TO: Council Members

FROM: Staff

DATE: September 17, 2010 Council Meeting

SUBJECT: Local Government Comprehensive Plan Review
Draft Amendments to the City of Fellsmere Comprehensive Plan
DCA Reference No. 10-1

AGENDA ITEM 5G

INTRODUCTION

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that the Treasure Coast Regional Planning Council (TCRPC) review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then the TCRPC must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

BACKGROUND

The City of Fellsmere has proposed two amendments to the Future Land Use Map (FLUM) and text amendments to several elements of the City Comprehensive Plan. The FLUM amendments and a significant number of the text amendments are pursuant to a Stipulated Settlement Agreement (SSA) between the City and the DCA. The SSA was a result of a finding of non-compliance for amendment round #09-1 (previously 08-2).

The City has recently adopted an Evaluation and Appraisal Report (EAR) and will in the future be considering amendments to carry out the recommendations contained in the EAR. However, the City considers a number of the findings/recommendations in the EAR to be interrelated to the SSA amendments. Therefore, a number of the text and map series amendments in this amendment round are pursuant to the recommendations of the EAR.

The City has requested a formal review of the amendments by the DCA.
Evaluation

A. Stipulated Settlement Agreement Amendments

1. History/Background – In 2003, the City of Fellsmere adopted major revisions to its comprehensive plan which indicated the intent of the City to encourage additional growth and development. The City began a series of annexations which increased the land area of the City nearly 8 times (5.3 square miles to 42.0 square miles) between 2000 and 2008. The most substantial was the 2007 annexation of the 18,676 acre Fellsmere Joint Venture (FJV) property.

The City proposed amendments relating to the FJV property in September, 2008 (DCA Ref# 08-2); including the assignment of a new City FLUM designation and associated text amendments. The TCRPC reviewed the proposed amendments at its October 17, 2008 meeting. The proposed amendments were found to be inconsistent with the SRPP; but Council’s report indicated the amendments could be made consistent if modifications were made to:

   a. Identify the preferred location for new villages;
   b. Establish standards for the size, density and intensity of development in the villages; and
   c. Include more precise requirements for the amount and type of open space.

The DCA issued an ORC Report on October 24, 2007. The ORC Report included a number of objections regarding:

- The lack of meaningful and predictable guidelines and standards.
- Insufficient development controls to discourage sprawl and provide energy efficient land use patterns and adequate public facility planning.
- The failure to adequately demonstrate need.

The City responded to the DCA objections and the Council recommendations and adopted the amendments on May 21, 2009. The DCA found the amendments to be not-in-compliance on July 17, 2009. The DCA requested a meeting with the City to develop acceptable solutions to the finding. The City and DCA executed a SSA on March 24, 2010. The SSA required the City to:

- Update the comprehensive plan with the year 2035 as a long range planning timeframe.
- Incorporate negotiated comprehensive plan text: amendments for the Villages of Fellsmere (VOF) FLUM designation.
- Assign the VOF FLUM designation to the Fellsmere Joint Venture, LLC lands.
- Prepare and submit detailed data and analysis to support the amendments.
This amendment round includes the SSA amendments. The City indicates that the following proposed changes to the Comprehensive Plan are consistent with the SSA:

- Extends the planning timeframe of the City’s Comprehensive Plan to the year 2035;
- Revises specific policies within each element of the Comprehensive Plan in response to the data and analysis supporting the Comprehensive Plan 2035;
- Amends the Future Land Use Map for Fellsmere Joint Venture on ±157-acres from County Agricultural to City Medium Density Residential;
- Amends the Future Land Use Map designation for the Fellsmere Joint Venture property of ±18,388 acres from County Agricultural and Conservation to City VOF;
- Revises the text of the Future Land Use Element (proposed Objective B-21) to create a new mixed use future land use designation entitled VOF; and
- Creates an overlay on the Future Land Use Map for the ±18,388-acre Fellsmere Joint Venture property to incorporate a Conceptual Plan and Phasing Plan.

2. *The FJV Property* – the 18,388 acre property to be designated as VOF is located in the western and southern portion of the City (See Exhibits 2 and 3). It extends to the Brevard County line to the north and to I-95 on the east. It is located east of Blue Cypress Lake and abuts land to be utilized for a 10,000 acre water attenuation area. The property is currently used for citrus groves and cattle production. Although those uses can continue under the VOF designation, the proposed use is for a series of villages and employment centers.

The current FLUM designations under the County plan are Agricultural (AG-2) and Conservation (C-1). The proposed FLUM designation is VOF. The existing land uses on surrounding lands are agricultural to the north and east, conservation to the south, and a water management/water quality attenuation site to the west. The FLUM designations on surrounding lands are Agricultural to the north (Brevard County) and west (Indian River County), Conservation to the south and Agricultural (County) and Low Density Mixed Use (City) to the east. The property is bisected by County Road 512.

3. *The Plan Amendments* – The City indicates the amendments are to establish a planned framework of urban development as a major expansion of the City to allow for the creation of employment centers and a variety of housing choices within the framework of a series of urban villages. The urban villages are intended to contain residential neighborhoods which surround mixed use neighborhood commercial centers that include community facilities, retail, offices, residential and other uses. They are to include a hierarchy of streets and bicycle/pedestrian ways.

A need for additional residential and non-residential land is identified for the 25-year planning horizon. The City projects an increasing share of the County population will be housed in the City. Adequate public facilities are in place or planned to accommodate needs, according to the City. Transportation needs are to be identified as each phase of the development is planned. Stormwater management is to be guided by a 2007 Memorandum of Understanding with the St. Johns River Water Management District.
(SJRWMD). All future runoff is to be discharged to the Fellsmere Water Attenuation Area directly west of the FJV property.

The SSA amendments are contained in new Objective B-21 and 66 policies under the objective (see Attachment A). A conceptual plan is adopted as Figure B-21 of the Future Land Use Element (see Exhibit 6). Phase 1 of the development is to encompass 7,150 acres and be limited to a maximum of 8,171 residential units and between 2.3 and 6.0 million square feet of non-residential uses. This latter includes civic uses, institutional uses and schools. The maximum development for the entire property is 19,750 units and 4-8 million square feet of non-residential uses. However, development beyond Phase 1 may only occur after a plan amendment which includes a demonstration of need and the completion/permitting of the majority of development in Phase 1. Applications for amendment to the VOF to obtain additional development rights associated with the future phases must be accompanied by the following:

- Planning area – the planning area shall encompass the gross acreage of the FJV property and shall be provided in the form of a legal description and sketch. The data and analysis outlined below shall also consider the functional relationships within the Planning Area.
- Conceptual Map – The applicant shall provide a revised conceptual map indicating prior, current, and future phase locations and allocations of uses.
- Existing use – An analysis of the existing uses shall be provided in both text and graphic format for the subject property and immediately adjacent properties.
- Needs Analysis – To allow the City of Fellsmere to properly plan for future growth and to ensure that an oversupply of housing or nonresidential space will not occur, a needs analysis shall be provided specifically addressing the need for future housing and non-residential demand through the planning horizon.
- Environmental Analysis – A preliminary environmental assessment based upon best available data, such as aerial map interpretation, soil survey data, agency database searches, shall be provided. The analysis shall identify potential wetlands and native upland communities that may exist in the Planning Area and immediately adjacent properties. The analysis shall address potential linkages of off-site wetlands and native upland habitats with potential environmental resources on site.
- Financial Analysis – To ensure that proposed development is capable of financing the capital needs of required public infrastructure and to minimize the fiscal impact to the City of Fellsmere, a fiscal impact analysis shall be provided.
- Public Facilities Analysis – To ensure that adequate public facilities (transportation, water, sewer, solid waste, drainage, recreation, and public schools) will be maintained, an analysis of the potential impact shall be provided for the maximum development allowances reflected on the conceptual map for the current phase allocation.
- Potable Water Supply – The application shall contain an analysis of the potable water supply demands that would result under the proposed phase of the VOF future land use and shall include an identification of potential sources. The
analysis shall include a listing of current water supply permits that may exist over
the subject property.

- Stormwater management – To ensure that future development will be consistent
  with the plans of the St. John’s River Water Management District, a summary of
  the existing and conceptual stormwater regime for the Planning Area shall be
  provided. This summary shall contain for the Planning Area the following
  information: (a) list of current SJRWMD stormwater-related permits on the
  subject property, (b) discussion of the historic drainage outfall; (c) soil survey
  data; (d) estimated depth to water table; (e) review of agency plans for acquisition
  potential for Stormwater Management Areas; and (f) description of the existing
  and proposed stormwater management system.

The FLUM amendments assign a designation of Medium Density Residential to the 157
acres of the FJV property located along 101st Street at the northern City boundary (see
Exhibits 2, 3 and 4). This property is not contiguous to the 18,388 acres to be designated as
VOF (see Exhibit 2). The Medium Density Residential designation allows 3 to 7 dwelling
units per acre. The VOF designation is established in proposed Objective B-21 of the Future
Land Use Element. It applies only to the 18,388 acre FJV property. It permits a mix of land
uses which are limited under proposed Policy 21.1. It also requires a Conceptual Map, a
phasing of development, and master planning activities. It contains VOF guiding principles
(Policy 21.3) and a significant list of Village Settlement Principles (Policy 21.3.1) which
detail requirements for neighborhoods, village centers, common areas, hamlets, countryside
settlement principles, housing types, walkable blocks, building placement, street networks,
mix of uses, etc.

B. Text and Map Series Amendments

These amendments are not directly related to the SSA. The City proposes revisions to the
entire map series of the comprehensive plan (see Attachment B). The City indicates that text
amendments pertaining to the recommendations of the EAR relate to the following issues:

1. Maintain Historic Character of the Historic City
2. Complete Streets
3. Expanded Bus Service
4. Codes to Meet Vision
5. Implement Central Sewer System
6. Capitalize on Conservation Opportunities
7. Economic Development

Some of the highlights of the text amendments are summarized below:

1. Future Land Use Element

   a. New Policy A-7.4 is to prepare a study of the merits of the use of form-based codes
      in the City.
b. New Policy A-7.5 is to do a comprehensive review of the Land Development Regulations to ensure that the City vision can be reached.

c. New Policy A-7.6 is to prepare a concise graphical portrayal of the City’s vision with supporting narrative.


e. Revised Policy B-2.1 sets forth the reasons for allowing density blending within the Planned Development zoning designation.

f. Revised Policy C-2.1 establishes the basis for the allocation of the various land use designations.

g. New Policy C-2.1.2 encourages energy efficient land use patterns.

h. New Policy C-2.1.3 addresses the mapping of energy conservation areas.

i. Revised Policy C-2.2 is to ensure energy efficient land use patterns and to minimize the growth of greenhouse gas emissions.

j. New Policy C-2.4 indicates the future land use plan shall be based on information regarding the availability of water supplies to accommodate the anticipated growth and projected population of the area.

2. Transportation Element

a. Revised Policy A-1.1 indicates the City will adopt Department of Transportation established level of service standards on Strategic Intermodal System roadways.

b. New Policy A-2.5 indicates the strategies the City will implement to minimize greenhouse gas emissions from the transportation sector.

c. New Policies A-4.4 and A-4.5 commit the City to coordinate with Indian River County, the Metropolitan Planning Organization and the Florida Department of Transportation on future transit facilities and incremental transit expansion.

d. New Policy A-6.4 indicates the City will consider the merits of implementing a form-based code as a means to integrate land use and transportation.

e. New Policy A-7.6 commits the City to develop a complete streets program for all existing streets within the historic center of town and representative typical sections by street type for new roads.

f. New Policy A-7.7 indicates the City shall not impact SJRWMD lands with transportation corridors without the consent of the water management district.

3. Housing Element

a. Revised Policy HA-1.3 indicates the City shall develop incentives and density bonuses for private development that provide a minimum of 5% affordable housing.

b. New Policy HA-1.8 indicates the City shall investigate means to attract a wider range of housing choices by price in an attempt to obtain higher income housing opportunities in the City.

c. New Policy HA-1.9 indicates the City will allow accessory dwelling units under certain conditions.
d. New Objective HA-8 and Policies HA-8.1 and HA-8.2 encourage energy efficiency in the design and construction of new housing and in the use of renewable energy resources.

4. Public Facilities Element

a. Revised Policy PF B-1.2 is to integrate a regulatory or educational framework to ensure the proper functioning of individual septic systems.
b. Revised Policy PF B-3.4 identifies the water supply sources to be utilized during the planning period.
c. Revised Policy PF B-3.6 commits the City to update its water supply plan within 18 months of adoption of any update to the SJRWMD regional water supply plan.
d. New Policy PF B-4.6 is to partner with the Fellsmere Water Control District to improve the water quality in discharges from the public stormwater systems in the City.
e. Revised Policy PF D-1.4 addresses water restriction for irrigation purposes and the dissemination of water conservation literature to City residents on an annual basis.

5. Conservation Element

a. Revised Objective A-6 and Policy A-6.1 set forth the conditions under which mining will be permitted in the City.
b. Revised Policy A-7.8 indicates the City will develop a transfer of development rights program to enhance opportunities for the preservation of native communities and the enhancement of existing marginal communities.
c. New Policy A-8.3 indicates the City will not implement contracts or regulations that would prohibit resource management activities by the SJRWMD.
d. New Policy A-12.5 indicates the City will develop a program that will capitalize on the economic development potential of Conservation Areas.
e. New Policy A-12.6 indicates the City will maintain a map which depicts existing energy conservation features.

6. Recreation and Open Space Element

a. Revised Policy REC A-3.1 commits the City to use national standards for access to recreational sites; including access by pedestrians and bicyclists.

7. Intergovernmental Coordination Element

a. Revised Policy ICE A-1.3 and Objective A-3 commit the City to the utilization of the Regional Planning Council’s dispute resolution process.
b. New Policy ICE A-4.7 commits the City to participate in the updates to the SJRWMD’s water supply assessment and water supply plan.
8. Public School Facilities Element

a. New Policy PSFE 1.5 commits the City to maintain maps showing school locations and school improvements.

b. New Policy PSFE 3.8 commits the City to coordinate with the School District to develop prototypical urban schools for the City that take advantage of shared resources and facilities and incorporate sound urban planning to integrate the school into the community fabric.

Extrajurisdictional Impacts

Under the informal agreement facilitated by the TCRPC, 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 amendment materials to Indian River County, and the Cities of Sebastian and Vero Beach. Council sent a memorandum to these local governments on July 13, 2010, seeking information on any conflicts between these proposed amendments and existing plans. As of the date of the preparation of this report, no correspondence has 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

During its review of the VOF text and FLUM amendments on October 17, 2001 as proposed previously by the City in amendment round #08-2, Council expressed a number of concerns relative to consistency with the SRPP. Some of the concerns were:

- Future population settled in scattered villages across the countryside, a sprawling development pattern.
- Failure of the City to identify preferred locations of new villages.
- A lack of complementarity to the historic City.
- The need for a conceptual transportation network.
- Concern about location and funding of schools.
- Lack of precise requirements for the preservation of open space.

The proposed amendments were found to be inconsistent with the SRPP. However, Council indicated the amendments would be considered consistent if modifications were made including:

1. The identification of the preferred location of new villages.
2. Size, density and intensity requirements for new villages.
3. More precise requirements of the amount and type of open space.

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Many of the concerns expressed by Council were contained in the DCA ORC Report which ultimately led to an August 4, 2009 finding of not in compliance. However, the City and landowners executed a SSA with the DCA which included proposed revisions to the City Comprehensive Plan.

These revisions are included in the current amendment package. Relative to consistency with the SRPP and the concerns expressed previously by Council:

1. The City has prepared and proposes to adopt a Conceptual and Phasing Plan (see Exhibit 6). This conceptual plan identifies the desired location for villages, village centers, hamlets, employment centers and the countryside.

2. The City identified the attributes of hamlets, villages, neighborhoods, village centers, employment activity centers and countryside in Table 6 of the proposed text amendments (see Attachment A). The minimum and maximum size of villages is identified, but density and intensity standards are not included. The City indicated that it wants the flexibility to allow villages that may have a variety of densities if marked conditions call for smaller lots and multi-family units within a village. If larger villages are proposed, Phase 1 of the VOF development may contain only two villages instead of three.

3. Some significant modifications have been made to open space requirements. Policy 21.3.3 (Countryside Settlement Principles) indicates that 50 percent of the VOF property shall be allocated to countryside outside of villages and hamlets. Agricultural uses may be retained. No more than 10 percent of the required countryside may be platted into ranchette residential developments with minimum lot sizes of 2 acres. Policy 21.8 (Countryside and Common Areas) requires a minimum of 15 percent of common areas within villages. Table 7 (see Attachment A) limits the components of common areas which may include native habitat, parks and recreation areas, both passive and active, equestrian and bicycle trails, greenway corridors, and neighborhood parks, greens and squares.

Comments/Recommendations for Modification

1. The revised Housing Element includes reference to extremely low, very low and low income housing. These references should be defined based on the proportion of the median family income which pertains to each.

2. New Policy H A-1.3 in the Housing Element indicates “The City shall develop incentives and density bonuses for private developments that provide a minimum of 5 percent affordable housing”. The SRPP encourages the enactment of incentives which help promote the production of affordable housing (Policy 2.1.1.4). However, City policy should be more precise about what incentives will be provided and what density bonuses will be available for the provision of affordable housing.
Consistency with Strategic Regional Policy Plan

The contract agreement with the DCA requires the TCRPC to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. While Council remains concerned about the advisability and sustainability of a series of villages as components of a City and the effect this may have on the ability to revitalize and infill the historic City, Council recognizes the efforts made by the City in identifying locations for the proposed villages, limiting development until future conditions warrant, and better defining lands that will remain part of the countryside. The TCRPC finds the proposed amendments to be CONSISTENT with the SRPP.

Recommendation

The Treasure Coast Regional Planning Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

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<td>Text Amendments to Establish the Village of Fellsmere Land Use Category</td>
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<td>Summary of Map Changes</td>
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Objective B-21. Villages of Fellsmere (VOF). The VOF is hereby created as a future land use category for the FJV property as designated on the future land use map of the Comprehensive Plan. The Owners, Fellsmere Estates, LLC, Bernard A. Egan Groves, Inc., and Fellsmere Joint Venture LLP, represent collectively that at time of the adoption of the VOF future land use designation they are the fee "Owners" (the "Owner") of the real property containing 18,388.27 acres, more or less, and that such lands shall be noted as the FJV Properties on the Future Land Use Map and be subject to the following policies.

The VOF establishes policies for the continuation and expansion of agricultural operations and related uses while also setting forth a mechanism for the transition of agricultural and rural lands to urban uses through a development framework that encourages a sustainable settlement pattern that:

- Preserves the heritage and character of the City of Fellsmere;
- Encourages the preservation of agricultural opportunities while providing more diverse employment with higher wages;
- Protects and enhances the natural environment;
- Provides for a means to achieve water quality objectives within the Indian River Lagoon and St John's River Water Management District;
- Improves the quality of life of its citizens;
- Manages water comprehensively throughout the area;
- Provides an interconnected system of native habitat preserves, greenways, parks, and open areas;
- Minimizes reliance on automobile travel;
- Balances housing with workplaces, jobs, retail and civic uses;
- Provides a variety of housing types to support residents of diverse ages, incomes, family sizes, and lifestyles;
- Creates predictability and efficiency in planning, provision, and long term maintenance of infrastructure;
- Allocates infrastructure and public service costs in a fair manner to those creating the need;
• Sets forth an energy efficient land use pattern by requiring clustered, compact
development patterns that will aid the City in minimizing carbon footprints and
greenhouse gasses; and
• Requires consideration of sustainable, “Green” building and neighborhood design
and low impact site planning practices.

Policy 21.1: Development Allowances. The FJV Properties shall be governed by the
conceptual plan required by Policy 21.2 and adopted as an overlay map to the future land use
map within the Comprehensive Plan. The initial phase (Phase 1) shall encompass 7,150 acres
and be limited to a maximum of 8,171 residential units and a minimum of 2,340,000 square feet
and a maximum of 6,000,000 square feet of non-residential uses. Civic uses, institutional uses,
schools, as well as all development authorized on lands dedicated to the City for targeted
industry shall be part of the minimum and maximum non-residential allowances.

The maximum development allowances across the entire gross acreage of the FJV properties
shall be limited to 19,750 units and a minimum of 4,000,000 square feet and a maximum of
8,000,000 square feet of non-residential uses.

All applications for amendment to the VOF for obtaining additional development rights
associated with future phases shall be accompanied by the following:

1. Planning area – The planning area shall encompass the gross acreage of the FJV property
   and shall be provided in the form of a legal description and sketch. The data and analysis
   outlined below shall also consider the functional relationships within the Planning Area.

2. Conceptual Map – The applicant shall provide a revised conceptual map consistent with
   Policy 21.2 indicating prior, current, and future phase locations and allocations of uses.

3. Existing use – An analysis of the existing uses shall be provided in both text and graphic
   format for the subject property and immediately adjacent properties.

4. Needs Analysis – To allow the City of Fellsmere to properly plan for future growth and to
   ensure that an oversupply of housing or nonresidential space will not occur, a needs
   analysis shall be provided specifically addressing the need for future housing and non-
   residential demand through the planning horizon.
5. Environmental Analysis – A preliminary environmental assessment based upon best available data, such as aerial map interpretation, soil survey data, agency database searches, shall be provided. The analysis shall identify potential wetlands and native upland communities that may exist in the Planning Area and immediately adjacent properties. The analysis shall address potential linkages of off-site wetlands and native upland habitats with potential environmental resources on site.

6. Financial Analysis – To ensure that proposed development is capable of financing the capital needs of required public infrastructure and to minimize the fiscal impact to the City of Fellsmere, a fiscal impact analysis shall be provided.

7. Public Facilities Analysis – To ensure that adequate public facilities (transportation, water, sewer, solid waste, drainage, recreation, and public schools) will be maintained, an analysis of the potential impact shall be provided for the maximum development allowances reflected on the conceptual map for the current phase allocation.

8. Potable Water Supply – The application shall contain an analysis of the potable water supply demands that would result under the proposed phase of the VOF future land use and shall include an identification of potential sources. The analysis shall include a listing of current water supply permits that may exist over the subject property.

9. Stormwater management – To ensure that future development will be consistent with the plans of the St. John's River Water Management District, a summary of the existing and conceptual stormwater regime for the Planning Area shall be provided. This summary shall contain for the Planning Area the following information: (a) list of current SJRWMD stormwater-related permits on the subject property, (b) discussion of the historic drainage outfall; (c) soil survey data; (d) estimated depth to water table; (e) review of agency plans for acquisition potential for Stormwater Management Areas; and (f) description of the existing and proposed stormwater management system.

Policy 21.2: Conceptual Map. The conceptual map for the entire gross acreage of the FJV property, reflected as Figure B.21 of the Comprehensive Plan, is an overlay to the future land use map and shall be maintained with the following data:

   a. Base Map – Reflecting the existing city boundary and adjacent natural resources, existing public facilities, and the gross acreage of the FJV property covered by the conceptual map;
b. Villages - Identification of the number, size, and location of Villages including the amount or range of residential units and nonresidential square footage allocated to each Village;

c. Employment Activity Centers - Identification of the number, size, and location of Employment Activity Centers including the amount or range of nonresidential square footage allocated to each Employment Activity Center;

d. Phasing - The identification of the geographic extent and maximum development allowances of the initial or current phase that corresponds to the site specific objectives and policies and the general location of all future phases;

e. Significant Natural Features - General location of the Countryside and its relationship to each Village including the location of environmentally sensitive lands to be preserved such as wetlands, wildlife habitat, greenways and trails, natural water bodies, and similar features;

f. Public Facilities – General location of future public facilities including location of existing and proposed roads (by number of lanes), water and wastewater treatment plants and well fields, and public schools. The future street network shall be limited to arterial roadways, limited access parkways, and transit ways;

Policy 21.2.1: Conceptual Plan Phasing. The maximum development allowances within the current and future phases shall not exceed 19,750 units. Any development allowances within the FJV property as part of subsequent phases shall be obtained by an amendment to the Comprehensive Plan to 1) amend Policy 21.1 to set forth the maximum development allowances within the proposed phases in accordance with a new demonstration of need and 2) revise the conceptual map to identify the subsequent phase in which the additional development rights will be located. An application for a comprehensive plan amendment to obtain development allowances for phases subsequent to Phase 1 may be initiated in accordance with the timing relationships of Policy 21.4.8 for the initial or prior phase upon application for building permits for 80% of the residential units and 60% of the nonresidential allowance.

Policy 21.2.2: Conceptual Map Consistency. The general location of attributes reflected on the conceptual map may be adjusted as set forth below with future local government approvals. Changes to the substantive content of the attributes as set forth below may only be accomplished through a comprehensive plan amendment to amend the conceptual map.
Consistency with Local Government Approvals

*Base Map* – Adjustments to city boundary, adjacent natural resources, and existing public facilities.

*Villages* – Adjustments to the size of Villages within the current phase, up to a 10% increase in size, which does not amend the maximum development allowances within the phase.

*Employment Activity Centers* – Adjustments to the size of Employment Activity Centers within the current phase, up to a 10% increase in size, which does not amend the maximum development allowances within the phase.

*Phasing* – Geographic extent, up to a 10% change in size, of the initial and subsequent phases.

*Significant Natural Features* – Adjustments to the general location of the Countryside and its relationship to each Village.

*Public Facilities* – Adjustments to the general location of future public facilities including location of existing and proposed roads, transitways, water and wastewater treatment plants, well fields, and public schools.

Changes through Comprehensive Plan Amendment

*Base Map* – Geographic area (the Planning Area) covered by the conceptual plan.

*Villages* – Maximum development allowances or the number and location of Villages within the conceptual plan or within the current phase.

*Employment Activity Centers* – Maximum development allowances or the number and location of Employment Activity Centers within the conceptual plan or within the current phase except as otherwise set forth in Policy 21.4.6.

*Phasing* – Maximum development allowances of the initial and subsequent phases.

*Significant Natural Features* – Location of environmentally sensitive lands to be preserved such as wetlands, wildlife habitat, and natural water bodies.

*Public Facilities* – Number of lanes for proposed roadways, capacity of water and wastewater treatment plants and well fields, and the number of public schools by school type.
Policy 21.2.3: Development Process. The FJV Properties are intended to be subdivided into multiple parcels, each of which are to be developed under the Villages of Fellsmere (VOF) future land use designation. The FJV Properties subject to the VOF shall be developed through the Planned Development District zoning category, except for agricultural uses, public uses, or private uses in support of a public recreational use, which may be developed consistent with the underlying zoning.

The Owner shall not develop the FJV Properties for any planned development for five (5) years from the effective date of this amendment unless approved as part of a Development of Regional Impact (DRI) or Preliminary Development Agreement ("PDA") under Chapter 380, Florida Statutes. Notwithstanding, any development of agricultural operations or Countryside uses outside of the current phase shall be excluded from the DRI or PDA requirement to the extent allowable by law.

Local government approval for planned development districts will follow processes defined in the Land Development Code and will include the following items:

a. conceptual master plan for all acreage covered by the current phase;

b. preliminary development plan for the current phase for each Hamlet, Village, Employment Activity Center, and uses within the Countryside;

c. final development plans; and

d. preliminary and final plats.

Policy 21.2.4. Master Planning Activities. The following minimum master planning activities must be submitted for review and approval prior to any development of the FJV properties with the exception of agricultural uses or Countryside uses outside of the current phase.

a. 5-10-15 Year Capital Improvement Schedule.

b. Master Stormwater Utility Plan as well as a stormwater utility as part of the master development plan for the FJV Properties.

c. Master Transportation Plan showing arterial, collector and to the extent practical, local roadways, transit opportunities, and other multi-modal forms of transportation and including connectivity to the existing local, county, and state roadway network.

d. CR 512 Western Corridor Plan extending from the western terminus of the historic City boundary to and through the FJV Properties to identify landscape, hardscape, and streetscape improvements to the City's western entry way.

e. Master Greenway/Trails Plan showing interconnectivity with existing and planned conservation or preserve areas and active and passive recreation and trails systems in
Indian River and nearby Brevard County to the extent access is available or offered by Indian River County, Brevard County or other governmental agencies.

f. Emergency Response Plan acceptable to the City prior to the issuance of the first Certificate of Occupancy for any development of the FJV Properties with the exception of agricultural uses, public uses, private uses in support of a public recreational use.

**Policy 21.3: VOF Guiding Principles.** To prevent urban sprawl, the VOF classification shall only be applied to the FJV property for its development into a system of compact, mixed-use, pedestrian-friendly Hamlets and Villages interspersed within the Countryside. The number of Hamlets or Villages shall be as reflected on the conceptual map. Any future amendments that may affect the number of Hamlets or Villages shall be determined based upon a minimum Hamlet or Village spacing and minimum and maximum Village size as set forth in Table 6 of Policy 21.5. Village or Hamlet spacing shall be measured from the closest edge of the nearest Village or Hamlet. Villages shall be located along arterial roadways generally bisecting the Village and shall provide a variety of Village settings based upon size, topography and proximity to natural or manmade recreational areas.

**Policy 21.3.1: Village Settlement Principles.** Villages shall consist of a series of Neighborhoods surrounding a mixed-use Village Center containing residential and non-residential uses and including Common Area uses. The minimum size of any Village within the VOF shall be 1,000 acres except for land lying north of the Phase 1 limits shown in Figure B.21 in which the minimum Village size shall be 500 acres. The Villages will be integrated with each other and the historic center of the existing City by requiring that new local roads and corridors connect to the existing transportation network and existing grid street pattern while also providing for transit, pedestrian, and greenways linkages. In this way, the Villages will become natural extensions of the historic urban core of Fellsmere. The components of a Village shall generally exhibit the following characteristics:

1. **Neighborhood:** Neighborhoods will consist primarily of urban residential uses with a variety of housing types and secondarily of non-residential uses such as bed and breakfast establishments, daycare facilities, group homes, home based business, limited Common Area uses and live-work units where appropriate. Urban residential uses are defined in Policy 21.3.4.

   a. **Neighborhood Size.** Neighborhoods shall be located immediately adjacent to a Village Center and shall be scaled upon an approximate five-minute walk radius (approximately 1,800 feet) as measured from the edge of the Village Center. The shape or form of the Neighborhood is flexible and responds to physical or geological conditions or unique site design considerations provided that the approximate 1,800-foot radius benchmark for scale is generally maintained but not mandatory in all cases based upon geographic, topological or other factors. All points within a Neighborhood shall also be within ¼-mile of the nearest accessible Common Area active or
passive, public or private recreation or open area.

b. Neighborhood Transition. Within Neighborhoods, residential units shall be clustered through the progression of higher densities and/or smaller lot sizes from the Village Center to larger lots and less density near the neighborhood edge. The Neighborhood edge is the area at the outer reaches of the Village and is generally adjacent to the Countryside. Intensities and densities shall generally get lower toward the outside edges of the Village as a whole with net densities ranging from a minimum of net one (1) unit per acre at the Neighborhood edge to a maximum of net five (5) units per acre within a Neighborhood adjacent to the Village Center. The maximum lot size within a Neighborhood shall not exceed 1-acre, generally near the neighborhood edge. The average net density within the Neighborhoods shall be three units per acre or greater. For the purpose of implementing the VOF, net density shall be determined by the number of units within a specific final development plan divided by the net land area excluding conservation lands, passive or active open or recreation lands, roadways, utility or stormwater tracts, and all nonresidential parcels.

2. Village Center. The Village Center is the recognizable core of the community and shall contain a mix of each of the following uses: residential, commercial, office, and Common Area uses to serve the public. Limited impact industries, also known as flex-space, may also be located within Village Centers pursuant to Policy 21.4.7. Village Centers shall be developed under the following principles:

a. Recognizable Center. The Village Center shall contain a recognizable center in the form of a public or civic focal point that may be a publicly owned square, park, green or plaza, in combination with a civic building or a farmer’s market or small-scale Neighborhood retail uses.

b. Mixed Use. The Village Center shall contain residential, commercial, office, and Common Area uses and may accommodate limited impact industries and communication facilities compatible with the mixed use nature of a Village Center. High impact industrial uses are specifically excluded from the Village Center but shall instead be located in Employment Activity Centers. Shops with offices or apartments in the upper stories, live/work units and higher density residential types are also appropriate in the Village Center. Residential units within the Village Center shall be clustered horizontally and/or vertically and shall be developed with a minimum net residential density of 5 units per acre. There shall be no maximum residential density within Village Centers. Final approval of density and intensity shall rest with the City Council, but in no case shall it exceed the highest limitations set forth by Policy 21.1. The minimum and maximum percentage mix of uses required within a Village Center shall be governed by Policy 21.3.8. The maximum building height shall be 65 feet. The maximum floor-area-ratio shall be 4.0. The maximum size of any use within the Village Center shall be determined by the City Council.
Center shall not exceed 100,000 square feet for a single use within a building. The maximum hotel/motel density shall not exceed 60 units per net acre.

c. Compact and Accessible: The Village Center shall be compact and appropriate for multi-story attached buildings designed to accommodate a range of uses over time. The Village Center shall be accessible for pedestrians, bicyclists and motorists and shall be within acceptable walking distance of and accessible to all Neighborhood residents. The size of a Village Center shall be governed by the application of the maximum Neighborhood depth pursuant to Policy 21.3.1.1.a; however, the minimum size of a Village Center shall be governed as set forth in Table 1 below.

<table>
<thead>
<tr>
<th>Village Size* (range in acres)</th>
<th>Minimum Size of Village Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 – 750</td>
<td>30 acres</td>
</tr>
<tr>
<td>&gt;750 – 1,000</td>
<td>50 acres</td>
</tr>
<tr>
<td>&gt;1,000 – 1,250</td>
<td>80 acres</td>
</tr>
<tr>
<td>&gt;1,250 – 1,500</td>
<td>120 acres</td>
</tr>
</tbody>
</table>

*Only Villages north of the Phase I limits may be less than 1,000 acres.

3. Common Areas. Within a Village, Common Area uses shall be regulated by their location within a Neighborhood or Village Center. Within Neighborhoods, Common Areas are limited to schools, places of worship, group homes, civic or institutional uses serving the demands generated by the use of a recreational amenity or open area, and public or private active or passive recreation or open areas. Such uses may be further regulated through the Land Development Code or Planned Unit Development to ensure compatibility with adjacent residential uses. Within Village Centers, Common Areas are limited to schools, places of worship, group homes, not-for-profit uses, public or private active or passive recreation or open areas, medical facilities, civic or institutional uses such as post offices, libraries, police, fire, and administrative offices, and civic or institutional uses serving the demands generated by the use of a recreational amenity or open area. Each Village Center shall contain at least one civic building that shall be sited on a location of high public visibility and prominence usually within or around a public open area or at the termination of vistas. Fire Stations and Police Stations are encouraged to provide community meeting rooms to enhance their public character. Villages that are required to provide a school shall locate the school within the confines of the Village. Planning for the school shall be coordinated with the School Board of Indian River County. Civic uses that are incompatible with the urban mixed-use character of a Village Center, such as maintenance facilities comparable in intensity to
a high impact industry or central utility systems such as water or sewer plants, shall be located in Employment Activity Centers. A minimum of 5% and a maximum of 15% of a Neighborhood and Village Center shall be comprised of Common Area uses.

Policy 21.3.2: Hamlet Settlement Principles. Hamlets are collections of residential and nonresidential uses clustered together around a crossroads or water access point that may include rural and urban residential uses and commercial, office, and limited Common Area uses. Due to their limited size, Hamlets are not required to maintain defined neighborhoods but shall instead be regulated by the location of uses in relation to the crossroad or water access point, which serves as the center of the Hamlet.

1. Urban Hamlet Uses: Uses located adjacent to the crossroad or water access point within the Hamlet Center shall be urban in nature consisting of urban residential uses, commercial, office, passive or active recreation or open areas, or limited civic uses. Commercial and office development is limited to neighborhood commercial or office uses and commercial or office uses in support of water dependent uses and recreation facilities and may also contain hotel/s, lodges, bed and breakfast establishments, day-care facilities, group homes, home based business, and live-work units where appropriate. The minimum and maximum intensity of nonresidential uses in the Hamlet shall be regulated by Table 2. A definition of urban residential uses is provided in Policy 21.3.4.

2. Rural Hamlet Uses: Uses removed from the crossroad or water access point outside of the Hamlet Center and forming the perimeter of the Hamlet shall be rural in nature consisting of rural residential uses and passive or active recreation or open areas and may also contain bed and breakfast establishments. Hamlets shall generally contain a progression of higher densities and/or smaller lot sizes from the Hamlet Center to larger lots and less density near the Hamlet edge. The minimum and maximum intensity of nonresidential uses in the Hamlet shall be regulated by Table 2. A definition of rural residential uses is provided in Policy 21.3.4.

3. Common Areas. Each Hamlet is required to have a Civic focal point such as a public park located adjacent to the crossroad or water access point. The Public/Civic focal points of adjacent Hamlets shall be located at least 4000 feet apart. Each Hamlet shall have a minimum of 5% of the Hamlet set aside for Common Area uses. Uses allowed within the Common Areas shall be limited to public or private active or passive recreation or open areas, places of worship, civic uses such as government annex buildings for libraries, police, fire, administrative offices, and civic or institutional uses serving the demands generated by the use of a recreational amenity or open area.
<table>
<thead>
<tr>
<th>Table 2. Hamlet Development Controls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Size</td>
</tr>
<tr>
<td>Minimum Size</td>
</tr>
<tr>
<td>Hamlet Center Maximum Size</td>
</tr>
<tr>
<td>Hamlet Center Minimum Size</td>
</tr>
<tr>
<td>Minimum Number of Residential Units</td>
</tr>
<tr>
<td>Maximum Number of Residential Units</td>
</tr>
<tr>
<td>Minimum Spacing to Nearest Village or Hamlet</td>
</tr>
<tr>
<td>Maximum Size of Nonresidential Uses</td>
</tr>
<tr>
<td>Minimum Size of Nonresidential Uses</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Policy 21.3.3: Countryside Settlement Principles.** At least 50% of the entire gross acreage of the VOF property shall be allocated to the Countryside outside of Villages and Hamlets. The Countryside separates one Village or Hamlet from the next and provides a buffer between Villages or Hamlets and adjacent uses outside of the VOF. The Countryside may contain native habitat and environmentally sensitive preserve areas, stormwater resource areas, recreation and passive open areas, greenway corridors, agriculture, civic and institutional uses in support of other Countryside uses, communication facilities, cemeteries; golf courses, boat ramps in support of water related recreational amenities and private docks, and similar uses. Agricultural uses may be maintained and expanded as further defined by Policy 21.4.1. No more than 10% of the required Countryside may be platted outside of a Village or Hamlet into ranchette residential developments with a minimum lot size of 2 acres. Such plats must contain covenants and restrictions allowing for related agricultural uses. All areas designated as Countryside within an approved final site plan shall be encumbered at time of final plat approval with a restrictive easement granted to a third party allowing only those uses identified above.

**Policy 21.3.4. Variety of Housing Types.** The VOF shall support a variety of housing types and prices that support a broad range of family sizes and incomes. Housing types are defined as rural or urban and by building types such as single-family detached dwellings and multifamily dwellings, which include all forms of attached dwellings such as townhouse, apartments, condominiums, or residential units within mixed use buildings. Rural housing consists of single-family detached dwellings on lots greater than one acre and not exceeding two acres in size. Urban housing consists of all other unit types, both single and multifamily, on lots one acre in size and smaller. Housing types shall be distributed throughout a Village or Hamlet with denser housing types (i.e., small lot single family homes including garden/patio/zero lot...
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line type units and multifamily) within or adjacent to the center and less dense housing types transitioning to the edge. The minimum percentage mix of single-family to multifamily units within a Village shall be governed by Policy 21.5, Table 6. There shall be no minimum mix of single-to-multifamily development within a Hamlet. Both home-ownership and rental housing opportunities shall be coordinated in an integrated manner. The use of accessory dwelling units to provide an opportunity for dispersed housing or other accessory uses within single-family fabric is desirable and may be approved on a case by case basis by the City Council. No more than 5% of the maximum allowable units may contain accessory dwelling. Accessory dwelling units shall be evaluated for concurrency purposes to determine availability of services when proposed as part of an approved development plan. When proposed by an individual lot owner, only verification of potable water and sanitary sewer service shall be required. A mobile home or Recreational Vehicle (RV) shall not constitute such an accessory dwelling unit. Accessory dwelling units included within the main residential structure shall not constitute a unit for the purposes of limiting density. Agricultural uses and ranchette residential uses are not appropriate for Hamlets or Villages but may be located in the Countryside.

Policy 21.3.5. Walkable Blocks. Blocks shall be scaled to accommodate a variety of building types and encourage pedestrian traffic. Block dimensions may range between approximately 250’ and 1,500’ on a block face and shall not exceed a total perimeter distance of 2,300’. Exceptions to these requirements may be provided in response to specific site design objectives based upon geographic, topological or other factors.

Policy 21.3.6. Proper Building Placement. Buildings with similar characteristics such as scale, massing, and uses shall generally face one another on a given street. Differing building types may be placed side-to-side and back-to-back on a given block. Building designs, such as “stair-stepping” of facades; porte-cocheres, facades, awnings, or overhangs shall be employed to create a “street and pedestrian” connection. Building design regulation shall also regulate against flat blank walls. Within Village Centers, design standards shall require primary entrances of non-residential buildings to directly face a street, a square, a park, a plaza, or a green and shall generally employ build-to lines. Residential structures shall be encouraged to have entrances that face the primary street and within the Village Center shall be located generally closer to the street to create an interactive environment.

Policy 21.3.7. Street Network. Hamlets and Villages shall have an interconnected network of public streets designed to balance the needs of all users, including pedestrians, bicyclists and motor vehicles. A hierarchy of streets shall be provided so that larger streets accommodate larger buildings and wider sidewalks while smaller streets have smaller buildings and sidewalks. Alleys may be used and are encouraged in the Village or Hamlet centers to provide access for rear-loaded parking, municipal...
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services, and loading and unloading of goods, which allows the street to be more safely used by pedestrians and bicyclists by reducing conflicts with vehicles. In residential areas, alleys are encouraged, to accommodate parking and to provide private entrances and parking for rental units located behind single-family homes. Where alleys are used to provide rear access, buildings shall have secondary entrances, lighting and sufficient window opening to provide natural surveillance.

Policy 21.3.8. Mix of Uses. Villages shall be supported by varying amounts of mixed uses located within suitable building types or areas within a Village Center. Different Villages have diverse characteristics, which support varying amounts of mixed use; however, each Village Center shall contain a minimum of 85sf of nonresidential uses for each residential unit approved throughout the entire Village. At a minimum, the percentage distribution of required mix of uses allowed within a Village shall be as shown below in Table 3. For Hamlets, the minimum and maximum range of nonresidential intensity is governed by Policy 21.3.2, Table 2.

Table 3: Mixed Use Requirements for each Village within the Village of Fellsmere

<table>
<thead>
<tr>
<th>Location</th>
<th>Residential</th>
<th>Non-Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Center</td>
<td>15% to 85%</td>
<td>15% to 85%</td>
</tr>
<tr>
<td>Neighborhood</td>
<td>75% to 100%</td>
<td>0% to 25%</td>
</tr>
</tbody>
</table>

*Percentage of residential and nonresidential use based upon total land area allocated to each use. For vertically mixed use buildings containing both residential and nonresidential uses, the acreage shall be equally allocated to each use.

Due to the unique size and locational requirements for schools, they shall be credited toward the nonresidential requirements of Village Centers regardless of location within a Village. In addition, community gathering spaces within a Village Center such as libraries, permanent farmer’s markets, and similar uses, may be credited toward the non-residential requirements of the Village Centers.

Policy 21.3.9. Marinas. Marinas are an allowed use within a Village or Hamlet depending upon their scale and intensity and proposed surrounding development program. When located within a Hamlet, marinas shall be limited to the recreational aspects of water dependent or water related uses such as wet and dry docks, bait & tackle shops, marina master’s residence, marina clubhouse, boat ramp, restaurants, and temporary lodging facilities and must be integrally designed as part of a public recreational amenity such as a park, water access, or picnic area. The maximum floor-area-ratio shall not exceed 1.0 in the Hamlet. If developed within a Village Center, marinas may include the recreational aspects of water dependent or water related uses as well as non-recreational aspects including boat repair and must be integrally designed with the balance of the Village Center and adjoining
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neighborhoods. The maximum floor-area-ratio for development of marinas within a Village shall follow the intensity standards of Table 6 of Policy 21.5 in the Village Center. If developed within a Neighborhood, marinas will be limited to wet docks, boat ramps, marina master’s residence, and marina clubhouse and must be integrally designed with the balance of the neighborhood and adjoining neighborhoods.

Policy 21.4: Economic Development. The VOF is designed to position Fellsmere as a competitive business environment both at the regional and national levels, and, to create the conditions of sustainable economic development by promoting high-wage, high-quality employment opportunities.

Policy 21.4.1: Agriculture. At a minimum, Florida’s Right to Farm laws apply to existing and new agricultural uses in the VOF. Owners of the land are encouraged to initiate, continue, and expand agricultural operations, small plot farms, and sustainable agricultural practices. All existing agricultural operations and practices, including, but not limited to, packinghouses, greenhouses, cooling facilities, radio antenna tower, and support facilities such as airstrips, shall be allowed to continue. Existing communication towers such as the Federal Aviation tower and cell phone tower shall remain permissible non-conforming uses as applicable and reviewed when new plans are approved for the areas in which they are located.

Uses complementary to and supportive of agriculture and related research and education facilities are encouraged within the VOF and may be arranged outside of a Village or Hamlet within the Countryside or Employment Activity Centers as appropriate. Uses may include traditional agricultural uses such as grazing, groves, or crops; agricultural research uses; agricultural related industries or businesses; education facilities with agriculturally related curriculum; aquaculture; small plot farms; U-pick farms and roadside stands; equestrian facilities; landscape nurseries; mining; kennels; agricultural support airstrips; hunting and fishing camps, and similar uses. The presence of an agricultural tax exemption from the Property Appraiser shall not be determinative of an agricultural use. Farmworker housing in support of agricultural uses are allowed within the Countryside outside of Villages or Hamlets. Such uses will not count toward the ranchette residential allowance of Policy 21.3.3 or the maximum gross density requirements of the VOF. The City shall encourage retaining land for agricultural pursuits. Pre-existing agricultural activities are permitted and, if to remain, shall be planned as part the Countryside. When possible, agricultural uses should be encouraged to utilize reuse wastewater to help reduce the biological impact of new development. When located within the Countryside or Hamlet outside of a Village, agricultural research and education facilities and other agricultural related commerce at an FAR of 0.5 are permitted. When located within an Employment Activity Center, agricultural research and education facilities shall follow the intensity standards of Table 6 of Policy 21.5. Agricultural uses are not
Policy 21.4.2: Incentives. The City shall encourage County, State, or Federal agencies to offer incentives such as job growth investment grants, ad valorem tax adjustments as well as "fast track" permitting to businesses that locate in the City. In addition, the City will work with the County and State to locate new business and industry within the City limits.

Policy 21.4.3: Public/Private Partnerships. The City shall encourage the development of industry and business clusters by supporting public/private partnerships to build the necessary infrastructure for said clusters.

Policy 21.4.4: High-Quality Jobs. The City shall support initiatives to attract industries that create full-time, year-round, high-wage and high-quality jobs.

Policy 21.4.5 Village and Hamlet Centers. Appropriate non-residential uses shall be located within Village and Hamlet Centers providing multiple vehicular and pedestrian linkages to adjacent and nearby residential uses. Desirable locations channel as much neighborhood traffic circulation by the site as possible. Non-residential uses within a Village or Hamlet Center shall have a scale and intensity compatible with adjacent residential areas and with required residential uses contained within the Centers themselves. Sites within the Village Center shall accommodate shops with limited inventory or goods as well as transient lodging facilities; restaurants; and professional, medical, and business offices. Retail uses such as gas stations, fast food restaurants, large retailers, drive through facilities, and communication facilities are allowed subject to specific site design considerations that ensure their compatibility with the ideals of the Village Center. In areas adjacent to natural or man-made water bodies, the Village or Hamlet Center may include water dependent uses such as marine waterfront commercial areas to satisfy the unique location, market, and resource needs of the water dependent uses. Specific site design considerations for marine waterfront commercial operations shall ensure the stability of adjacent and nearby residential areas through use restrictions, landscaping, screening, and nuisance abatement standards. Sites within a Hamlet Center shall accommodate neighborhood commercial or office uses and commercial or office uses in support of a water dependent uses and recreation facilities and may also contain hotels, lodges, bed and breakfast establishments, day-care facilities, group homes, home based business, and live-work units where appropriate. Neighborhood commercial or office uses are those uses that serve the local market.

Policy 21.4.6: Employment Activity Centers (EAC). Non-residential commercial, industrial, and institutional uses that are incompatible with the mixed use nature of a Village or Hamlet Center are required to locate within Employment Activity Centers that are strategically located to meet their unique
logistical needs relative to rail facilities, major arterials or interchanges, labor markets, and requisite urban services. The number and location of Employment Activity Centers shall be reflected on the conceptual map adopted as an overlay map to the future land use map within the Comprehensive Plan at time of the assignment of the VOF and shall be located on an arterial roadway. Adjustments to the allocation of nonresidential uses between EAC and Village Centers may be implemented through local government approval as long as the minimum ratio requirements of Policy 21.3.8 and this policy are maintained within Village Centers. Employment Activity Centers shall contain a minimum combined total of 250,000 square feet of non-residential uses or 10 developable acres. Employment Activity Centers developed to support utility services shall be exempt from the minimum size, number and location requirements. Allowable uses may include regional industrial, commercial, secondary education, research or business uses; highway oriented commercial sales and services; commercial amusements; trade and warehousing facilities; business and construction trades or services; communication facilities; limited or extensive impact industrial or institutional uses; automotive sales and services; highway oriented commercial uses; low carbon emitting power plants; or similar uses. There shall be no maximum size for any specific use within the Employment Activity Centers. The maximum floor-area-ratio shall be 2.0. The minimum open space requirement for a specific building lot shall be 10 percent. The maximum building height shall be 65 feet. The maximum hotel/motel density shall not exceed 60 units per net acre.

Policy 21.4.7: Industrial Component. Industrial development includes both limited impact and extensive impact industries.

a. Limited impact industries within the Villages of Fellsmere future land use, also known as flex-space, such as light assembly and manufacturing uses and skilled trades, shall be allowed within Village Centers or outlying Employment Activity Centers. The design of flex space activities within Village Centers or adjacent to off-site residential areas shall accommodate smaller-scale and less intensive uses with no outdoor manufacturing, assembly or storage that will adversely impact the character of residential uses. Wholesale commercial with a regional market; high impact industrial uses; and other uses incompatible with a residential mixed use neighborhood shall not be allowed within a Village Center but shall be located within Employment Activity Centers. Flex space uses within a Village Center shall comply with the intensity limitations identified in Table 6 of Policy 21.5. Flex space uses shall be located on arterial or collector roadways and contain enhanced architectural and site design features to ensure compatibility with surrounding areas as needed.

b. Extensive impact industries include heavy assembly plants, manufacturing/processing plants, fabricators of metal products, electric generation plants, uses customarily associated with airports, low carbon emitting power plants and intensive institutional uses such as water and
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Sewer treatment facilities, and maintenance compounds. Extensive impact industries are not generally adaptable to residential use or mixed use villages, and such uses shall be located in Employment Activity Centers. A high priority shall be given to reserving strategically located lands adaptive to the unique location requirements of extensive impact industries. Extensive impact industrial sites shall generally be allocated in areas accessible to CR-512 and I-95 but adequately buffered from residential uses. Extensive impact uses shall be regulated as a conditional use. Performance standards shall be established for managing, at a minimum, noise, air pollutants, odor, vibration, fire or explosive hazard, and glare. Location and design of industrial activities shall be based on the activity's ability to comply with these standards. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. Industrial uses within an Employment Activity Center shall comply with the intensity limitations identified in Table 6 of Policy 21.5. Industrial uses shall contain enhanced architectural or site design features to buffer from surrounding areas as needed. Industrial uses may include a variety of uses normally found within industrial or business parks as regulated by the Land Development Code.

Policy 21.4.8: Timing of Development. To ensure that Village Centers are developed to support the needs of the residential neighborhoods, the non-residential components of a Village shall be developed in accordance with the following schedule based upon the approved residential unit and nonresidential square footage allocation for each Village guided by the Conceptual Plan adopted pursuant to Policy 21.2 and ultimately approved through the Development of Regional Impact and local government development order, as applicable.

Table 4: Timing of Development

<table>
<thead>
<tr>
<th>Neighborhood Residential Units within a Village (% complete)</th>
<th>Non-Residential Uses within the Village (% complete by sf allocation)</th>
<th>Minimum Village Developed Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>0% to 40%</td>
<td>25%</td>
<td>• Recognizable public or civic focal point and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Civic building or small-scale neighborhood retail uses</td>
</tr>
<tr>
<td>&gt;40% to 60%</td>
<td>40%</td>
<td>• Recognizable public or civic focal point and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Civic building and small-scale neighborhood retail uses</td>
</tr>
<tr>
<td>&gt;60% to 80%</td>
<td>60%</td>
<td>• Multi-family or mixed use residential opportunities</td>
</tr>
<tr>
<td>&gt;80% to 100%</td>
<td>80%</td>
<td></td>
</tr>
</tbody>
</table>
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Policy 21.4.9: Jobs to Housing Balance. To ensure an adequate number of jobs per residential dwelling unit, thereby reducing dependence on automobile travel and vehicle miles traveled (“VMT”), the FJV Properties shall achieve a jobs-to-housing balance of 0.65 at build-out. Except as may be further regulated by conditions of a Development of Regional Impact, in no case may applications for building permits for residential units exceed that authorized by Table 5 prior to the jobs attainment listed in Table 5 or application for cumulative building permits for the corresponding level of nonresidential square footage.

Table 5: Jobs to Housing Requirements

<table>
<thead>
<tr>
<th>Authorized Units</th>
<th>Jobs</th>
<th>Non-Residential Development (SF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,700</td>
<td>3,055</td>
<td>1,400,000</td>
</tr>
<tr>
<td>6,000</td>
<td>3,900</td>
<td>1,760,000</td>
</tr>
<tr>
<td>7,000</td>
<td>4,550</td>
<td>2,050,000</td>
</tr>
<tr>
<td>8,000</td>
<td>5,200</td>
<td>2,340,000</td>
</tr>
<tr>
<td>8,171</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For this purpose, jobs created in the public sector, i.e., Federal, state or local government, including school jobs whether private or public, shall be included. The Developer may demonstrate that jobs have been provided by surveying existing businesses or by utilizing an employment generation ratio of 450 square feet of nonresidential development per job. Only jobs or nonresidential square footage within the Phase I limits as shown on Figure B.21 may be counted toward this requirement.
Policy 21.5 Summary Requirements for Development within the VOF

Table 6: Requirements for Development within the VOF

<table>
<thead>
<tr>
<th>Attribute</th>
<th>Minimum Standard</th>
<th>Maximum Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hamlets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overall Size</td>
<td>50 acres</td>
<td>100 acres</td>
</tr>
<tr>
<td>Center</td>
<td>5 acres</td>
<td>50 acres</td>
</tr>
<tr>
<td>Number of Residential Units</td>
<td>50</td>
<td>250</td>
</tr>
<tr>
<td>Spacing to Nearest Village</td>
<td>One-half mile (edge to edge)</td>
<td></td>
</tr>
<tr>
<td>Spacing to Nearest Hamlet</td>
<td>4000’ (center to center)</td>
<td></td>
</tr>
<tr>
<td>Nonresidential Allowances</td>
<td>10,000sf</td>
<td>250,000sf</td>
</tr>
</tbody>
</table>

| **Villages**                           |                  |                  |
| Village size*                          | 1,000 acres      | 1,500 acres      |
| Spacing to Nearest Village             | One-half mile (edge to edge) |                  |
| ratio of single to multi-family housing (applied to approved total units) | 15% single to 85% multi-family | 85% single to 15% multi-family |
| accessory dwelling units               | NA               | 5% of allowed units |

*Villages north of the Phase I limits may be a minimum of 500 acres.

**Neighborhoods**

<table>
<thead>
<tr>
<th>Attribute</th>
<th>Minimum Standard</th>
<th>Maximum Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>lot size</td>
<td>1,000sf</td>
<td>1 acre</td>
</tr>
<tr>
<td>Density (net)</td>
<td>1 unit per acre</td>
<td>&lt;5 units per acre</td>
</tr>
<tr>
<td>Average Density (net)</td>
<td>3 units per acre</td>
<td>&lt;5 units per acre</td>
</tr>
<tr>
<td>Common Area Uses within a Neighborhood</td>
<td>5%</td>
<td>15%</td>
</tr>
<tr>
<td>floor-area-ratio</td>
<td>NA</td>
<td>2.0</td>
</tr>
<tr>
<td>open space per building lot</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>building height</td>
<td>NA</td>
<td>40’ (See note 2)</td>
</tr>
</tbody>
</table>
### Village Centers

<table>
<thead>
<tr>
<th>Attribute</th>
<th>Minimum Standard</th>
<th>Maximum Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density(net)</td>
<td>5 units per acre</td>
<td>NA</td>
</tr>
<tr>
<td>size of any specific building use</td>
<td>NA</td>
<td>100,000 square feet</td>
</tr>
<tr>
<td>hotel/motel density</td>
<td>NA</td>
<td>60 units per net acre</td>
</tr>
<tr>
<td>floor-area-ratio</td>
<td>NA</td>
<td>4.0</td>
</tr>
<tr>
<td>open space per building lot</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Common Area Uses within a Village Center</td>
<td>5%</td>
<td>15%</td>
</tr>
<tr>
<td>building height</td>
<td>NA</td>
<td>65’ (See note 1, 2)</td>
</tr>
</tbody>
</table>

### Employment Activity Center

<table>
<thead>
<tr>
<th>Attribute</th>
<th>Minimum Standard</th>
<th>Maximum Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>size of combined uses</td>
<td>250,000sf or 10 net acres</td>
<td>NA</td>
</tr>
<tr>
<td>hotel/motel density</td>
<td>NA</td>
<td>60 units per net acre</td>
</tr>
<tr>
<td>floor-area-ratio</td>
<td>NA</td>
<td>2.0</td>
</tr>
<tr>
<td>open space per building lot</td>
<td>10%</td>
<td>NA</td>
</tr>
<tr>
<td>building height</td>
<td>NA</td>
<td>65’ (See note 1, 2)</td>
</tr>
</tbody>
</table>

### Countryside

<table>
<thead>
<tr>
<th>Attribute</th>
<th>Minimum Standard</th>
<th>Maximum Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Requirement</td>
<td>50% of gross land area</td>
<td></td>
</tr>
<tr>
<td>ranchette residential lot size (limited to 10% of the Countryside)</td>
<td>2.0 acres</td>
<td>&lt;10 acres</td>
</tr>
<tr>
<td>floor-area-ratio</td>
<td>NA</td>
<td>0.5</td>
</tr>
<tr>
<td>open space per building lot</td>
<td>10%</td>
<td>NA</td>
</tr>
<tr>
<td>building height</td>
<td>NA</td>
<td>35’ (See note 1)</td>
</tr>
</tbody>
</table>

Notes: 1. Maximum height for agricultural or institutional support facilities for non-habitable structures, such as silos, processing facilities, electric power generation or transmission systems, conveyors, shall be 65’. Heights exceeding 65’ may only be approved by conditional use by the City Council.
Policy 21.6: Affordable/Workforce Housing. Projects within the Villages of Fellsmere future land use shall provide the greater of at least 5 percent of the total residential dwelling units to affordable housing or a percentage determined through analysis of affordable housing need completed pursuant to Chapter 163.3177(6)(f)(1)d, F.S. utilizing the methodology employed by the Shimberg Center for Affordable Housing, University of Florida. Provision of affordable housing units may be by development of affordable units or other means as determined by the City. Affordable housing shall be subject to a recorded land use restriction for a period of not less than 20 years and that includes resale provisions to ensure long-term affordability for income-eligible homeowners and renters. The affordable housing must be commenced prior to the completion of 75 percent of the market rate dwellings. For purposes of this policy, the term "affordable housing" means housing that is affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family existing home as defined by Section 380.0651(3)(i), F.S. For projects that are to be phased, the provision of workforce housing may also be phased as long as the minimum required affordable workforce housing is attained at project build-out. The location of affordable workforce housing shall comply with the policies outlined in the Housing Element and pertinent Land Development Regulations.

Policy 21.7: Adequate Public Facilities and Services. The Applicant will be responsible for compliance with Section 163.3180(1), F.S. for the FJV Properties which includes sanitary sewer, potable water; offsite solid waste; drainage; parks; recreation; schools and transportation – the infrastructure. To the extent not funded by others, the Applicant shall be responsible for funding the planning, design, permitting and construction of the Infrastructure in order to serve the needs of the future development of the FJV Properties and in accordance with the level of service established by the City's Comprehensive Plan. Said infrastructure may be constructed in phases commensurate with the creation of demand by development. As part of the continuing planning process and annual updates to the Capital Improvements Element (CIE) and 5-year Capital Improvements Plan (CIP), the City of Fellsmere shall require that improvements required to support the development allowances authorized for each phase are reflected in the CIE/CIP for the five-year period these improvement will be needed. The CIE/CIP shall be consistent with the Conceptual Plan as implemented through a Development of Regional Impact and local government development order, as applicable, and shall identify how each improvement shall be funded. Applicants for development within the VOF shall work with the City, the County, the Indian
River County School Board, and other service providers to determine the most appropriate sites that fulfill the locational needs and requirements to meet service demands, capacity and concurrency requirements set forth by the respective agency and meeting the City of Fellsmere level of service standards. For schools, the City shall coordinate such needs consistent with the adopted Indian River County Interlocal Agreement for School Concurrency. Proposals to build in accordance with the Goals, Objectives and Policies of the City's Comprehensive Plan shall be eligible and are required to receive, use or construct urban services to support their development as defined herein.

Policy 21.7.1: Potable Water and Sanitary Sewer: All development within the Villages of Fellsmere future land use shall be serviced by centralized potable water and sanitary sewer systems except for the following uses which must be located outside of a Village within the Countryside: (1) ranchette residential development with a minimum lot size of two acres and (2) non-residential and agricultural uses subject to receipt of agency permits for well and septic or other alternative service arrangement. Such centralized services shall be coordinated with the City. Temporary use of package treatment plants or other service means may be approved for Hamlets subject to agreement to connect to centralized potable water and sanitary sewer systems when such systems are available and within ¼-mile of the Hamlet.

Policy 21.7.2: Provider of Potable Water and Sanitary Sewer. Prior to issuance of a final development order, the applicant shall demonstrate compliance with the water and sewer concurrency requirements of the City and that an agreement exists with a competent entity as the operator of Potable Water and Sanitary Sewer.

Policy 21.7.3: Wastewater Reuse. New developments in VOF are required to accommodate the volume of treated wastewater produced, when available, and may include re-use irrigation or adequate areas designed to absorb the treated wastewater to utilize its nutrients to enhance the ecological function of the environment. The City acknowledges that an on-site irrigation water supply system may be provided to serve non-agricultural uses within the FJV Properties.

Policy 21.7.4: Water Resource Management. The City shall require stormwater management systems within the area that support the objectives of the St. John's River Water Management District (SJRWMD), Fellsmere Water Control District (FWCD), and the City's Comprehensive Plan.

Policy 21.7.5: Water Resource Management Strategy. The land necessary for water storage, attenuation and discharge for drainage of new development in the VOF area shall be arranged and managed as part of a comprehensive regional drainage system permitted by the City, FWCD and/or SJRWMD.
Policy 21.7.6: Management and Coordination of the Stormwater System. The City will coordinate with SJRWMD and FWCD to create an institutional structure to facilitate the implementation of a surface water and water resource management system that a) maintains adopted level of service standards; b) is coordinated with landowners to achieve connectivity over time; c) is financially feasible; d) is coordinated with the plans of the SJRWMD, FWCD and other stakeholder agencies; and e) meets water quality objectives prior to discharge into the upper SJR basin.

Policy 21.7.7: Locational Criteria. Public facilities and services shall be located pursuant to agreements with the service providers and shall consider the following criteria in siting those facilities:
   a. soil analysis, geo-technical testing, borings;
   b. topographical surveys;
   c. wetlands mapping (if any) and environmentally sensitive area boundary delineations; and
   d. adjacent uses and buffering needs.

Policy 21.7.8: Transportation. The Development shall satisfy at the time required transportation concurrency by constructing improvements or executing a mutually agreeable Proportionate Fair Share Agreement; or a mutually agreeable Developer's Agreement; or a mutually agreeable Impact Fee Assessment. Development plans or proposals may be approved within the FJV Properties if the transportation improvements necessary for capacity required for such plan are supported by an executed Developer Agreement, Interlocal Agreement, Impact Fee Agreement, Proportionate Fair Share Agreement, or other method guaranteeing adequate funding for the FJV Properties' Fair Share Cost of such improvements.

In addition, the City acknowledges its intention, in good faith, to:

1. Coordinate the pro-rata funding of the interchange, bridge crossings, or roadways with adjacent property owners/developers when such other properties are benefited by these improvements.
2. Implement a “cost-recovery” agreement for the Applicant when the Applicant funds more than its pro-rata share of an improvement.
3. Work with the Applicant to secure appropriate impact fee credits based upon fair share apportionment payments and/or actual construction of improvements.
4. Create a right-of-way preservation plan for roadway connection required for traffic distribution to reduce traffic on CR512 through the “old town district”.

Comprehensive Plan Goals, Objectives and Policies

Chapter 1  Future Land Use Element
Policy 21.7.9. Financing Mechanisms. The City will encourage a variety of financing tools and strategies to fund capital improvement programs within the FJV Properties such as but not limited to:

1. Community Development Districts (CDD),
2. Independent Special Districts,
3. Business Improvement Districts (BID),
4. Educational Facilities Benefit Districts,
5. Intercity Agreements,
6. Developer Agreements, and

The objective is for the City to achieve fiscal neutrality and therefore incur no cost for development.

The City understands that one or more community development districts ("CDD") may hereafter be established, or the boundaries of an existing CDD may hereafter be modified, or any combination of the foregoing, by each Developer to provide services to any portion of the FJV Properties owned by such Developer. Any such CDD established by a Developer may plan, finance, acquire and construct community infrastructure that may benefit all or portions of the FJV Properties owned by such Developer. The City further understands that any CDD that may hereafter be established with respect to the FJV Properties may have the right to exercise the powers enumerated under Chapter 190, Florida Statutes. The City will consider supporting special legislation to expand the powers of the Fellsmere Water Control District, a Florida Statute 298 Special District.

Policy 21.7.10. To the extent development provides land and constructs municipal facilities consistent with the demands of any developments of the property, the cost of all such facilities, including the market value of the land, creditable toward any current or future impact fees to the extent that such costs are legally eligible for impact fee credits. The City will work with the Applicant toward receiving a credit. This infrastructure shall be built to the City and permitting agencies' reasonable and customary standards. The City shall have the right to require the infrastructure be oversized by the Applicant to serve other property, provided a mutually agreeable cost recovery system is in place to reimburse the Applicant for the over-sizing.

Improvements necessitated by development of the FJV Properties shall be in place and available to serve new development no later than the issuance of a certificate of occupancy unless otherwise addressed by an executed Proportional Share Agreement, an executed Developer's Agreement, an executed Impact Fee Agreement, or posting of a surety equal to 125% of an engineer's estimated cost as provided in the Land Development Code.
Policy 21.7.11. City will consider Interlocal service agreements with proximate service providers such as the City of Palm Bay and Indian River County in lieu of the construction of additional redundant facilities for the provision of potable water, reuse water, and wastewater treatment. The City agrees to work cooperatively with the Applicant in identifying the provider for such services. The City shall not be required or obligated in any way to construct or maintain or participate in the construction or maintenance of any improvements for the Development (except for maintenance of improvements dedicated to and accepted by the City at its sole discretion). The Owner its grantees, successors or assigns in interest or an association and/or assigns satisfactory to the City shall be responsible for the maintenance of all improvements not dedicated to the City.

Policy 21.8: Countryside and Common Areas: The Countryside and Common Areas within Villages and Hamlets are an integral component of the settlement pattern and together shall consist of a minimum of 55% of the gross land area contained within lands designated as VOF. The Countryside shall consist of a minimum of 50% of the gross land area designated as VOF, and Common Areas within Villages and Hamlets shall consist of a minimum of 5% and, within Villages, a maximum of 15% of the gross land area. Such areas shall:

a. support and enhance the village character;
b. preserve native habitats;
c. encourage opportunities for sustained agriculture;
d. help mitigate the biological and ecological impacts of new development;
e. improve the health of both the natural and built environment;
f. provide passive and active recreation opportunities; and
g. promote quality civic and public spaces.

Policy 21.8.1: Healthy Ecosystems. In order to establish a healthy ecosystem, diverse vegetation, elevations, wildlife corridors, greenways/trails and drainage conveyances are required to promote the sustainability of both native and migratory species.

Policy 21.8.2: Non-Contiguous Locations. Land dedicated to the required Countryside or Common Areas may be located on non-contiguous parcels when dedicated to the public, subject to the discretion of the City Council during the development approval process.

Policy 21.8.3: Linking Countryside Areas. To maximize both the aesthetics of the rural landscape and the biological and ecological system contained within the Countryside, developments shall link to the greatest extent practical Countryside areas within the site as well as to any neighboring existing or planned passive parks, existing uses of an agricultural character or environmental preserves. This may
be accomplished by greenways, trails, wildlife corridors, pedestrian and bicycle corridors, golf cart paths, horse trails, and similar low intensity methods.

**Policy 21.8.4: Components of the Countryside and Common Areas.** Table 7 provides an overview of the allowable uses for both the Countryside and Common Areas within Villages or Hamlets.

**Table 7. Countryside and Common Area Components**

<table>
<thead>
<tr>
<th>COUNTRYSIDE</th>
<th>COMMON AREAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MINIMUM: 50% OF GROSS ACREAGE</td>
<td>MINIMUM: 5% OF VILLAGES AND HAMLETS</td>
</tr>
<tr>
<td>MAXIMUM: NONE</td>
<td>MAXIMUM: 15% OF VILLAGES</td>
</tr>
</tbody>
</table>

- Native Habitat, Upland Buffers and Conservation/
  Environmentally Sensitive Areas
- Recreation and Passive Open Areas
- Community Recreation Areas
- Linear Parks along the stormwater system
- Equestrian and bicycle trails
- Greenway Corridors
- Stormwater Management/Water Resource Areas
- Civic Uses $^2$
- Passive open areas of developments within the countryside $^1$
- Golf Courses
- Agriculture

$^1$ See Policy 21.3.3

$^2$ See Policy 21.8.10

**Policy 21.8.5: Agriculture.** The City shall encourage retaining land for agricultural pursuits. Pervious agricultural lands shall be credited towards the Countryside requirements. Existing or proposed impervious agricultural activities, including packing houses, greenhouses, cooling facilities, or other agricultural support facilities shall not be creditable toward the Countryside requirement. Agricultural and/or water resource management areas shall comprise a minimum of 25% of the combined requirements for Countryside and Common Areas.

**Policy 21.8.6: Native Habitat and Environmentally Sensitive Areas.** Wetlands, upland buffers, and
native upland habitat areas to be preserved on-site shall be counted towards the fulfillment of the Countryside or Common Area requirements. Preservation requirements shall be as set forth elsewhere within the Comprehensive Plan. Development will be required to provide wildlife corridors to connect habitat areas and maintain safe crossing areas. Eco-hiking trails shall be used to provide access to environmentally sensitive lands for their passive enjoyment. For off-site preservation areas abutting the FJV property, a buffer shall be provided of 100’ adjacent to the external property line or that required by the pertinent permitting agency, whichever is greater. Buffers shall not be required adjacent to off-site stormwater treatment areas or other manmade water bodies.

Policy 21.8.7: Water Resource Management Areas. The stormwater system is intended to work in concert with and be part of the land designated for the Countryside or Common Areas. To be credited toward either of these requirements, the land used in the stormwater system shall contain at least two of the following:

a. The stormwater system is supplemented with a native planting program.
b. Access is provided to the stormwater system.
c. A linear park is provided along the edge of the stormwater system providing for multiuse trails for bicyclist and pedestrians.
d. Equestrian trails are provided along the edge of the stormwater system within the countryside or as appropriate.

Stormwater systems meeting the requirements noted herein located only within a Village or Hamlet may only be credited toward the Common Area requirements; likewise, stormwater systems located only within the Countryside may only be credited toward the requirements of the Countryside.

Policy 21.8.8: Recreation and Passive Open Areas. Land used for active or passive recreation or passive open areas may be counted toward the fulfillment of the required Countryside or Common Area. Such amenities include, but are not limited to, the following:

a. Community Recreation Areas. Uses such as regional parks, fair grounds, ecotourism areas, swimming and fishing lakes, greenways and trails, equestrian areas and/or polo fields, camp grounds, public waterfronts and boat launching areas.
b. Neighborhood Parks, Greens and Squares. Uses such as playgrounds, picnic areas, pocket parks, open air amphitheaters, village squares or greens, boardwalks, vita courses, and playing fields and courts.
c. Golf Courses. Golf courses that are designed to accommodate reuse wastewater. (Golf courses may comprise no more than 10% of the combined requirements for Countryside and Common Areas.)

The owner shall provide public access to Egan Lake (Fellsmere Water Management Area), including a
CHAPTER 1: FUTURE LAND USE ELEMENT

Policy 21.8.9: Greenway Corridors. Greenways, trails, and linear parks shall be credited toward the Countryside or Common Area requirements.

Policy 21.8.10: Civic Uses. Land allocated for civic uses may be counted toward the fulfillment of required Common Areas or Countryside as set forth below.

a. Common Area civic uses such as libraries and schools (including the associated playfields), as well as community buildings and clubhouses may be counted toward the fulfillment of the required Common Areas within Villages or Hamlets.

b. Civic uses may not be located within the Countryside unless they are supportive of another Countryside use such as small utility systems (lift stations, sub-stations, or similar uses) developed in support of a major recreation uses or administrative or maintenance facilities developed in support of major recreation uses or similar uses. When such civic uses are located within the Countryside, only the pervious area of civic uses may be credited toward the Countryside requirements.

Policy 21.9: Transportation Planning. The City will ensure that a balanced and integrated transportation system is established concurrently with new development that promotes the desired sustainable pattern of growth, protects and enhances the character of the area, and seeks to reduce the greenhouse gas emissions of the transport system while maintaining level of service requirements.

Policy 21.9.1: Sustainable Transportation. Vehicular trips shall be minimized through a combination of the following:

1. Provision of housing opportunities in proximity to employment opportunities;
2. Provision of essential services and recreational opportunities in proximity to demand;
3. Provision of an interconnected street network designed for pedestrians, cyclists, the automobile and transit;
4. Provisions for parking that will encourage pedestrian and public transportation alternatives;
5. Provisions for incentives encouraging multiple modes of transportation;
6. Coordination with the DOT, IRC Metropolitan Planning Organization and adjacent Cities for planning for current and future transportation networks within and outside the City and County.
Policy 21.9.2: Connected, Multi-modal Transportation System. The transportation system shall provide multi-modal capabilities and be connected through a network of streets that are visually appealing. The visual and functional characteristics of streets are important in the design of the community and shall be guided by the following design principles:

1. Streets shall be designed to create a sense of place that reflects the rural or urban character of the surrounding area and

2. Streets shall be designed to accommodate a mix of travel modes including vehicles, bikes, transit and pedestrians with appropriate lighting, landscape, utility and signage provisions.

Policy 21.9.3: Rights-of-Way. The City shall work with and require a developer to identify right-of-way needs during the development of the master plan and reserve and protect existing and future rights-of-way within site plans, plats, or other legal instruments in order to provide for an efficient multi-modal transportation system. The City shall protect the required right-of-way for regional facilities shown in the Transportation Element and seek the dedication or acquisition of needed additional rights-of-way for these corridors through local government development approvals and as part of the continuing transportation planning process with FDOT, IRC Metropolitan Planning Organization and adjacent Cities and Counties.

Policy 21.9.4: Internal Street Network. Neighborhoods shall construct interconnected networks of streets in a predictable pattern that encourages walking, reduces the number and length of automobile trips, provides multiple circulation routes, and conserves energy. Cul-de-sacs may be permitted only where a roadway terminates at a water management tract, park or civic area, development boundary, or other topological feature. Dead-end streets are discouraged.

Policy 21.9.5: Interconnected Neighborhoods. The transportation system shall be designed so that multiple streets, bicycle paths and sidewalks continue into adjacent Neighborhoods, Village Center, and nearby developments to facilitate convenient movement and disperse traffic throughout the local network except where a roadway terminates at a water management tract, park or civic area, development boundary, or other topological feature. Connections to existing or future collector roadways shall be at approximately ¼-mile intervals. Owner/Developer shall be required to construct a City-approved Pedestrian Linkage System.

Policy 21.9.6: Roadway Character. Within the Countryside, development shall be designed to maintain open vistas and protect the integrity of the rural character of roadways. Within Villages, roadways shall be designed to regulate vehicular speeds and ensure a balanced environment for motorists, bicyclists,
pedestrians, transit, and utility transmission needs. The Master Plans prepared pursuant to Policy 21.2.4 shall include design standards to accomplish this intent.

**Policy 21.9.7: Street Trees.** Regularly spaced shade trees shall be required to provide shade for pedestrians and cyclists along all new streets with exception of alleys.

**Policy 21.9.8: Interconnected Parcels.** Interconnections between complementary uses shall be required, including access and circulation among parking lots and to pedestrian paths and may take the form of shared driveways, frontage streets, and parking with cross access easements.

**Policy 21.9.9: Parking Location.** Village Centers shall be designed to promote a “park once” environment to encourage walking between multiple destinations and proximity to transit stops. Shared parking arrangements shall be encouraged through a reduction in the required parking if supported by appropriate traffic analysis. Parking lots and garages shall be buffered from the view of the sidewalk preferably located behind or to the sides of buildings to enhance the pedestrian environment of the street. Conveniently located bike racks shall be provided throughout the Village Center within all Villages. Parking lots shall be considered for park-n-ride lots as part of the regional transit system where appropriate.

**Policy 21.9.10: Recreational Trail and Greenway System.** Developments shall create an interconnected network of routes for pedestrians and cyclists providing links to schools, parks, adjacent Neighborhoods and developments as well as non-motorized trails along or within the Countryside and water resource areas.

**Policy 21.9.11: Transportation Demand Management.** The City may establish incentives for residential and nonresidential uses to encourage public transit, ride sharing, modified and flexible work hours, and to provide bicycle racks/storage and shower facilities to encourage walking/bicycling to work.

**Policy 21.9.12: Remedies for Roadway Deficiencies.** Where roadways are found to be deficient, according to methods used by the City, the City shall consider that the appropriate remedy to restoring a satisfactory level of service is not necessarily widening of the link, but may be:

1. Intersection improvements;
2. Signalization changes;
3. Turning or auxiliary lanes;
4. Access management;
5. Improvements in parallel corridors; and/or
6. Other traffic engineering policy measures.
Policy 21.9.13: Special District. The City may consider the establishment of special districts in order to provide appropriate funding mechanisms for the regional transportation system, electric power generation and transmission system, or other public facilities and services, including acquiring links in the Water Resource Management and Countryside components. The City will also support legislative requests by the Fellsmere Water Control District for expanded powers within their adopted Chapter 298 Special District authority. Any actions of a special district would be required to be integrated and coordinated through the Capital Improvements Program and may build on existing systems and strengthen existing partnerships.

Policy 21.9.14: Transportation Concurrency. An approved project that meets the requirements of the VOF land use must satisfy transportation concurrency pursuant to Policy 21.7 and may, as further allowed by Florida Statutes and Administrative Code, satisfy transportation concurrency by paying to the City and/or Indian River County a proportionate fair-share contribution, to pay for one or more improvements that will benefit the future street network. Developers maybe eligible for impact fee credits for construction of improvements. At a minimum this methodology shall be consistent with requirements of section 163.3180(12) or (16), F.S. as applicable.

Policy 21.10: Green Building and Site Planning. Developments proposed within the VOF are to utilize LID, LEED, LEED-ND, other best management practices from the United States Green Building Council and Florida Green Building Coalition or other industry recognized groups to the extent feasible.
## Summary of Map Changes

<table>
<thead>
<tr>
<th>MAP</th>
<th>REVISION</th>
<th>LOCATION</th>
</tr>
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<tbody>
<tr>
<td><strong>Future Land Use Element</strong></td>
<td></td>
<td></td>
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<tr>
<td>1-1A through 1-1C</td>
<td>Update Future Land Use Map 1-1.A-C: remove pending annexation note; remove note proceeding asterisk; assign VOF to FJV 18,388 acres; assign MDR to FJV 157 acres; eliminate C1/A2 county within city; add table of site specific limitations for various parcels; delete Pine Grove site specific table (incorporated pertinent parts into new table); and add note: &quot;Energy Conservation Features include the land area within the Community Redevelopment Area and all Conservation lands.&quot;</td>
<td>Plan</td>
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<tr>
<td>1-2 (new)</td>
<td>Prepare new map &quot;Existing and planned public potable waterwells and wellhead protection areas&quot;</td>
<td>Plan</td>
</tr>
<tr>
<td>1-3.A (fka 1-3)</td>
<td>Update Floodplains and Waterbodies Map (format changes only)</td>
<td>Plan</td>
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<tr>
<td>1-3.B (fka1-4)</td>
<td>Update Soils Association Map (format changes only)</td>
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<tr>
<td>1-3.C (fka1-5)</td>
<td>Update Vegetated Communities and Wetlands (format changes only)</td>
<td>Plan</td>
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<tr>
<td>1-3.D (fka 1-6)</td>
<td>Update Historical Resources Map (format changes only)</td>
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<tr>
<td>1-3.E (new)</td>
<td>Prepare new map &quot;FEMA Flood Zone Map&quot;</td>
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<tr>
<td>1-3.F (fka 8-1)</td>
<td>Update Community Facilities Map to include new lands owned by the City and format changes.</td>
<td>Plan</td>
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<tr>
<td>1-5 (fka 1-2)</td>
<td>Update Adjacent Land Use Map (format changes only)</td>
<td>D&amp;A</td>
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<tr>
<td>1-6 (new)</td>
<td>Create new map &quot;Existing Electrical Distribution System&quot; (provided by FPL)</td>
<td>D&amp;A</td>
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<tr>
<td>1-7 (delete)</td>
<td>Delete as addressed in Recreation Element as Map 6.2 (fka 6.1)</td>
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## Transportation Element

<table>
<thead>
<tr>
<th>MAP</th>
<th>REVISION</th>
<th>LOCATION</th>
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<tr>
<td>2-1(A,B&amp;c)</td>
<td>Update Long Range Transportation Plan with functional class, maintenance responsibility (i.e., City, County or State), and # of lanes. Map to be consistent with the MPO 2035 LRTP and show all VOF and Pine Grove roads as 2 lanes. Add note stating “All roadways shall maintain minimum levels of service in accordance with Comprehensive Plan: State = LOS C; County = LOS D; City = LOS C.”</td>
<td>Plan</td>
</tr>
<tr>
<td>2-2</td>
<td>Update Long Range Pedestrian and Bikeways Map to show all major City roads as bike facilities. Place a note on plan: “Sidewalks shall be provided on one side of all local roads and both sides of all collector and arterial roads.”</td>
<td>Plan</td>
</tr>
<tr>
<td>2-3 (new)</td>
<td>Create a Long Range Transit Map consistent with MPO TDP. Show spine roads in Pine Grove and VOF as trunk line transit routes and show existing transit route in city center.</td>
<td>Plan</td>
</tr>
<tr>
<td>2-4 (new)</td>
<td>Create a map reflecting local and regional transportation facilities critical to evacuation of the coastal population prior to an impending natural disaster.</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>2-5 (fka 2-3)</td>
<td>Update Existing Level of Service Map (format changes only)</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>2-6 (fka 2-4)</td>
<td>Update Major Thoroughfares by Functional Classification and Number of Lanes (format changes only)</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>2-7 (fka 2-5)</td>
<td>Update Local Road Improvements for status of unpaved roads and add a note: “City of Fellsmere shall plan for the development of “complete streets” for all roadways within the City of Fellsmere.” Change name of map to “Historic City Center Roadway Improvement Plan” and move to data and analysis.</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>2-8 (new)</td>
<td>Create new &quot;Existing Transit System Map&quot; showing routes, areas served, and stop locations. Show stops at medical center on CR 512 and Sonrise Villas on Willow. Add note on plan: “Interconnections to all Indian River County routes provided at transfer locations within the eastern urban area of Indian River County.&quot;</td>
<td>D&amp;A</td>
</tr>
</tbody>
</table>

Plan = Comprehensive Plan  
D&A = Data and Analysis in support of the Comprehensive Plan
<table>
<thead>
<tr>
<th>MAP</th>
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</tr>
</thead>
<tbody>
<tr>
<td>4-1 &amp; 4-3 (new)</td>
<td>Create new map &quot;Existing Potable Water &amp; Sanitary Sewer Service Area&quot;</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>4-3 &amp; 4-4 (new)</td>
<td>Create new map &quot;Proposed Potable Water &amp; Sanitary Sewer Service Area&quot;</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>4-5 (new)</td>
<td>Create new map &quot;Existing Potable Water &amp; Sanitary Sewer Facilities&quot; – (index sheets only)</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>4-6.A &amp; B (new)</td>
<td>Update Jurisdictional Drainage Boundaries and Drainage Features to include new City limits and reflect greater detail.</td>
<td>D&amp;A</td>
</tr>
</tbody>
</table>

**Conservation Element**

<table>
<thead>
<tr>
<th>MAP</th>
<th>REVISION</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-1 (delete)</td>
<td>Delete Floodplains and Waterbodies Map (covered in FLUE Map Series)</td>
<td>-</td>
</tr>
<tr>
<td>5-2 (delete)</td>
<td>Delete Soils Association Map (covered in FLUE Map Series)</td>
<td>-</td>
</tr>
<tr>
<td>5-3 (delete)</td>
<td>Delete Vegetative Communities Map (covered in FLUE Map Series)</td>
<td>-</td>
</tr>
<tr>
<td>5-1 (fka 5-4)</td>
<td>Update Conservation and Preserve Areas.</td>
<td>Plan</td>
</tr>
<tr>
<td>5-2 (new)</td>
<td>Create new map titled &quot;Energy Conservation Features&quot; and show all conservation areas and CRA boundary.</td>
<td>Plan</td>
</tr>
<tr>
<td>5-3 (new)</td>
<td>SJRWMD Aquifer Recharge Potentials (by others)</td>
<td>D&amp;A</td>
</tr>
<tr>
<td>5-4 (new)</td>
<td>Indian River County Groundwater Recharge Areas (by others)</td>
<td>D&amp;A</td>
</tr>
</tbody>
</table>

**Recreation Element**

<table>
<thead>
<tr>
<th>MAP</th>
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</tr>
</thead>
<tbody>
<tr>
<td>6-1 (new)</td>
<td>Create a new City Greenways and Trail Map using VOF Concept Plan and North County Greenways Trail Map from IRC as a guide. Map to show existing and proposed facilities.</td>
<td>Plan</td>
</tr>
<tr>
<td>6-2 (fka 6-1 and 1-7)</td>
<td>Update Recreation Resources Map to include new facilities under City ownership and show surrounding recreation/conservation amenities not in City.</td>
<td>Plan</td>
</tr>
</tbody>
</table>

**Capital Improvements Element**

<table>
<thead>
<tr>
<th>MAP</th>
<th>REVISION</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-1 (delete)</td>
<td>Update Community Facilities Map to include new publicly owned lands and relocate to Future Land Use Element as Map 1-3.F.</td>
<td>-</td>
</tr>
<tr>
<td>Exhibit A (fka Table VIII.1)</td>
<td>Revised table into two exhibits. Exhibit A: 5-year Capital Improvement Program (format changes only)</td>
<td>Plan</td>
</tr>
<tr>
<td>Exhibit B (fka Table VIII.1)</td>
<td>Revised table into two exhibits. Exhibit B: Long Term Capital Improvement Plan. Revise to reflect facilities identified as needed through 2035 as part of the data and analysis.</td>
<td>Plan</td>
</tr>
<tr>
<td>Exhibit C</td>
<td>Incorporate by reference – Indian River County Transportation Improvement Program.</td>
<td>Plan</td>
</tr>
<tr>
<td>Exhibit D</td>
<td>No change – Incorporate by reference – Indian River County School District Adopted Work Program</td>
<td>Plan</td>
</tr>
</tbody>
</table>

**Public Schools Facility Element**

<table>
<thead>
<tr>
<th>MAP</th>
<th>REVISION</th>
<th>LOCATION</th>
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</thead>
<tbody>
<tr>
<td>10-1</td>
<td>Update Existing and Proposed Public School Facilities Map per VOF Concept Plan</td>
<td>Plan</td>
</tr>
<tr>
<td>10-2</td>
<td>Update new Existing and Programmed School Locations Map and edit to provide title, source, and date (first 5 years) and remove Ro-ED Ansin School as it is no longer in 5-year program. Add note to map referencing Fellsmere Elementary School: &quot;Programmed capacity increase to 750 students for the existing Fellsmere Elementary School scheduled for FY2011/12.&quot;</td>
<td>Plan</td>
</tr>
<tr>
<td>10-3</td>
<td>Update new Elementary School Concurrency Service Area Map and edit to provide title, source, and date (ex. 10-6)</td>
<td>Plan</td>
</tr>
<tr>
<td>10-4</td>
<td>Update new Middle School Concurrency Service Area Map and edit to provide title, source, and date (ex. 10-7)</td>
<td>Plan</td>
</tr>
<tr>
<td>10-5</td>
<td>Update new High School Concurrency Service Area Map and edit to provide title, source, and date (ex. 10-8)</td>
<td>Plan</td>
</tr>
</tbody>
</table>

Plan = Comprehensive Plan
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**List of Exhibits**

<table>
<thead>
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<tbody>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
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<tr>
<td>3</td>
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<tr>
<td>4</td>
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<tr>
<td>5</td>
</tr>
<tr>
<td>6</td>
</tr>
<tr>
<td>7</td>
</tr>
</tbody>
</table>
Exhibit 1
General Location Map
City of Fellsmere

Indian River County Base Map
Date March 19, 2008

Legend
- Major Roads

Cities
- Fellsmere
- Indian River Shores
- Orchid
- Sebastian
- Vero Beach

St. Lucie County
Land Use Legend:
- Low Density Residential (LDR)
- Low Density Mixed
- Use Neighborhood (LDMXN)
- Low Density Mobile Home (LDMH)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Neighborhood Commercial (NC)
- Old Town (OTD)
- Regional Employment Activity Center (REAC)

Development Limitations for Site Specific Properties:

<table>
<thead>
<tr>
<th>Map #</th>
<th>Max Allowable Development</th>
<th>Future Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1.5 units per acre</td>
<td>LDMXN</td>
</tr>
<tr>
<td>2</td>
<td>3.5 units per acre</td>
<td>LDMXN</td>
</tr>
<tr>
<td>3</td>
<td>800 units</td>
<td>LDMXN</td>
</tr>
<tr>
<td>4</td>
<td>Non-Residential:&lt;br&gt;- 620,000 sq ft Residential&lt;br&gt;- 600 units&lt;br&gt; 5</td>
<td>Villages of Fellsmere</td>
</tr>
<tr>
<td>5</td>
<td>800 units</td>
<td>LDMXN</td>
</tr>
<tr>
<td>6</td>
<td>Non-Residential:&lt;br&gt;- Industrial up to 80% of total square feet&lt;br&gt;- Commercial up to 20% of total square feet&lt;br&gt;- Office up to 10% of total square feet Residential:&lt;br&gt;- 5,000 units</td>
<td>LDMXN</td>
</tr>
</tbody>
</table>

Disclaimer: The location of the various land use areas, greenbelts, parks, etc., may not be exact, and any others or minor facilities located on this plan are approximations.

Future Land Use Map
Figure 1-1C
Adopted 10/11/07, Ord 07-08

Fellsmore City Limits

Exhibit 4
Conservation and Preserve Areas
Figure 5-1
Disclaimer:
The location of the various land uses, street networks, greenway/multimodal corridor and public facilities depicted on this conceptual plan are approximate and subject to change in accordance with Policy 21.2.2 of the comprehensive plan.
Note: All roadways shall maintain minimum levels of service in accordance with Comprehensive Plan: State=LOS C; County=LOS D; City=LOS C.