

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

OBJECTIVE CON A-1: PROTECT AIR QUALITY. The City shall adopt and maintain performance standards as part of the land development codes to ensure that new development meets or exceeds the minimum air quality standards established by the Florida Department of Environmental Protection (DEP). In addition, the City shall establish regulatory programs to prevent and/or minimize non-point sources of air pollution (note: the City has no point sources of air pollution).

Policies	Current 2009 Conditions	Comments
Policy CON A-1.1: Combat Erosion and Generation of Dust Particles. Land development codes shall incorporate performance standards that combat erosion and generation of fugitive dust particles. The codes shall require that measures be taken on building sites or cleared areas to ensure that exposed, destabilized, or other altered soil is expeditiously covered with an acceptable erosion control material.	Code provisions are in place.	None.
Policy CON A-1.2: Air Pollution and Land Use Codes. The City shall adopt and maintain land development codes to protect against loss of air quality by using soil erosion and sedimentation controls as well as nuisance abatement standards. The land development codes shall include land use controls that promote activities compatible with existing land uses and natural systems, while prohibiting activities that generate air pollutants and other adverse impacts on the environmentally fragile ecosystem.	Code provisions are in place.	None.

OBJECTIVE CON A-2: WATER QUALITY AND QUANTITY. The City shall adopt and maintain land development codes that address water quality and quantity through the implementation of the following policies.

Policies	Current 2009 Conditions	Comments
Policy CON A-2.1: Water Quality, Surface Water Management, and Land Use. Land development regulations shall incorporate the following performance standards in order to protect the quality of the City's water resources, reduce point and non-point sources of pollution, protect well-fields and other water sources, and to conform to policies of the DEP, and SJRWMD: 1. Water Quantity. Surface water management systems shall be designed and constructed to retain or detain run-off per the following standards: a. New Development -- Post development peak rate of discharge must not exceed the pre-development peak rate of discharge for the 25-year frequency, 24-hour duration storm event for water quantity. b. Existing and Infill Development -- Attenuation of the 2-year frequency, 5-year, 24-hour event by the year 2000 and the 10-year, 24-hour storm event by the year 2010.	Code provisions are in place	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-2.1: continued 2. Water Quality. The City shall establish and maintain land development regulations and management programs aimed at increasing the protection or enhancement of surface water quality by addressing point and non-point pollution through enhanced storm water treatment. Stormwater facilities shall be designed to meet the following design and performance standards for new, existing, and infill development: Retention of first inch of runoff.</p>	<p>Code provisions are in place</p>	<p>None.</p>
<p>Policy CON A-2.1: continued 3. Littoral Zones. A vegetated and functional littoral zone shall be established as part of the surface water management system of lakes occurring on all property. Prior to construction of the surface water management system for any phase of a project, the developer shall prepare a design and management plan for the wetland/ littoral zone that will be developed as part of these systems. The plan should:</p> <ul style="list-style-type: none"> a. Include typical cross sections of the surface water management system showing the average water elevation and the -3 foot contour (i.e., below average elevation); b. Specify how vegetation is to be established within this zone, including the extent, method, type and timing of any planting to be provided; and c. Provide a description of any management procedures to be followed in order to assure the continued viability and health of the littoral zone. The littoral zone as established should consist entirely of native vegetation and should be maintained permanently as part of the water management system. As a minimum, 10 square feet of vegetated littoral zone per linear foot of shoreline should be established as part of the surface water management system. 	<p>Not currently contained in the LDC.</p>	<p>None.</p>

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-2.2: Regulate Wastewater Treatment Discharge to Preserve Water Quality. The City shall require all new residential subdivisions, excluding individual single family houses in existing subdivisions, as well as multiple family and non-residential development within the established wastewater system service area to connect to the City of Fellsmere wastewater system. In areas where developments cannot be connected to the public sewer, the development may be allowed to use septic tanks provided that the County Health Department approves and the developer agrees to install dry sewer lines in the development for connection at a later date. The City Council may waive the requirement to install dry lines. If so, conditions, including groundwater levels, shall be determined to support the long term use of septic tanks.</p>	<p>All development is consistent with this policy.</p>	<p>None.</p>
<p>Policy CON A-2.3: Intergovernmental Coordination for Water Conservation. The City shall cooperate with local, regional, state and federal agencies for the management of fresh water resources to maintain adequate fresh water supplies during dry periods and to conserve water where practicable.</p>	<p>This policy is implemented through the continuing planning process and requirements for agency permits as applicable.</p>	<p>None.</p>
<p>Policy CON A-2.4: Emergency Conservation of Water Sources. The City shall coordinate with the St. Johns River Water Management District (SJRWMD) in implementing emergency water conservation measures based on the SJRWMD plans for management of the region's water resources.</p>	<p>The City has implemented emergency and ongoing water conservation measures in coordination with SJRWMD</p>	<p>None.</p>
<p>Policy CON A-2.5: Protect Deep and Surficial Aquifer Recharge Areas. The St. Johns River Water Management District has identified no prime deep aquifer recharge areas within the City. However, stipulations for protecting surficial aquifer recharge areas shall be incorporated into the City's land development codes, including requirements to retain open space within developments in order to:</p> <ul style="list-style-type: none"> • Preserve the quality and quantity of water resources within the surficial aquifer; • Promote improved surface water management; and • Create natural or landscaped urban green space for enhanced community aesthetics and passive pedestrian/recreation activities. 	<p>Code provisions are in place.</p>	<p>None.</p>
<p>Policy CON A-2.6: Deep Aquifer Water Conservation. In order to protect the quality and quantity of deep aquifer water resources, the City shall coordinate with the St. Johns River Water Management District and other applicable regulatory agencies in identifying the existence and location of free flowing deep aquifer wells. The City shall further coordinate with these agencies in requiring corrective measures, including capping, plugging, or installing regulatory devices to control the discharge of water from the deep aquifer pursuant to the St. Johns River Water Management District policies.</p>	<p>This policy is implemented through the continuing planning process.</p>	<p>None.</p>

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-2.7: Protection and Conservation of Potable Water Supply (wellfield and other source protection). The City shall maintain the land development codes for public potable water well field protection. In addition, administrative procedures shall require applicants for development to coordinate with the St. Johns River Water Management District in obtaining consumptive use permits. In order to comply with potable water conservation policies of the St. Johns River Water Management District, the land development codes shall incorporate the following performance standards:</p> <ul style="list-style-type: none"> a. Where reclaimed water is available, potable water supplies may not be used to meet irrigation needs. b. Require the use of water-saving plumbing fixtures on all new development. c. In order to reduce demand for irrigation water (which in turn often places greater demand upon potable water sources), at least thirty (30%) percent of all landscaping material obtained from off-site sources for use on any site should be native plants. Further, at least fifty (50%) percent of all trees used in landscaping shall be native species in order to lessen water demand. 	Code provisions are in place.	None.
<p>Policy CON A-2.8: Managing Land Use Surrounding Water Well Cones of Influence. The City shall maintain land development codes containing performance criteria designed to protect potable water supply and quality by restricting land development within public water well cones of influence in order to avoid potential adverse impacts on potable water resources.</p>	Code provisions are in place.	None.

OBJECTIVE CON A-3: MAINTENANCE OF FLOODPLAIN. The City shall maintain land development codes designed to protect the natural functions, including flood-carrying and flood storage capacity, of the 100-year floodplain.

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-3.1: Enforce Policies to Maintain Floodplain. The City shall continue to enforce its surface water management and flood damage prevention codes. New development encroaching into the floodplain shall incorporate flood protection measures sufficient to protect against the 100-year flood. The City's stormwater management and flood protection codes shall maintain consistency with program policies of the Federal Insurance Administration. The City shall monitor new cost effective programs for minimizing flood damage. Such programs may include modification of construction setback requirements or other site design techniques, as well as upgraded building and construction techniques.</p>	<p>Code provisions are in place.</p> <p>The City is not currently monitoring new methods of flood prevention except through standard intergovernmental coordination and the continuing planning process.</p>	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

OBJECTIVE CON A-4: PROTECT AND PRESERVE WETLANDS. The City shall maintain land development codes that include performance criteria designed to protect and preserve wetlands from physical and hydrologic alterations as well as specifically direct incompatible land uses away from wetlands. This objective shall be measured through the implementation of the following policies.

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-4.1: Wetland Development Restrictions. Wetlands, as defined in Rule 9J-5.003 (149), FAC, shall be protected from physical or hydrologic alterations in order to maintain natural functions.</p>	Code provisions are in place.	Revise to acknowledge mitigation as an option.
<p>Policy CON A-4.2: Protection of Wetland Transition Areas. Transition areas shall be defined as the area separating wetland and upland areas and in which development activities may be regulated to protect wetlands. The transition zone is an area having a direct groundwater or surface water influence. The transition area provides a buffer between wetlands and upland development or other land alteration activities. This area shall meet the minimum size requirements established by SJRWMD for wetland buffers. The purpose of the transition zone is to ensure the continuing function of respective wetland communities. The City shall retain the right to prohibit development within the wetland transition area. The boundary of a wetland transition area shall be established by field investigation. At a minimum the following uses shall be prohibited within the wetland transition areas:</p> <ul style="list-style-type: none"> • All industrial uses; Above-ground or below-ground pipes for pollutants or contaminants; • Sanitary landfills; Wastewater treatment facilities; Incinerators; Petroleum or pesticide storage facilities; Animal feedlots; Any land use that stores, handles, or generates hazardous material or waste. 	Code provisions are in place.	Revise to acknowledge that uses within the transition zone or area (wetland buffer) shall be consistent with the uses allowed by the SJRWMD permit.
<p>Policy CON A-4.3: Required Dedication of Conservation Easements or Reservations. The City shall maintain land development codes to include performance criteria designed to protect and preserve wetlands and wetland transition areas and provide for the dedication of conservation easements or reservations where the City finds that the dedication is reasonable in order to protect the value and function of a wetland.</p>	Code provisions are in place.	None.
<p>Policy CON A-4.4: Wetland Delineation (Establishing the Wetland Line). The City shall maintain in the Land Development Code a requirement that any development that meets the criteria in this element conduct a wetland delineation. A delineation of the upland wetland boundary shall be established based upon an on-site field survey by a professional biologist or registered engineer provided by the applicant and coordinated with the St. Johns River Water Management District, the Department of Environmental Protection, and/or the US Corps of Engineers. Furthermore, the development shall through a comprehensive planning process identify the types, values, functions, size, conditions, and specific locations of the wetlands on the site.</p>	Code provisions are in place.	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

OBJECTIVE CON A-5: COMBAT SOIL EROSION. The City shall maintain land development codes which include performance criteria designed to reduce the incidence of soil erosion caused by land clearing, breaches in stabilized shorelines, and lands having exposed soil without vegetative cover.

Policies	Current 2009 Conditions	Comments
Policy CON A-5.1: Implementing Erosion Control. Land development codes shall require that appropriate measures be taken during land clearing and building operations to assure that exposed, destabilized or otherwise altered soil is expeditiously covered with an acceptable erosion control material. These provisions shall be incorporated in the subdivision, tree protection, and landscape sections of the Land Development Code.	Code provisions are in place.	None.

OBJECTIVE CON A-6: PREVENTING POTENTIAL ADVERSE IMPACTS OF FUTURE MINING OF MINERALS AND MINERAL EXCAVATION ACTIVITIES. No mining activities, including haul roads for the removal of mined materials shall be permitted within the City, except sand mining may be permitted only if the sand or fill is used on-site consistent with approved development and stormwater plans. The amount of sand to be excavated shall not exceed the amount needed to bring the subdivision up to grade and construct the roadway system. No sand shall be removed from a site.

Policies	Current 2009 Conditions	Comments
Policy CON A-6.1: Prohibition Against Mining Activities. Land development codes shall prohibit mining of minerals based on the irretrievable losses that such intense activities may potentially impose on the City's fragile ecosystem as documented in the Comprehensive Plan 2020: Data Inventory and Analysis. The one exception to this prohibition shall be sand mining that is associated with on-site development purposes and conducted according to approved stormwater management and grading plans. The amount of sand to be mined shall not exceed the amount needed to bring the subdivision up to grade and construct the roadway system. No sand shall be removed from the site.	No commercial mining has occurred within the City during the review period.	Reconsider the mining ban as new lands within the City may be suitable for commercial mining activities.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

OBJECTIVE CON A-7: PROTECT NATIVE VEGETATION, WILDLIFE, AND WILDLIFE HABITATS. The City shall maintain land development codes that include performance criteria designed to protect and retain major vegetative communities and Natural Communities or Listed Animal Species habitats of endangered or threatened species. The performance criteria shall protect vegetation, wildlife, and wildlife habitats from the adverse impacts of development by regulating the location, density, and intensity of those activities that cause the adverse impact. The City shall enforce these land development codes and shall coordinate with Indian River County, SJRWMD, and the State in promoting protection of native vegetation, wildlife, and wildlife habitats. In order to prevent "taking" of private property rights, the City's land development codes shall provide for flexible development alternatives, including planned unit developments which shall mandate or regulate conservation of said resources while allowing more flexible development options on developable portions of the site. This Objective shall be measured through the implementation of the following policies.

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-7.1: Implementing Protection of Vegetative Communities and Habitats. Land development codes, including tree protection and landscape codes, shall be used in managing and protecting major vegetative communities and habitats from the impacts of development. These codes shall mandate restoration in order to compensate for unauthorized removal of vegetation and habitats impacted by development. The land development codes shall mandate that resource mitigation shall include minimum performance standards in order to enhance regeneration of viable wetlands and wetland vegetative communities or other resource damage commensurate with state statutes.</p>	Code provisions are in place.	None.
<p>Policy CON A-7.2: Preservation of Native Plant Communities. The City shall continue to enforce land development codes that establish procedures and criteria for the preservation and mitigation of native communities functioning as habitat for native plant and animal (fauna) species. The procedures and criteria shall take into consideration the quality of the habit, ability of the habitat to function over the long-term, ability to connect with wetland systems or other open space areas, ability to establish a unified ecosystem with uplands and wetlands, and the existence of or potential to serve endangered and threatened species. Preservation of native plant communities shall include upland areas as well as wetland areas to assure that a balanced eco-system is available for plant and animal species. An incentive program shall also be established to encourage the preservation of upland habitat. Such an incentive program may include the transfer of development rights, use of off-site land preservation as fulfilling a portion of open space requirements, or site design alternatives, compensatory mitigation through on-site or off-site preservation of equal or higher quality vegetative communities.</p> <p>The City may require or accept payment of a fee in lieu of the above described mandatory "set aside" to be accumulated from development for the purchase of upland habit preservation off-site rather than on-site.</p>	Code provisions are in place except for the incentive programs.	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

Policies	Current 2009 Conditions	Comments
Policy CON A-7.3: Removal of Undesirable Exotic Vegetation. The City shall continue tree protection codes that require removal of all nuisance and invasive exotic vegetation on the subject property.	Code provisions are in place.	None.
Policy CON A-7.4: Removal of Trees Causing Safety Hazard. The City shall continue its land development codes to require that trees, such as Australian Pines, which are prone to wind damage and blockage of evacuation routes, be removed from areas deemed by the City to be critical corridors for evacuation purposes. This policy shall be implemented concurrent with Policy 5-1. In addition, the City shall consider the feasibility of initiating a similar program to remove any trees on public property that impose a critical hazard to evacuation routes	Code provisions are in place.	None.
Policy CON A-7.5: Protect Wildlife and Wildlife Habitats. The City shall maintain land development codes that restrict development activities known to adversely impact endangered, threatened, or rare wildlife and wildlife habitats as well as wildlife and wildlife habitats of special concern as defined in the Conservation Element data inventory and analysis. The City shall further protect wildlife and wildlife habitats by promoting the dedication of conservation easements or reservations as specified herein. In addition, the City shall cooperate with the appropriate state and federal agencies for the protection of endangered and threatened species and significant plant and animal habitat.	Code provisions are in place.	None.
Policy CON A-7.6: Intergovernmental Coordination and Natural Resource Management. The City shall coordinate with the State, SJRWMD, Treasure Coast Regional Planning Council, Indian River County, and other agencies concerned with managing natural resources. Such intergovernmental coordinating activities shall be directed toward protecting the values and functions of respective natural systems. The methods for coordinating with other local government, state, federal, and private plans/programs for conservation of natural resources.	This policy is implemented through the continuing planning process and requirements for agency permits as applicable.	None.
Policy Con A-7.7 Acquire Environmentally Sensitive Lands (ESL). The City shall advocate purchase of lands for conservation and public use where appropriate and feasible for environmentally sensitive areas and native vegetative communities, open space and/or recreation using funds available through grants, state and federal funds, and/or private organizations or funding sources.	The City has acquired 80 acres during the review period and continually seeks other opportunities to preserve environmental lands. This policy is implemented as opportunities arise.	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

OBJECTIVE CON A-8: PROTECT CONSERVATION LAND RESOURCES. The City shall have adopted land development codes that include performance criteria designed to ensure that designated conservation land resources, are protected based on locally determined criteria which further the goals, objectives and policies of the Conservation Element. This Objective shall be measured through the implementation of the following policies.

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-8.1: Designation of Conservation Areas. Upon plan adoption, the Future Land Use Map series shall delineate conservation land resources, which include such areas as wetland or species habitat or upland vegetative communities. All conservation land resources shall either remain undeveloped or shall undergo "restricted development." The term "restricted development" shall be defined as those development options provided for pursuant to development rights and restrictions stipulated in the Comprehensive Plan and Land Development Code as may be hereinafter amended.</p>	<p>Code provisions are in place and existing land use map series provides for the delineation of the existing resources.</p>	<p>None.</p>
<p>Policy CON A-8.2: Policies for Managing Environmentally Sensitive Lands. Policies in this Element for managing environmentally sensitive natural systems, including, but not limited to, water resources, wetlands, native habitats, floodplains, and other environmentally sensitive resources shall be carried out through performance criteria in the Land Development Code. These and other natural resources identified on the Future Land Use Map series shall be protected and/or preserved pursuant to goals, objectives, and policies stipulated in this Element. The Land Development Code shall provide more detailed procedures and performance criteria to implement conservation and natural resource protection.</p>	<p>Code provisions are in place.</p>	<p>None.</p>

OBJECTIVE CON A-9: MANAGE IMPACTS OF DEVELOPMENT AND PRESERVE NATURAL RESOURCES. The Future Land Use Element shall assign land use designation, including densities and intensities to land within the City with a view to preserving the physical and biological functions of natural systems. All future development or redevelopment of land shall be consistent with the Comprehensive Plan and the Land Development Code. The Land Development Code shall provide performance standards for regulating density throughout the City. The performance criteria shall address:

- Concurrency Management System
- Stormwater Management
- Erosion and Sedimentation Control
- Preservation of Wetlands
- Protection of Flora and Fauna
- Minimum Open Space Criteria
- Floodplain Protection
- Recreation Land and Facilities
- Landscaping, Screening/Buffering

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-9.1: Comprehensive Plan Implementation and Land Development Codes. The City's land development codes shall be enforced and shall be revised in order to: 1) effectively regulate future land use activities and natural resources identified on the FLUM; 2) adequately protect property rights; and 3) implement the Plan's goals, objectives, and policies. The City shall maintain land development codes that include a regulatory framework to:</p> <ol style="list-style-type: none"> 1. Regulate the subdivision of land; 2. Regulate the use of land and water consistent with this Element, ensure the compatibility of adjacent land uses, and provide for open space; 3. Protect environmentally sensitive lands as well as flora and fauna as stipulated in the Comprehensive Plan. 4. Regulate land use and minimum building elevations in areas subject to seasonal and periodic flooding and provide for drainage and stormwater management; 5. Regulate signage; 6. Ensure safe and convenient on-site and off-site traffic flow and vehicle parking needs and prohibit development within future rights-of-way. 7. Provide that development orders and permits shall not be issued which result in a reduction of levels of service for impacted public facilities below the levels of service standards adopted by the City; 8. Regulatory techniques such as conservation easements and qualitative standards requiring protection of natural resources as well as historically and archaeologically significant sites shall be integrated into the Land Development Regulation within one year from the effective date of the Comprehensive Plan. 	<p>This general policy is addressed in more specific policies throughout the plan and can be deleted here without loss of regulatory control.</p>	<p>None.</p>
<p>Policy CON A-9.2: Required Site Plan Review. The City shall require site-plan review of all proposed development or redevelopment to prevent unnecessary destruction or inappropriate use of existing natural resources and natural sites. Upon adoption of the Comprehensive Plan, the City shall enforce, during the development review process, qualitative and quantitative performance criteria consistent with the Comprehensive Plan policies governing the preservation of open space, vegetation, wetlands, and stormwater management. Furthermore, the City shall require maintenance and continuing adherence to these standards. Expedited review or a potential reduction in application fees may be given for developments which reduce vehicle miles traveled, provide documentation that the development will reduce greenhouse gas emissions, or uses passive or active alternative energy sources and USGB/FGBC features in site and building design.</p>	<p>Code provisions are in place.</p>	<p>None.</p>
<p>Policy CON A-9.3: Landscaping Standards. Landscaping standards shall be developed that require preserving existing natural growth where practical, and the removal of invasive, exotic plant species.</p>	<p>Code provisions are in place.</p>	<p>None.</p>

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

Policies	Current 2009 Conditions	Comments
Policy CON A-9.4: Regulating Development to Promote Natural Resource Conservation. The City shall use the best available technical criteria and information to formulate codes and ordinances that ensure future development is compatible with the function of existing natural systems and resource conservation.	An ongoing consideration for all future policy considerations.	None.
Policy CON A-9.5: Enforcement Activities. The City shall adopt land development regulations that protect and conserve the natural functions of existing environmentally sensitive areas, and shall include the enforcement of appropriate county, state, and federal codes designed to protect and conserve these functions.	Code provisions are in place.	None.

OBJECTIVE CON A-10: HAZARDOUS WASTE MANAGEMENT. Assure that generation, storage, transport, and disposal of wastes in The City of Fellsmere is managed with the best available technology to protect environmental quality.

Policies	Current 2009 Conditions	Comments
Policy CON A-10.1: Managing Hazardous Waste. The City shall adopt and enforce land development codes that incorporate development restrictions directed toward preserving natural systems and accommodating only land use activities identified in the Land Use Element. No hazardous waste pollutants or sites currently exist within the City.	Code provisions are in place.	None.
Policy CON A-10.2: Intergovernmental Coordination for Solid and Hazardous Waste. The City shall continue to work with Indian River County and appropriate State and regional agencies in developing an improved area wide solid waste management program, which includes more innovative solid waste management technologies that save energy and/or produce renewable energy and effectively manage hazardous waste.	This policy is implemented through the continuing planning process. The City obtained a solid waste transfer station during the review period.	None.
Policy CON A-10.3: Wastewater System Connections. When new sewers are extended into an area currently using septic systems for wastewater disposal, mandatory connection with the public wastewater collection system shall be required pursuant to Florida Statutes (cross reference §381.0065, F.S.). New subdivisions that are accessible to sanitary sewers are required to provide sewage connections for each lot in the development, except as otherwise provided for in this document.	Sanitary sewer provision is consistent with this policy.	None.
Policy CON A-10.4: Protection of Well fields from Hazardous Waste. The City shall maintain land development codes that prohibit the following land uses and activities within well fields and aquifer recharge areas as well as any area where it would adversely impact natural resources: <ul style="list-style-type: none"> a. Wastewater treatment facilities; b. Animal feedlots; c. Incinerators; d. Sanitary landfills; e. Petroleum or pesticide storage facilities; f. Above-ground or below-ground pipes for pollutants or contaminants. g. All other land uses that store, handle, or generate hazardous materials or 	Code provisions are in place.	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

<p>wastes. Hazardous materials or wastes, as regulated by this section shall consist of the following:</p> <ul style="list-style-type: none"> • Chapter 38F-41 of the Florida Administrative Code (the Florida Substance List). • Title 40 of the Code of Federal Regulations Part 261 (Identification and Listing of Hazardous Wastes). • Title 40 of the Code of Federal Regulations Part 302.4 (Table 302.4) (List of Hazardous Substances and Reportable Quantities). • Title 40 of the Code of Federal Regulations part 355, Appendix A and B (List of Extremely Hazardous Substances). 	
--	--

OBJECTIVE CON A-11: PROTECTION OF ARCHAEOLOGICAL AND HISTORIC RESOURCES. The City shall maintain land development codes that require future land development activities to incorporate appropriate measures to prevent damage to archaeologically and historically significant resources of local, regional, state, and federal significance as a way to preserve the city’s heritage, perform resource recovery, and adaptive reuse of historically significant buildings.

Policies	Current 2009 Conditions	Comments
Policy CON A-11.1: Programming for Archaeological and Historic Sites. The City shall coordinate with the state and federal government in developing programs for implementing City, State, and Federal policies for acquiring, identifying, preserving, and enhancing sites of historical and archaeological significance. Programs for identification, evaluation of relative significance, protection, preservation, purchase and enhancement shall be promoted, utilizing available public resources at the local, State, and Federal level as well as available private sector resources.	The City has obtained ownership of numerous historic structures during the review period. This policy is implemented through the continuing planning process and grant opportunities as they arise.	None.
Policy CON A-11.2: Preventing Adverse Impact of Development on Historic or Archaeological Sites. The City shall maintain land development codes that include provisions to address adverse impacts to historic or archaeological sites or resources of significance created by development or redevelopment of the site.	Code provisions are in place.	None.
Policy CON A-11.3: Preservation of Historically Significant Resources. The City shall maintain land development codes to preserve historically significant resources. Any development or redevelopment of the identified historic resources shall be governed Chapter 74-100 Laws of Florida, as applicable, or the City’s Land Development Code.	Code provisions are in place.	None.

OBJECTIVE CON A-12: CONSIDER APPLICATION OF INNOVATIVE LAND AND WATER RESOURCE MANAGEMENT AND ENERGY CONSERVATION CONCEPTS. The City shall continue land development codes that incorporate concepts for managing land, water, and energy resources, which are responsive to unique development and conservation issues identified in the City's Comprehensive Plan.

Policies	Current 2009 Conditions	Comments
Policy CON A-12.1: Incorporate Innovative Techniques in the Land Development Code. The City shall continue land development regulations that	Code provisions are in place.	None.

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

<p>incorporate land and water resource management techniques. The land and water resource management techniques shall have proven to be successful and cost effective in resolving development and conservation 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.</p>		
<p>Policy CON A-12.2: 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>	<p>This policy is implemented through the continuing planning process.</p>	<p>None.</p>
<p>Policy CON A-12.3: 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>	<p>This policy is implemented through the continuing planning process, capital improvement programming and budgetary process, and grant opportunities as they arise.</p>	<p>None.</p>
<p>Policy CON A-12.4: 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>	<p>This policy is implemented through the requirements of the state building code.</p>	<p>None.</p>
<p>Policy CON A-12-5: Green Building. Incentives or requirements for using green building, alternative energy sources, alternative water supplies, alternative transportation modes, green site design principles, LEED or other similar programs, and passive and active solar energy systems in new developments throughout the City and particularly within projects in the Community Redevelopment Area shall be considered by the City and maintained in the Land Development Code. Such incentives may include items from the following menu:</p> <ul style="list-style-type: none"> a. Reduced processing fees b. Increased densities or intensities within town or neighborhood centers; or Transfer of development rights for non-contiguous properties under the same ownership. Bonuses or transfers shall not exceed a 20% increase of approved density and intensity, except by land use amendment c. Expedited processing d. Impact fee credits e. Grant assistance through the Community Redevelopment Agency 	<p>The City has not implemented the initiatives noted within this policy at this time.</p>	<p>None.</p>

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
APPENDIX D – CONSERVATION ELEMENT**

OBJECTIVE CON A-13: EVALUATION OF THE CONSERVATION ELEMENT EFFECTIVENESS. The City shall use the following policies as criteria in evaluating the effectiveness of the Conservation Element.

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-13.1: Review the Impact of Changing Conditions on Conservation Policy. The City shall monitor and evaluate significant changes in the characteristics of natural resources within the City. Policy implications of such changes shall be examined and corrective measures shall be pursued. Conservation policies shall be refined as needed in order to remain responsive to evolving problems and issues.</p>	<p>This policy is implemented through the continuing planning process.</p>	<p>Delete – address in Chapter 9, the Evaluation Element.</p>
<p>Policy CON A-13.2: Schedule, Budget, and Implement Programmed Activities. The timely scheduling, programming, budgeting and implementation of programmed conservation activities identified in this Element shall illustrate the City's effectiveness in carrying out a systematic program for implementing conservation goals, objectives, and policies.</p>	<p>This policy is implemented through the continuing planning process.</p>	<p>Delete – address in Chapter 9, the Evaluation Element.</p>
<p>Policy CON A-13.3: Coordinate with Public and Private Sectors. While continually implementing and evaluating the Conservation Element, the City shall maintain a process of intergovernmental coordination as well as coordination with private sector groups interested in conservation policy and programs. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving conservation problems and issues.</p>	<p>Implemented through ICE activities.</p>	<p>Delete – address in Chapter 9, the Evaluation Element.</p>
<p>Policy CON A-13.4: Achieve Effective Resolution of Conservation Goals, Objectives, and Policies. The effectiveness of the Conservation Element shall be measured by the City's success in achieving conservation goals, objectives, and policies. The Conservation Element incorporates a systematic planning process for identifying conservation problems and issues and implementing corrective measures.</p>	<p>The status of this policy is measured by the status of the balance of the policies within this element.</p>	<p>Delete – address in Chapter 9, the Evaluation Element.</p>