

considered advisable by the City due to the potential for future annexations of lands in the unincorporated County that have a County FLUM designation of Agricultural.

The Text of the element is modified to make reference to agricultural and rural uses, and a New Objective A-12 indicates that agricultural pursuits and conversion of rural lands shall be allowed. Significant new objectives and policies include:

- Objective B-20 that establishes an Agricultural and Rural FLUM designation.
- Policy B-20.1 sets forth the uses to be allowed in the new FLUM category.
- Policy B-20.2 establishes standards and criteria for development in the new FLUM category.
- Policy C-3.6 addresses the protection of significant sites and structures.
- Policy C-3.7 addresses the identification of blighted areas in the City.
- Policy C-3.8 directs future development and growth to the Community Redevelopment Area and the Old Downtown.

2. Conservation Element

Revisions to this element are mostly minor. Policy language that is no longer appropriate or timely is revised and some revisions are to make the intent of the policy more clear. Policy A-2.1 is revised to include the reduction of point and non-point sources of pollution and to protect well fields and other water resources.

3. Recreation and Open Space Element

Many of the revisions to policies in this element are editorial in nature. Revised Policy A-2.2 addresses unused road or railroad easements or rights-of-way to areas to be considered for public passive recreation and open space. Several policies are revised to commit to coordination with other agencies to provide recreational needs and management of existing recreational sites. New Policies A-6, A-6.1, A-7 and A-7.1 address the following:

- Providing more access to public water bodies.
- Providing recreational amenities at public water body access sites.
- Adoption of a Master Greenway Plan Map.
- Coordination of Regional Rail to Trail along the historic Fellsmere Railroad Right-of-Way.

4. Intergovernmental Coordination Element

New Policy A-1.8 indicates the City shall review site plans for school development consistent with the development standards identified in Chapters 163 and 1013, Florida Statutes. New Policy A-2.8 indicates the City will continue to coordinate with appropriate State agencies in meeting the goals and policies of the St. Sebastian River Preserve State Park Management Plan, the Indian River

Lagoon Aquatic Preserve Management Plan, and the Indian River Lagoon Surface Water Improvement Management Plan in order to protect and manage natural resources. New Policy A-2.9 indicates the City commitment to protect freshwater habitats necessary for the continued ecological stability of water dependent wildlife in coordination with the Florida Fish and Wildlife Conservation Commission, the Florida Department of Environmental Protection, and other agencies as appropriate.

Extrajurisdictional Impacts

Under the informal agreement coordinated by the Treasure Coast Regional Planning Council, local governments in the northern three counties of the region are to provide copies of amendment materials to other local governments that have expressed an interest in receiving such materials. The City provided copies of the proposed amendments to Indian River County and the City of Vero Beach. In correspondence dated April 11, 2008, Council requested comments from those jurisdictions/agencies regarding the proposed amendments. As of the date of the preparation of this report, no comments had been received.

Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

Analysis of Consistency with Strategic Regional Policy Plan

Comments/Recommendations

1. The City proposes to establish a new FLUM classification called Agricultural and Rural. Established in new Objective FLUE B-20, the new classification is to “continue agricultural uses” as well as to “regulate the rational conversion of large tracts of agricultural lands”. Proposed policy FLUE B-20.1 sets forth the uses to be allowed in the new Agricultural and Rural FLUM designation. Although several examples of uses that may be permitted within the lands so designated are listed (agricultural, agricultural research, recreational, etc.), the policy defers the specific uses to be allowed to the land development regulations (LDRs). The policy also indicates that the uses to be allowed in the LDRs include, but shall not be limited to, the examples given in the policy.

Proposed FLUE Policy B-20.2 contains standards and criteria for uses within the new classification. Although residential development is not listed as one of the examples of what might be permitted in Policy B-20.1, Policy B-20.2 would allow residential development at one dwelling unit per acre with no stated restrictions; development at two dwelling units per acre under certain standards; and even higher densities as established in an annexation or development agreement.

The SRPP anticipates the countryside will be used primarily for agriculture or natural systems. If residential development is to be considered in the countryside, it is to be in the form of a rural village and be considered only after a planning study (SRPP Policy 1.1.2.3). The SRPP does not anticipate sprawling, low-density residential development that may negatively impact the attributes of the countryside. Permitting residential development at a density of one or two dwelling units per acre would be in conflict with the purpose of the countryside. It would be costly to provide with schools, emergency services and public facilities and would not be consistent with the regional plan.

It is recommended that the City reconsider Objective B-20 and its implementing Policies (B-20.1 and B-20.2). It would be consistent with the SRPP to adopt an objective and policies to preserve agricultural lands and uses. It would not be inconsistent with the SRPP to allow some conservation of agriculture to urban land, if projections and careful study document a need. This conversion should be at the edge of the existing urban area or in a rural village or town. Both the proposed objective and its implementing policies should be revised to state a clear intent, to be specific about what uses are to be permitted within any new FLUM designation or designations and to much more clearly set forth any conditions and standards that are consistent with the purposes of this objective.

2. New Policies A-6, A-6.1, A-7 and A-7.1 in the Recreation and Open Space Element are not preceded by an objective, as are all of the other policies in the City Comprehensive Plan. If these policies are intended to implement Objective A-5, the policy numbers should be modified to be consistent. If the policies are meant to implement a new objective, that objective should be included in the plan.

Conclusion

Due to the potential of detrimental extrajurisdictional impacts and impacts on significant regional resources and facilities (e.g. transportation facilities, natural resources), Council recommends that the DCA formally review the amendments.

Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP with the exception of proposed Objective B-20 and Policies B-20.1 and B-20.2 of the Future Land Use Element which are considered to be INCONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Future Land Use Map

Exhibit 1
General Location Map
City of Fellsmere



