:	up to 20% of total square feet											
Office:	up to 5% of total square feet											
Residential:	5,600 total dwelling units											
<p>Policy B-10.2: Development within Pine Grove property shall not exceed a level that will cause trips on CR 512 to exceed 739 peak pm hour/peak direction trips or cause the level of service to drop below a level "D", until CR 512 is 4-laned from Pine Grove east to I-95</p>	Pine Grove has not developed.	None.										
<p>Policy B. 10.3: Development within Pine Grove property shall not exceed a level that will cause trips on CR 512 to exceed 745 peak pm hour/peak direction trips or cause the level of service to drop below a level "D", until CR 512 is 4-laned from the western boundary of Pine Grove to the west to a point determined by future traffic study.</p>	Pine Grove has not developed.	None.										
<p>Policy B. 10.4: Development within Pine Grove property shall not exceed a level that will cause trips on CR 512 to exceed 1,596 peak pm hour/peak direction trips or cause the level of service to drop below a level "D", until CR 512 is 6-laned from the western boundary of Pine Grove east to I-95.</p>	Pine Grove has not developed.	None.										
<p>Policy B 10.5: In addition to the goals, objectives and policies and Land Development Code, the following minimum standards and principles shall apply to development of the 3,480-acre Pine Grove Development.</p> <ol style="list-style-type: none"> 1. The area shall be viewed as a primary target area for economic development within the city. 2. The area shall contain a mix of uses, arranged to be consistent with the Comprehensive Plan and compatible with internal and external developments including Regional Employment Commercial/Industrial Activity Centers, Public facilities/services/institutions, medium density residential, low density mixed-use residential neighborhoods, Neighborhood Centers, conservation and natural areas, and related infrastructure as defined herein. 3. While there are "lines" on the future land use map series pertaining to Pine Grove, (Maps 1-1A, 1-1B, and 1-1C) delineating areas for different types of land uses and development, further environmental, traffic, survey, and engineering studies may dictate a need to shift those lines to accommodate natural features, topography, existing or planned public or private utilities, transportation networks and other land use needs. Therefore, the lines for an individual category shown on the FLUM may shift as long as the percentages shown in the Pine Grove Land Use Table for each type of land use category do not change, without triggering the need for a comprehensive plan amendment. The minimum and maximum land use percentages found in the table shall apply (total will not equal 100% as these are ranges). 4. Low density mixed-use neighborhoods may contain a mix of uses including single family, urban estate, town homes, single family attached, zero lot line, garden apartments, adult congregate living facilities, or other single family styles in density pursuant to the policies contained herein. 5. Design standards, street networks, pedestrian and bicycle provisions, conservation and open lands, and other policies contained in this plan shall apply within the development. The Land Development Code shall delineate further specific standards, including density bonuses and transfers of development rights, 	Pine Grove has not developed.	None.										

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<p>to apply to planned developments.</p> <p>6. The Land Development Code shall create a Planned Development structure for regulating large scale development projects.</p> <p>7. Development agreements shall be used to assure compliance with plans and regulations, as well as provision of public facilities, utilities and services to maintain level of service standards at the land use stage and prior to issuance of final development orders.</p> <p>8. The developer shall be required to pay for any public utility and facility needs to serve the development and to design, engineer and pay for any system expansions or connections where necessary.</p> <p>9. The roadway network shall be in accordance with Indian River County and City of Fellsmere transportation system requirements, level of service standards and concurrency requirements.</p> <p>10. Environmental and traffic studies shall be required submittals for planned development-approval.</p> <p>11. Development shall be coordinated with the Indian River County School Board and the City of Fellsmere to assure that local schools can accommodate proposed developments.</p>		
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Objective FLUE B-11: Non-Residential Development Standards. Land Development Codes addressing the location and extent of non-residential land uses shall continue to be enforced in a manner consistent with the Future Land Use Map, and the policies and descriptions of types, sizes, and intensities of land uses contained in this Element.

Policies	Current 2009 Conditions	Comments																
<p>Policy FLUE B-12: Standards for Residential Density. Residential development standards shall be based on and be consistent with the following standards:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">RESIDENTIAL LAND USE DESIGNATIONS</th> <th style="text-align: center;">GROSS DENSITY</th> </tr> </thead> <tbody> <tr> <td>Single Family Residential—Existing Subdivisions</td> <td style="text-align: center;">Less than 5 units/acre</td> </tr> <tr> <td>Low Density Residential—</td> <td style="text-align: center;">LDR: Average of 5 units/acre;</td> </tr> <tr> <td>Single Family – Mobile Home</td> <td style="text-align: center;">Less than 5 units/acre</td> </tr> <tr> <td>Medium Density Residential</td> <td style="text-align: center;">Ranges from 3 to 7 units/acre</td> </tr> <tr> <td>High Density Residential</td> <td style="text-align: center;">5 to 8 units/acre; up to 15 units per acre when density bonuses or transfers qualify.*</td> </tr> <tr> <td>Low Density Mixed Use Neighborhoods:</td> <td style="text-align: center;">Average of five (5) dupa for those areas annexed prior to December, 2006; and an average of three (3) dupa for those thereafter/</td> </tr> <tr> <td>Pine Grove Planned Development</td> <td style="text-align: center;">Overall average of 3 units per acre; governed by development agreement</td> </tr> </tbody> </table>	RESIDENTIAL LAND USE DESIGNATIONS	GROSS DENSITY	Single Family Residential—Existing Subdivisions	Less than 5 units/acre	Low Density Residential—	LDR: Average of 5 units/acre;	Single Family – Mobile Home	Less than 5 units/acre	Medium Density Residential	Ranges from 3 to 7 units/acre	High Density Residential	5 to 8 units/acre; up to 15 units per acre when density bonuses or transfers qualify.*	Low Density Mixed Use Neighborhoods:	Average of five (5) dupa for those areas annexed prior to December, 2006; and an average of three (3) dupa for those thereafter/	Pine Grove Planned Development	Overall average of 3 units per acre; governed by development agreement	<p>Policy is unrelated to objective.</p>	<p>Consider deleting as duplicative of other policies in the FLUE.</p>
RESIDENTIAL LAND USE DESIGNATIONS	GROSS DENSITY																	
Single Family Residential—Existing Subdivisions	Less than 5 units/acre																	
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Low Density Mixed Use Neighborhoods:	Average of five (5) dupa for those areas annexed prior to December, 2006; and an average of three (3) dupa for those thereafter/																	
Pine Grove Planned Development	Overall average of 3 units per acre; governed by development agreement																	

Objective FLUE B-13: Performance Standards. The following performance standards incorporated in the Land Development Code shall be updated and refined as needed to reflect best management principles and practices. Plan review functions shall be carried out by the Department of Community Development and the City Engineer, using other professionals with demonstrated expertise in the issue under review:

1. Provide criteria for protecting wetlands;
2. Establish open space requirements;

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3. Provide criteria for protection of potable water well fields
4. Provide criteria for drainage and stormwater management;
5. Incorporate criteria for requiring off-street parking and managing internal traffic circulation as well as access to and egress from the street system;
6. Mandate availability of requisite services and infrastructure;
7. Stipulate criteria for perimeter screening and buffering land uses and facilities that may otherwise adversely impact development of adjacent land use;
8. Establish standards for erosion and sedimentation control;
9. Address historically significant properties meriting protection; and
10. Require an assessment of the environmental impact of development during major site plan review and stipulate appropriate performance criteria in the Land Development Code.

Objective FLUE B-14 Design Standards. In order to promote quality design and provide flexibility, design standards and engineering specifications for planned developments shall be approved by the City as part of the development order. The City Council may waive various engineering or design provisions of the Land Development Code when in their opinion a project's design features, land uses, densities and intensities are consistent with the Comprehensive Plan, based upon the following criteria. The applicant shall:

1. Submit a letter detailing each item that deviates from the specific base code requirements;
1. Demonstrate they meet or exceed the base requirements through a betterment plan; and
3. Substantiate the need to deviate from the base requirements.

Objective FLUE B-15: PATEL LAND USE AMENDMENT Ordinance 07-05: The amendment to the Comprehensive Plan Future Land Use Maps as requested by Patel Associates, Inc. is subject to compliance with the following conditions and requirements, which shall run with the land.

1. Provide an environmental study and traffic impact analysis prior to site plan review.
2. Provide at owner's/developer's expense for the construction of all required public facilities, roadways, turn lanes and utilities improvements, connections and extensions as determined by the City to be needed for the development of the land. All roads needed for the development shall be paved at owner's/developer's expense to City or County standards, as applicable.
3. The owner/developer shall dedicate, without compensation, all needed right of way for Community Road and Broadway within thirty (30) days after the City requests the right of way.
4. The owner/developer shall demonstrate prior to site plan approval that all concurrency provisions have been addressed or met including but not limited to: sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities, including mass transit, where applicable.
5. The development shall provide a location for a transit stop; shall include internal pedestrian and bicycle paths; and provide connectivity between the residential neighborhood and commercial developments to the south within Old Town.
6. The owner/developer shall enter into a development agreement to provide for payment of fees for or direct construction of public facilities and services demanded by the development.
7. The owners/developers are responsible to pay for all costs associated with any new or expanded public facilities and services required to make their project meet concurrency regulations or to provide their proportionate or fair share contributions therefore.
8. Existing roadways shall be used as the basis for forming a "grid" pattern for new developments to the extent practical based upon the geography and typography.
9. Required Willow Street, Broadway, and Community Road improvements shall be in place prior to certificate of occupancy; or the payments for the proportionate or fair share shall be paid prior to any certificate of occupancy.
10. The development will incorporate Green Building (LEED) buildings and site standards to the extent practical.

Objective FLUE B-16 BANACK FAMILY PARTNERSHIP, ORDINANCE 07-04: The amendment to the Comprehensive Plan Future Land Use Maps as requested by the Banack Family Limited Partnership is subject to Compliance with the following conditions and requirements, which shall run with the land.

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1. The overall density of any residential development on the above-described land shall not exceed 3.5 dwelling units per acre.
2. The owner/developer shall demonstrate prior to site plan approval that all concurrency provisions have been addressed or met including but not limited to: sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities, including mass transit, where applicable.
3. The development shall provide a location for a transit stop; shall include internal pedestrian and bicycle paths; and provide connectivity between the residential neighborhood and commercial developments to the south within Old Town.
4. The provisions of the annexation agreement and other development agreements shall apply.
5. The owners/developers are responsible to pay for all costs associated with any new or expanded public facilities and services required to make their project meet concurrency regulations or to provide their proportionate or fair share contributions therefore.
6. Existing roadways shall be used as the basis for forming a "grid" pattern for new developments to the extent practical based upon the geography and typography.
7. The development will incorporate Green Building (LEED) buildings and site standards to the extent practical.

Objective FLUE B-17 FELLSMERE 392, ORDINANCE 07-07: The amendment to the Comprehensive Plan Future Land Use Maps as requested by Fellsmere 392 LLC is subject to compliance with the following conditions and requirements, which shall run with the land.

1. The density of the residential development on the above-described land shall not exceed 1.857 dwelling units per acre and such development shall be limited to the lands described in Exhibit "A" attached hereto. The commercial activity shall be limited to the land described in Exhibit "C" attached hereto.
2. Upon receipt of all environmental permits from the St. John's River Water Management District, Corps of Engineers, Fish and Wildlife Commission, and Department of Environmental Protection, the lands determined by those agencies to be under jurisdictional governance shall automatically be placed under a conservation easement as defined within the City's Comprehensive Plan.
3. A 100-foot buffer shall separate the Indian River County Gun Range from any publicly used or accessible areas and be no less than 1000' from any habitable structure.
4. Existing vegetation shall be left to provide a natural noise buffer between the project and gun range.
5. Enhanced buffers shall be used when placing development near the Indian River County industrial lands to the East, which may include additional space or additional vegetative materials. This shall be at the discretion of the City when reviewing development plans based upon the topography and other environmental features.
6. The development will incorporate Green Building (LEED) buildings and site standards to the extent feasible.
7. The owner/developer shall demonstrate prior to site plan approval that all concurrency provisions have been addressed or met including but not limited to: sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities, including mass transit, where applicable.
8. The development shall work with Indian River County and the City to provide a location for a transit stop; shall include internal pedestrian and bicycle paths; and provide connectivity between the residential and commercial portions of the development.
9. To the extent approved by the State, the development shall be accessible to the St. Sebastian River Preserve State Park.
10. The City and the owner/developer will work closely with the County's Economic Development personnel to recruit commercial or other development desired by Indian River County.
11. Architectural and site design standards shall provide for a uniform theme or character of the development, with a mix of styles and range of prices to assure access by various income groups.
12. Deed restrictions shall include disclosure of the St. Sebastian River Preserve State Park's conduct of proscribed burns and the existence of the gun range to the East.

Objective FLUE B-18: GARAFOLO ORDINANCE 07-25: The amendment to the Comprehensive Plan Future Land Use Maps as requested by CGV of Fellsmere, LLC is subject to compliance with the following conditions and requirements, which shall run with the land.

1. The density of the residential development on the above-described land shall not exceed 4.58 dwelling units per acre in order to achieve a maximum of Three Hundred Twenty (320) residential units (152 town homes and 168 single-family homes) on Seventy (70) acres. The commercial activity shall be limited to the Northern Eight and

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- Seventy-Seven One Hundredths (8.77) acres and no portion of this land shall be entitled to be used for calculating residential density.
2. The owner/developer shall demonstrate prior to site plan approval that all concurrency provisions have been addressed or met including but not limited to: sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities, including mass transit, where applicable.
 3. The owner/developer shall enter into a development agreement to provide for payment of fees for a direct construction of public facilities and services demanded by the development.
 4. Existing roadways shall be used as the basis for forming a "grid" pattern for new developments to the extent practical based upon the geography and typography.
 5. Architectural and site designs standards shall provide for a uniform theme or character of the development, with a mix of styles and range of prices to assure access by various income groups.
 6. The development will incorporate Green Building (LEED) buildings and the site standards to the extent feasible.

Objective FLUE B-19 Administrative Amendment CPA_01-2007-A- Future land Use Map- (Community Redevelopment Area) (Ordinance -07-08) Expansion of the Old Town land use district. In addition to existing policy language within the Comprehensive Plan, the following policies or conditions shall apply to all developments undertaken within the Old Town District:

1. No development shall exceed the de minimus transportation impacts for urban infill and redevelopment areas as defined in Chapter 163.3180.
2. Architectural and site design standards shall provide for a uniform theme or character of development, with a mix of styles and range of prices to assure access by various income groups.
3. Developers shall enter into a Development Agreement for payment of fees toward required roadway or other public facility improvement required by the City, County or other governmental agencies prior to or as part of site plan approval.
4. Developments shall contribute a fee to be established within the City's fee structure in conjunction with the transit organizations, which fee will be put into a multi-modal transportation project fund that will be used to provide or make enhancements to transit stops, pedestrian and bicycle paths; and provide connectivity between the residential neighborhoods and commercial developments within Old Town.
5. The developers are responsible to pay for all costs associated with any new or expanded public facilities and services required to make their project meet concurrency regulations or to provide their proportionate or fair share contributions therefore.
6. Existing roadways shall be used as the basis for forming a "grid" pattern for new developments to the extent practical based upon the geography and topography.
7. Required CR 512, Broadway, and other road improvements shall be in place prior to certificate of occupancy; or the payments for the proportionate or fair share shall be paid prior to any certificate of occupancy.

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Objective FLUE B-20: Agricultural and Rural Land Use Classification. The City hereby creates an agricultural and rural land use category that will adhere to the following principles.

- Uses: Uses shall be identified and regulated through the Land Development Code and include: Traditional Agricultural Uses; Agricultural Research Uses; Agricultural Related Industries or Businesses, passive or active Recreational Uses; education facilities with agriculturally related curriculum; Rural residential uses; and similar uses.
- Intensity: The location of certain uses listed above may be restricted to zoning districts, transportation corridors, or overlay districts established within the Land Development Code. All Non-Residential Uses shall be agriculturally related. Maximum intensity shall be measured at a FAR of .4.
 - Density: The density shall be the underlying Indian River County Agricultural (AG) density on the property at the time of annexation.
- Clustering: Clustering of residential uses shall be permitted with lots being a maximum of 1 acre per residential unit. Projects proposed to use clustering principles may not be done on lands greater than 500 acres under one ownership.

Policies	Current 2009 Conditions	Comments
Policy FLUE B-20.1: Non-residential uses shall be subject to additional buffering, landscaping, screening and safety standards to protect both the non-residential and agricultural uses.	Implemented through the LDC.	None.
Policy FLUE B-20.2: Energy related, certified "Green" industries, research and development, and associated bio-fuel, renewable, or other related energy institutional projects using natural, agricultural, organic, or similar resources or materials; or new technologies shall be permitted using the FAR standards set forth above for non-residential uses	Implemented through the LDC.	None.
Policy FLUE B-20.3: To protect and conserve agriculturally designated lands, the City shall maintain its development regulations which control the division and development agriculturally designate lands.	Not currently implemented.	LDC provisions to implement this policy are required.
Policy FLUE B-20.4: The City shall permit the continuation of agricultural uses within the urban service area where those uses serve or enhance open space and green belt areas of the City and County.	Not currently implemented.	LDC provisions to implement this policy are required.
Policy FLUE B-20.5: As all the agricultural lands to which this applies lie within the City and County's Urban Service Area, the city shall require subdivision and planned development projects that propose new residential lots adjacent to active agricultural operations to provide special buffers.	Not currently implemented.	LDC provisions to implement this policy are required.
Policy FLUE B-20.6: Community Farming, Farmer's Markets, community kitchens for processing materials for local growers and local uses, shall be encouraged.	Not currently implemented.	LDC provisions to implement this policy are required.

OBJECTIVE FLUE C-1: CONCURRENCY MANAGEMENT. Within one year from the effective date of the Comprehensive Plan, the City shall a concurrency management program pursuant to Ch. 163, F.S., and §9J-5, F.A.C. The City of Fellsmere shall issue no development order or permit for development unless the applicant provides narrative and graphic information demonstrating to the satisfaction of the City that public facilities required by the subject development shall be in place concurrent with the impacts of development. Furthermore, the applicant shall assure that the facilities operate at or above adopted levels of service standards. The applicant's narrative and graphic information shall also demonstrate that the subject development shall not reduce the levels of service (LOS) associated with public facilities serving the development below adopted LOS standards.

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Policies	Current 2009 Conditions	Comments
<p>Policy FLUE C-1.1: Resolving Concurrency Issues. In order to implement the above measure, the City shall require that all developments requiring a development permit (as defined in §163.3164 F.S., including comprehensive plan amendments) shall, at the time the subject permit application is filed, submit information which demonstrates that all urban services needed by the proposed development can and will be provided concurrent with the new development. In order to establish an orderly review process, the City shall refine the Land Development Code by stipulating specific narrative and/or graphic data and information required at the time a comprehensive plan amendment or zoning code amendment is filed with the City. As a minimum, the information shall include the following:</p> <ol style="list-style-type: none"> 1. The specific land use(s) and the proposed density and/or intensity of the use(s); 2. Estimated trips per day generated by the proposed land use(s) together with anticipated on- and off-site improvements necessitated to accommodate the traffic impacts generated by the development including, additional R/W, roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements; 3. Planned improvements in potable water and/or wastewater systems required to establish and/or maintain adopted water and wastewater levels of service. System improvements and proposed funding resources required for implementing any improvements required to establish and/or maintain adopted potable water and wastewater system level of service standards. 4. Conceptual plan for accommodating stormwater run-off and demonstrated evidence that the proposed drainage improvements shall accommodate stormwater run-off without adversely impacting natural systems or the City's adopted level of service for storm drainage; 5. In cases where residential development is proposed, information shall be submitted describing plans for accommodating recreational demands generated by the development, including demonstrated evidence that the City's adopted level of service for recreation shall not be adversely impacted; 6. Projected demand generated by the development on the solid waste disposal system and assurances that the City's adopted level of service for solid waste disposal shall not be adversely impacted; 7. Other information which the City determines is necessary to assure that the concurrency requirement shall be satisfied without adversely impacting existing levels of service or the City's ability to adequately service anticipated developments which are consistent with adopted plans and policies of the City. <p>All such information submitted pursuant to this subsection shall incorporate proposed funding sources, including any identification of improvements which the applicant anticipates shall be funded by the City or other public or private entity other than the applicant.</p>	<p>Provisions of this policy are contained in the LDC.</p>	<p>None.</p>
<p>Policy FLUE C-1.2: Concurrency Management Monitoring and Evaluation System. The City shall incorporate a monitoring and evaluation system in the adopted Land Development Code in order to ensure that the City maintains a continuing record of available capacity provided by infrastructure systems, including roadways, water and sewerage systems, drainage systems, solid waste system, and recreation and open space systems. The City's monitoring and evaluation system shall include a record of current estimates for demand on the designed capacity of each system. In addition, the City shall include a record of committed developments together with the projected increment of demand placed on each infrastructure component. This concurrency management tracking system shall provide a balance sheet noting current supplies capacity available to service future development and redevelopment.</p>	<p>Partially implemented. The city maintains standards within the LDC but has not created a record of approved developments. As capacity has not been an issue, concurrency implications have not resulted.</p>	<p>None.</p>

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OBJECTIVE FLUE C-2: MANAGE AND COORDINATE FUTURE LAND USE DECISIONS. The City of Fellsmere shall maintain Land Development Code, including performance standards which ensure that land development activities, resource conservation, and infrastructure issues are managed in a manner that includes timely coordination with County, regional, and State agencies having jurisdictional authority. Management of land and physical improvements identified on the Future Land Use Map will be regulated in order to protect and/or conserve natural systems, including topography, soil conditions, vegetation, natural habitat, public potable water well fields, and other environmentally sensitive land and water resources. Land use shall also be predicated on availability of man-made infrastructure and service systems required to support respective land use activities or the ability of the public or private sector to provide same and maintain adopted levels of service standards.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE C-2.1: Future Land Use Map and Related Policies. The Future Land Use Map and related policies identified in section 1-2 "Future Land Use Map," provide definitions of land use designations and qualitative standards that shall be applied in allocating future land uses.</p>	Definitional.	None.
<p>Policy FLUE C-2.2: Land Development Code. The City's existing Land Development Code governing zoning; subdivision; signage; landscaping and tree protection; and surface water management shall be revised when needed in order to:</p> <ol style="list-style-type: none"> 1. effectively regulate future land use activities and natural resources identified on the Future Land Use Map; 2. adequately protect property rights; and 3. implement the goals, objectives, and policies stipulated in the Comprehensive Plan. <p>The Land Development Code shall continue to be applied to:</p> <ol style="list-style-type: none"> 1. Regulate the subdivision of land; 2. Regulate the uses on land and in water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space; 3. Protect the environmentally sensitive lands designated in the Comprehensive Plan; 4. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management; 5. Protect potable water well fields and aquifer recharge functions and areas; 6. Regulate signage; 7. Ensure safe and convenient on-site and off-site traffic flow and vehicle parking needs and plan for dedication, acquisition and development of future rights-of-way as identified in the programmed engineered master plan for the City's Major Thoroughfares. 8. Provide that development orders and permits shall not be issued which result in a reduction of levels of services for impacted public facilities below the levels of service standards that shall be adopted by the City Council. 	Already implemented in the LDC.	None.

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<p>Policy FLUE C-2.3: Development Compatibility with Sewer System. Where the City's central sewer service is available within the City, new development or redevelopment other than building permits for single family homes on lots legally platted prior to the adoption of the Comprehensive Plan shall be required to connect to the central sewer system. The cost to connect to the system, including the extension of any sewer lines from existing locations, shall be borne by the developer. For new development or redevelopment proposed in areas where the City's central sewer is not available, the City may waive the requirement to connect to the City's central sewer system under the following circumstances:</p> <ol style="list-style-type: none"> 1. The City approves the use of a central sewer system other than the City's system; or 2. The density and intensity of the development is suitable for use of on-site septic systems and such systems are compliant with Florida Statutes and Florida Administrative Code regarding such facilities and are permitted by the Indian River County Health Department. However, the City is not obligated to waive the requirement to connect to the City's central sewer system if it determines that public health and safety necessitate connection to the City's system. For lands west of Willow Street, such density shall not exceed 5 units per acre, as currently exists in the developed portions of the City, which are on septic systems approved by the IRC Health Department. For any new residential developments east of Willow Street to be allowed the use of on-site sewerage disposal systems, the maximum density allowed shall be 1 unit per acre. Pine Grove shall be connected to a central sewer system fully paid for by the developers of Pine Grove parcels. <p>For purposes of this policy, the phrase "not available" shall mean that the City is unable or unwilling to expend public funds to extend central sewer services to an area of the City.</p>	<p>The City has not violated this policy during the evaluation period.</p>	<p>None.</p>

OBJECTIVE FLUE C-3: ENCOURAGE REDEVELOPMENT AND RENEWAL. Fellsmere has a unique history, style, and look that the City seeks to preserve. The City of Fellsmere shall maintain a Land Development Code, which will include performance standards to ensure that land development activities and infrastructure issues are managed in a manner that will consider the needs of all the citizens of Fellsmere. The City shall maximize the use of what already exists by protecting, restoring and enhancing the existing assets, including historical structures and resources. It is the intention of the City to preserve those positive things that brought our citizens to Fellsmere.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE C-3.1: Code Enforcement Activities. Code enforcement activities shall be continued as an integral part of the City's regulation programs. The code enforcement program shall preserve and protect structurally sound land improvements and land uses consistent with the Comprehensive Plan.</p>		<p>None.</p>
<p>Policy FLUE C-3.2: Public and Private Sector Partnerships. The City shall coordinate redevelopment issues with the private sector in promoting mobilization of public and private resources necessary to effectively carry out redevelopment efforts, especially in the Downtown area.</p>	<p>Implemented on a case by case basis. During the evaluation period the City has assisted with a number of redevelopment efforts.</p>	<p>None.</p>
<p>Policy FLUE C-3.3: Small Town Character. The City shall maintain densities and intensities consistent with existing development in order to preserve the small town character of Fellsmere. The City shall develop, procedures and ordinances, including architectural standards, urban design standards, sign regulations and landscape requirements, to implement this policy.</p>	<p>No currently implemented.</p>	<p>None. Develop a new policy committing the City to investigate the use of alternative land use and urban design controls (i.e., form based codes).</p>

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Policy FLUE C-3.4: Preservation of Existing Assets. The protection, restoration, and enhancement of existing assets, including historical structures and resources, is important to the City. The City shall develop procedures and ordinances to protect, encourage restoration and to provide for enhancement of existing assets in the Downtown and surrounding area. The City shall develop programs and identify funding sources to protect, restore and enhance the historical structures in Fellsmere.	Implemented through the LDC , CMS, and ongoing planning efforts of the City.	None.
Policy FLUE C-3.5: Reinforce and Enhance Appearance of City Gateways. The City together with the private sector shall consider introducing landscaping and urban design amenities along gateways to the City, particularly the CR 512 corridor and the Fellsmere "Old Town". Such enhancement shall include application of community appearance criteria which reinforces good principles of design as well as preserving unique characteristics and open space for scenic vistas. The gateway improvements shall also address the implementation of uniform streetscape amenities, enhanced signage and intersection improvements	Not fully implemented. The City has undertaken and partnered with groups such as the Fellsmere Beautification Committee to implement this policy as funding allows.	None.
Policy FLUE C-3.6: Protect Significant Sites and Structures through purchase or other techniques. The City shall pursue state, federal, and local funding sources to acquire significant cultural and historic sites and resources (such as the Trans-Florida Railroad) for public acquisition to be used for public recreation, open space and conservation to ensure their protection	Implemented as opportunities arise. The City has successfully acquired a number of significant historical resources during the evaluation period.	None.
Policy FLUE C-3.7: Identify Blighted Areas. The City established a Community Redevelopment Area in 2005. The City shall continue to evaluate and identify blighted areas that are ready for re-development and implement programs to designate the areas for urban infill, urban redevelopment or downtown revitalization area as defined in section 163.3164, F.S.	Implemented through the CRA program. The City expanded the CRA to encompass the entire historic city in 2007.	None.
Policy FLUE C-3.8: Direct development and growth to CRAs and Old Downtown. The City shall encourage development and growth to locate within the designated Community Redevelopment Areas (CRA) to promote urban infill, urban redevelopment and downtown revitalization, including residential, non-residential, active and passive recreational uses and trails, institutional, and other appropriate land uses as defined within the land development code.	Implemented through activities of the CRA including façade and infrastructure grants, reduced parking requirements, and other development incentives.	None.

OBJECTIVE FLUE C-4: PREVENT LAND USE INCONSISTENT WITH CITY'S CHARACTER. The City of Fellsmere shall maintain Land Development Codes that ensure that if improvements are proposed to an existing structure that do not conform or comply with regulations governing use, setbacks, size, dimensions, height, density, or other location criteria, then:

1. in no case shall any existing non-conforming or non-complying structures be increased; and
2. any existing non-complying structures shall be eliminated or reduced to the greatest reasonable and practical extent.

Policies	Current 2009 Conditions	Comments
Policy FLUE C-4.1: Managing Future Land Use. The Future Land Use Map and related policies together with the Land Development Code shall be applied as a planning and management tool in order to prevent development of land uses that do not conform to the City's character as illustrated in the City's adopted Future Land Use Map.	Implemented through the LDC and the continuing planning process.	None.
Policy FLUE C-4.2: Managing Improvements to Existing Non-Complying Structures and Non-Conforming Uses. The Land Development Regulations standards regulating improvements to existing non-complying structures as well as changes to non-conforming uses shall continue to be applied. Such standards shall continue to require that plans for alterations to non-complying uses incorporate improvements to bring the subject structure	Implemented through the LDC. No nonconforming uses have been enlarged during the evaluation period.	None.

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into compliance to the greatest reasonable and practical extent. In no case shall any existing non-compliance be increased. Similarly, no non-conforming use may be enlarged without reducing the extent of the non-conformity.		
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OBJECTIVE FLUE C-5: PROTECTION OF ARCHAEOLOGICAL AND HISTORIC RESOURCES. Any development of a Federal, State or City designated historic or archaeological site or structure identified in the adopted Comprehensive Plan shall be required to submit a site plan which illustrates how the applicant will mitigate the adverse impacts. As a minimum, the site plan shall identify precautions to be taken to prevent the following adverse impacts:

1. Destruction or alteration of all or part of such site;
2. Isolation from, or alteration of the surrounding environment;
3. Introduction of visual, audible, or atmospheric elements that are out of character with a property or alter its setting;
4. Vegetation removal shall not be permitted on a historic or archaeological site unless the vegetation to be removed is a part of a duly authorized scientific excavation, or is a part of an approved development plan, and
Other forms of neglect resulting in resource deterioration.

Policies	Current 2009 Conditions	Comments
Policy FLUE C-5.1: Programming for Archaeological and Historic Sites. The City shall coordinate with the State in developing programs for identifying, preserving, and enhancing sites of historical and archaeological significance. Programs for identification, evaluation of relative significance, protection, preservation, and enhancement shall be promoted, utilizing available public resources at the local, State, and Federal level as well as available private sector resources.	Implemented on a case by case basis. The City has successfully preserved a number of historic properties during the evaluation period.	None.
Policy FLUE C-5.2: Preventing Adverse Impact of Development on Historic or Archaeological Sites. Development activities shall include precautions necessary to prevent the following adverse impacts to historic or archaeological sites of significance: <ol style="list-style-type: none"> 1. Destruction or alteration of all or part of such site; 2. Isolation from or significant alteration to its surrounding environment; 3. introduction of visible, audible, or atmospheric elements that are out of character with the property or significantly alter its setting; 4. transfer or sale of a site of significance without adequate conditions or restrictions regarding preservation, maintenance, or use; and 5. other forms of neglect resulting in its deterioration. 	Implemented on a case by case basis.	None.

OBJECTIVE FLUE C-6: PROTECTION OF NATURAL RESOURCES. The City shall maintain Land Development Codes that implement the performance standards as directed by the policies below to ensure that development and conservation activities shall protect natural resources.

Policies	Current 2009 Conditions	Comments
Policy FLUE C-6.1: Future Land Use Policies for Managing Environmentally Sensitive Lands. The Land Development Code shall also provide for wetland preservation consistent with the requirements and regulations of the St. Johns River Water Management District, FDEP, and the Corps of Engineers.	Provisions contained in the LDC.	None.
Policy FLUE C-6.2: Intergovernmental Coordination and Natural Resource Management. The City shall coordinate with the State, the St. Johns River Water Management District, the Treasure Coast Regional Planning Council, Indian River County, state agencies, and other agencies concerned with managing natural resources.	Implemented through the continuing planning process and standard intergovernmental coordination activities.	None.

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Such intergovernmental coordinating activities shall be directed toward protecting the values and functions of respective natural systems		
Policy FLUE C-6.3: Protect Habitats of Flora and Fauna Having Special Status. The habitat of rare, endangered, and threatened species of flora and fauna and others having special status as identified in the Conservation Element shall be protected.	During the evaluation period, not development occurred that threatened habitats of rare or endangered species.	None.
Policy FLUE C-6.4: Managing Stormwater Run-off. The developer/owner of any site shall be responsible for managing on-site run-off.	Implemented through the LDC.	None.
Policy FLUE C-6.5: Conservation of Potable Water Supply. The potable water supply shall be conserved by enforcing conservation standards to be developed as part of the Land Development Code.	Provisions contained in the LDC.	None.

OBJECTIVE FLUE C-7: PREVENT PROLIFERATION OF URBAN SPRAWL AND DEVELOP EFFICIENT SYSTEMS FOR COORDINATING THE TIMING AND STAGING OF PUBLIC AND PRIVATE DEVELOPMENT. The City shall adopt and maintain a Land Development Code that includes performance standards ensuring that the location, scale, timing, and design of development shall be coordinated with public facilities and services in order to prevent the proliferation of urban sprawl and achieve cost effective land development patterns. Performance standards consistent with those listed shall direct future development only to those areas where provision of public facilities necessary to meet levels of service standards are to be made available concurrent with the impacts of the development.

Performance standards may include, but not be limited to, the following:

1. No poorly planned conversion of rural land to other uses;
2. No areas of urban development or uses which fail to maximize the use of existing or planned public facilities;
3. No areas of urban development or uses which fail to use areas within which public services are currently provided or planned; or, in which the developer is incapable of providing facilities and services;
4. No leapfrog/scattered development or ribbon /strip commercial development patterns; and
5. Consistent with criteria in Rule 9J-5.006(5).

Policies	Current 2009 Conditions	Comments
Policy FLUE C-7.1: Development Orders and Permitting Process. Development orders and permits for all future development shall be timed and staged to assure that requisite infrastructure and services are available to respective developments concurrent with the impacts of the development.	Implemented through the City's concurrency management system.	None.
Policy FLUE C-7.2: Design of Public Facilities and Utilities. Public facilities and utilities shall be located and designed to: 1. maximize the efficiency of services provided; 2. minimize related costs; and minimize adverse impacts on natural systems	Implemented through the City's concurrency management system.	None.
Policy FLUE C-7.3: Developments Not Served by Public Water and/or Wastewater Systems. All developments in areas not serviced by public water and/or wastewater systems shall be governed by applicable State laws and administrative regulations		None.
Policy FLUE C-7.4: Accommodating Requisite Infrastructure. During the subdivision review, site plan review, and permitting processes the City shall insure that respective future developments allocate sufficient land area for infrastructure required to support the proposed development.	Implemented through the City's concurrency management system and development review process.	None.

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OBJECTIVE FLUE C-8: CONSIDER APPLICATION OF INNOVATIVE LAND AND WATER RESOURCE MANAGEMENT AND ENERGY CONSERVATION CONCEPTS. The City's Land Development Code shall incorporate land and water resource management techniques that have been demonstrated to be successful and cost effective in resolving development conservation issues. These techniques address issues such as surface water management, soil erosion and sedimentation control, land clearing and excessive tree removal, loss of mature plants and wildlife habitat, and conservation of water supply.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE C-8.1: Use of Energy. The City will consider adopting site planning standards which require and/or provide incentives to developers to incorporate passive or active energy conservation measures in site layout and design. Developments which include green building standards, passive or active energy systems or design standards, low impact development measures, and LEEDS certified standards may be awarded incentives and bonuses upon criteria to be set forth in the Land Development Code. Recognize the energy services provided by natural features of the environment including landscape, sun and wind, and promote site development and resource management that complements or substitutes for energy-intensive technologies</p>	Not currently implemented.	None.
<p>Policy FLUE C-8.2: Energy Efficient Land Development. Encourage land use patterns that by location, scale, and design minimize long-term energy commitments to construction, operation, maintenance, and replacement. Natural resource conservation/utilization shall be consistent with sound energy management principles.</p>	Implemented through numerous mixed use land use designations.	None.
<p>Policy FLUE C-8.3: Coordination of Energy Management. The City shall participate in regional, State, or local initiatives directed at coordinating energy management within the public and private sectors. These tasks may include joint formulation of energy related decisions with concerned federal, state, regional, and county agencies as well as with concerned private entities. Such activities shall be directed toward maximizing awareness of energy related problems, issues, alternative techniques for resolving energy related problems and issues, and to identify future areas where joint efforts may enhance mutual goals and objectives.</p>	Not currently implemented.	None.
<p>Policy FLUE C-8.4: Energy Efficiency in Plans. The City shall promote a systematic approach to the development of pedestrian and bicycle path networks by the public and private sectors in order to improve energy efficient transportation links between major activity areas such as residential neighborhoods, employment centers, shopping areas, parks, and schools.</p>	Not currently implemented.	None.
<p>Policy FLUE C-8.5: Energy Efficient Design. The City's Land Development Code shall include criteria which requires and/or provides incentives for design techniques which reduce demand for artificial heating, cooling, ventilation and lighting. Design factors may include building design, siting and orientation that effectively utilize natural solar resources, wind conditions, tree canopy, and plant material to reduce the effects of exposure to extreme weather conditions. Energy efficient construction shall be promoted through enforcement of the building and energy codes, through application of new and proven energy-efficient technology and through cooperative efforts with building trades, design professionals, building officials, and county, regional and state agencies concerned with energy conservation.</p>	Not currently implemented.	None.
<p>Policy FLUE C-8.6: Energy Conservation in Building and Construction. The City shall enforce energy efficient building codes and promote efficient energy conservation in building heating and cooling systems. The City shall promote attendance at regional training workshops in energy efficiency in construction and continue to foster cooperative relationships between building trades, architects, engineers, and building officials.</p>	Implemented through the building permitting process.	None.

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OBJECTIVE FLUE C-9: INTERGOVERNMENTAL COORDINATION. The City shall maintain Land Development Code incorporating administrative procedures to ensure efficient coordination of land and water management issues surrounding proposed development are carried out in a timely manner with all public entities having jurisdictional authority.

Policies	Current 2009 Conditions	Comments
Policy FLUE C-9.1: Implementing Intergovernmental Coordination. The City shall require that development applications be coordinated, as appropriate, with Indian River County, the Indian River County School Board, other special districts, the Treasure Coast Regional Planning Council (TCRPC), the St. Johns River Water Management District, as well as applicable State and Federal agencies prior to issuance of a development order or permit. The City shall coordinate with the TCRPC in meeting regional policies contained in the Regional Comprehensive Policies Plan.	Duplicative of other policies in the ICE.	None.

OBJECTIVE FLUE C-10: CONTINUING LAND USE PROGRAMS. The City shall implement land use goals and objectives by carrying out a continuing program of land use activities below cited.

Policies	Current 2009 Conditions	Comments
Policy FLUE C-10.1: Land Use Information System. Establish, maintain, and periodically update the land use information system, integration of the Tax Appraiser property files, Building and Zoning Department permit files, engineering base maps, and all other relevant land use data files.	The land use information system remains disconnected. Improvements will occur as funding allows.	None.
Policy FLUE C-10.2: Land Use Trends. Monitor and evaluate population and land use trends.	Implemented through periodic reviews of various data sets as part of the continuing planning process.	None.
Policy FLUE C-10.3: Fiscal Management. Implement fiscal management policies of the capital improvement program and budget.	Duplicative of other policies in the ICE.	None.
Policy FLUE C-10.4: Administer Land Use Controls. Administer adopted land use controls, including the zoning ordinance, subdivision regulations, building regulations, housing code, traffic regulations, and regulations governing streets and sidewalks.	A primary function of the Community Development Department.	None.
Policy FLUE C-10.5: Public Assistance. Provide continuing land use information and assistance to the public.	Performed as part of the ongoing public outreach.	None.
Policy FLUE C-10.6: Intergovernmental Coordination. Coordinate land development issues where applicable with other public agencies at all levels of government pursuant to the Intergovernmental Coordination Element of this plan.	Duplicative of other policies in the ICE.	None.
Policy FLUE C-10.7: Manage Current Developmental Impacts. Evaluate and manage impacts of proposed development pursuant to existing ordinances, including, but not limited to, public facilities, natural environment, and impact on stable residential neighborhoods.	Duplicative of other policies in the FLUE.	None.
Policy FLUE C-10.8: Urban Design and Community Appearance. Good principles of urban design shall be applied through site plan review procedures in order to enhance general community appearance as well as to preserve and enhance open space and landscape. This program shall assist in protecting major natural and man-made resources within the City as well as developing residential neighborhoods and centers of commercial or institutional activity.	Duplicative of other policies in the FLUE.	None.
Policy FLUE C-10.9: Special Land Use Studies. In order to maintain land use policies responsive to changing conditions, problems, and issues, the City shall undertake special studies as needed to develop specific local strategies for resolving unanticipated land use problems and issues.	The City has undertaken a number of land use studies during the evaluation period as summarized in the evaluation of the FLUE.	None.

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OBJECTIVE FLUE C-11: CONTINUING EVALUATION OF LAND USE ELEMENT EFFECTIVENESS. The City shall use the following policies as criteria in evaluating the effectiveness of the Land Use Element.

Policies	Current 2009 Conditions	Comments
<p>Policy FLUE C-11.1: Review the Impact of Change Indicators on Land Use Policy. Trends in the magnitude, distribution, and characteristics of population and land use shall serve as indicators of possible changes in land use needs. The policy implications of major trends in land use characteristics shall be evaluated on a continuing basis. Land use policy shall be refined as needed in order to remain responsive to evolving problems and issues.</p>	<p>Implemented through periodic reviews of various data sets as part of the continuing planning process.</p>	<p>Delete – Address in Chapter 9, the Evaluation Element</p>
<p>Policy FLUE C-11.2: Schedule, Budget, and Implement Programmed Activities. The timely scheduling, programming, budgeting and implementation of programmed land use activities identified in this Element shall be evidence of the City's effectiveness in carrying out a systematic program for implementing adopted land use goals, objectives and policies.</p>	<p>Vague</p>	<p>Delete – Address in Chapter 9, the Evaluation Element</p>
<p>Policy FLUE C-11.3: Coordinate with Public and Private Sectors. While continually implementing and evaluating the Land Use Element, the City shall maintain a process of intergovernmental coordination as well as coordination with private sector groups interested in land use policy and programs. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving land use problems and issues.</p>	<p>Duplicative of ICE policies</p>	<p>Delete – Address in Chapter 9, the Evaluation Element</p>
<p>Policy FLUE C-11.4: Achieve Effective Resolution of Land Use Goals, Objectives, and Policies. The effectiveness of the Land Use Element shall be measured by the City's success in achieving land use goals, objectives, and policies. The Land Use Element incorporates a systematic planning process for identifying land use problems and issues and implementing corrective actions.</p>	<p>Informational</p>	<p>Delete – Address in Chapter 9, the Evaluation Element</p>

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