



ZONING ADMINISTRATION
DEVELOPMENT REVIEW
COMPREHENSIVE PLANNING
URBAN DESIGN
HISTORIC PRESERVATION
CULTURAL RESOURCES

CITY OF FORT PIERCE

2005 Florida League of Cities "City of Excellence" Award Winner

DEPARTMENT OF PLANNING

"IMPROVING THE WAY WE DO BUSINESS"

Planning Board Minutes

OF A SPECIAL MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD AT 3:00 PM ON TUESDAY, NOVEMBER 15, 2006, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

Secretary Johnson called the meeting to order and called for Roll Call.

Upon Roll Call, those present were: Margaret Benton (came in at 3:10), Jeremiah Johnson, Tom Knott, Robert Poitier and Edward Reilly; James Walker, Assistant City Attorney; Matthew Margotta, Planning Director; Peter Buchwald, Zoning Administrator; Travis Gibbons, Planning Administrator; Kara Wood, Urban Design Administrator; Diann Ploetz, Administrative Secretary. Those absent: Chairman Don Bergman (called in November 14), Vice Chair Sunny Gates (called in November 13), Chuck Enns (called in November 13), Charlie Harris (said he would be late) and Leslie Olson (notification was given at the October 10th Planning Board meeting).

Hard copies of the Calvin, Giordano & Associates presentation were handed out to the Board members.

Secretary Johnson said welcome, everybody. I will let staff get started here.

Mr. Matthew Margotta, Director of Planning, said today we have the comprehensive plan rewrite presentation initially for you and that is going to be driven almost exclusively by our consultants, whom the City hired - Calvin, Giordano, and Associates. In a minute, Ms. Shelley Eichner is going to introduce her staff to you and get it started from their point of view. But I just want to let you know that we have gone through a few elements of being reviewed at the staff level and so now the whole intention of today is to have a one-over-the-world presentation and I think it is driven in by the Planning Board of how they want to get to the point where they feel comfortable with the Comp Plan. We are under a lot of time constraints and we know this is a very important document. Understand that staff is going to be pushing more for some level of approval or some level of decision on this, yea or nay. But that is not meant to rush you along, as much as it is just to keep us on track. If you have any questions of staff, we are available during this presentation period. After this, as you can tell from the agenda, we've got dinner being brought in and we will adjourn across the hall. We have got that available for you to mill around or you can go off on your own. Then we will readjourn, whenever you'd like, you set that time, then we will start back up

with the discussion. That is the general idea for today. If you have any questions of me other than that, I would like to introduce Ms. Shelley Eichner.

Secretary Johnson said are there any questions?

Mr. Margotta said this is Ms. Eichner. She is the head of the team that worked with our Comprehensive Plan, Calvin Giordano, and Associates. You have probably seen Lorraine Tappen several times, but Ms. Eichner will introduce her crew.

Ms. Shelley Eichner, Calvin, Giordano & Associates said good afternoon everyone. It is a pleasure to be here. It has been a long time in coming. First and foremost, I would like to introduce the team that we have put together that has been working on this for well over a year. As Matt said, we have Lorraine Tappen, who is our Senior Planner and the Project Manager for this. Assisting her has been Scott Brunner, Traffic Engineer, and Neelam Fatima, also Traffic Engineer. We have some Civil Engineers: Nathan Schaeffer and Patrick Figurello. During the past, pretty much year and a half, we have conducted a series of six (6) workshops held throughout the City to reach out to all of the residents, business owners, and other stake holders in the City focusing on different topics. The theme of all those workshops has kind of been "what do you like about your community, what don't you like, what would you like to see the same, what would you like to see changed, and where do you see the City in 10 years from now" and those were pretty much the theme we went through in each of the six (6) workshops that were held throughout the City. We used that as the basis to go through the comprehensive plan and each of its elements to then go back and look at the existing Goals, Objectives, and Policies that you have in your current plan. Our intention, unless it was the will of the stakeholders and out of those workshops, the intention wasn't to really do massive wholesale changes, but to take what you have, modify it, up date it for today's circumstances and into the future. As Matt said, although we are not rushing this through, I think you need to be made aware of, according to State statute every City needs to have a Comprehensive Plan. Every City needs to have an Evaluation and Appraisal Report of that plan. Where the City of Fort Pierce is right now, your 1990 Evaluation and Appraisal Report was never really finalized. It got to the point that it went to DCA, the Department of Community Affairs, in Tallahassee. It sat there, they sent comments back, and here we are today. So, where you stand right now, technically, is without updating and transmitting and having a new Comprehensive Plan adopted, you are prohibited from doing any comprehensive land use amendments and I can tell you with all of the new changes to State legislation and so on, Tallahassee is getting pretty tough on cities that aren't in compliance with Chapter 163, the Florida Growth Management Act. Whatever sanction could come down in the future, who knows. But the State is really looking towards the cities who are not in compliance. I'll tell you that there is almost as many cities that aren't in compliance throughout the State that are. We have found lately, is they have been gearing up their staff and they are watching to see what the cities are all doing as we move into new growth management legislation dealing with transportation, concurrency, school concurrency, water supply planning, these are issues that are huge for everyone throughout the State of Florida and the State is looking towards cities to come into compliance. The other group that I want to mention that we did meet with in addition to stakeholders and residents and so on were other local agencies, both at the City level and the County, as well as State level. So, we feel we have done a pretty comprehensive

investigation and gathering of information to put this document together. I am going to turn it over to Lorraine, who is going to basically lead you through this document, along with the staff that is with us today and their areas of expertise as we move forward to the transmittal hearing later this evening. We certainly welcome questions, comments, and concerns as some of you, if you have been to the workshops you have heard me say "This isn't our plan. This is your plan." We hope we put together a plan that reflects the desires of the community and with that I am going to turn it over to Lorraine.

Ms. Lorraine Tappen, Senior Planner and Project Manager, Calvin, Giordano & Associates, said I am going to sit down here. I hope that is ok, so I can run the presentation at the same time. I am going to have a little intro to the Comprehensive Plan; some of it may repeat what Shelly was talking about in her introduction. As you all know, the original Comprehensive Plan was adopted in 1990 and the City did follow statutes and completed an Evaluation and Appraisal Report in 1996, which was found sufficient by the State. It was a few years after that, the City did put together and Evaluation and Appraisal Report Based Amendments for the Comprehensive Plan. The City was pretty close to revising the Plan, at that time. The amendments where sent to the State, but unfortunately they were not finally adopted and they weren't incorporated into the Comprehensive Plan. So, at this point, the existing Comprehensive Plan does not meet Florida State Statutes. In the last year, the City has been very active in trying to get the Comprehensive Plan up to date and amending the Comprehensive Plan for school citing criteria, our requirement of Chapter 163, and also to adopt a Port Sub Element and a Coastal Management element. The reason for the rewrite, as we already heard, is to bring the Comprehensive Plan up to date. Update the Goals, Objective, and Policies to current conditions. A lot of things have happened since 1990, it is a different day. And of course, St. Lucie County is rapidly growing. I heard that just in Port St. Lucie, just west of I-95, 7,000 new residential units have been approved. So this is an area that is really feeling significant development pressure within the City and from its neighbors. Just a little review, I am sure that you are familiar with this already, so hopefully it is not too elementary, but each element of the Comprehensive Plan has two sections. One is the Data Inventory and Analysis. That is where we get intimate with the subject of the element. We take the information, analyze it, see how the information affects the City these days and then how will the City be affected in the future. Then we have a set of Goals, Objectives, and Policies that guide land development and the urban form of the City and as you all know, that the Comprehensive Plan is governed by Chapter 163 of the Florida Statutes and also, 9J-5 of the Florida Administrative Code. Comprehensive Plan elements include the Future Land Use Element, Transportation, previously it was Traffic Circulation, Infrastructure, Conservation, Coastal Management, Housing, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, and a new one Concurrency Management. All the others are required except for Recreation and Open Space, which is an optional element. Shelly mentioned that we held five (5) public workshops in the spring time and during those workshops, we took a number of notes and we tallied up the concerns of the residents. We found the top issues were residential density. Folk concerned about losing their low density, traditional, small town atmosphere. Of course, there were concerns for traffic circulation. Little by little, the roads are feeling a little bit more congested. There is a need for more parks and recreation availability throughout the town. Land use, drainage, environmental issues. The City is very environmentally aware and environmentally

conscious. Redevelopment, historic preservation, which the City has a great record of already and so on. I am going to get into the **Future Land Use element**. It starts out with a broad survey of current land uses, natural land features, availability of public facilities, annexation and redevelopment plans, and then also, existing historic buildings and sites. I know that the Comprehensive Plan, I am sure each one of you, as you have been receiving the documents, attempting to read through it and so forth, I want to applaud you all for the time you have taken to read through it and some of you may have thought "gee, I learned a couple of things". Some of you might have thought "well, I knew most of that already". And a couple of you might have thought "I just found the cure for insomnia". So, I am glad you all hung with it and are moving forward with it. Of course, each element, like I previously said, has Goals, Objectives, and Policies. Let's take a look at what is on the ground now, in terms of existing land uses. The City is largely residential. Residentially developed land uses make up 33% of the City. Another 10% of the City, overall, has potential residential development. Developed commercial lands make up 9%. There is another 7% of the land area that could be developed for commercial use. Institutional uses, which incorporated government facilities, colleges, some educational facilities, makes up about 13% of the land area. That also includes some of the public housing properties in the northern part of the City. And recreation and open space makes up a good 15% of the City. Let's take a look at population. In 1990, Fort Pierce was actually considered the first or second fastest growing City in the nation. But between 1990 and 2000, the population actually didn't fluctuate significantly. That was a time of fairly slow real estate in Florida. Things didn't move much, but of course, this is a different day and since the dotcom crash and some other circumstances, real estate has become quite attractive. So, as of 2005, the population was 38,569 folks and basically we got to these numbers by looking at committed developments, existing vacant lands and the average household size, which is about 2.18 persons in Fort Pierce. We came up with a population estimate of 44,051 folks in 2010 and then that will increase up to 50,000 in 2015. That is a dramatic increase in population in the area, which has a significant impact. The overall goal of the Future Land Use element, this was developed from the public workshops, "the City of Fort shall regulate land uses to maintain its traditional Florida small-town atmosphere with diverse cultural and outdoor activities while protecting the natural environment." Hopefully, this fits the City and if not, then we can probably do some adjustments. The most important piece of the Future Land Use Element is the Future Land Use Map (1-15). The Future Land Use Map regulates uses on each parcel of land within the City. And as you can see, one thing you can quickly notice is the jagged boundary of the City. This is an important map and I am going to go over some of the land uses that are now on the Future Land Use Map. There are a couple of new ones. Some changes from the original Comprehensive Plan. In addition, the City would like to regulate properties that are going to be annexed into the City. Most of the County land use designations actually have a lower density than the City's current land use designation. So in order to keep the low density residential atmosphere of the City, we incorporated the County's land use designations into the City's list of future land uses. I am going to get into that in quite a bit of detail, so hang in with me a little bit. This is the City's proposed Future Residential Land Uses (p.13). The ones in green are ones that are from the existing Comprehensive Plan. The yellow ones are new categories. Most of them have come from the County's Comprehensive Plan with the exception of the bottom, Medium Density Residential Hutchinson Island/Commercial General, which is a mixed-use category that was actually on the existing land use map. However, there was no actual description in

the Comprehensive Plan. Let me start at the top. The first four are from the County land use plan and first is Residential/Conservation, Residential Estate, Residential Suburban, and then Residential Urban. You can see the densities there. Residential/Conservation has a fairly low density allowing just one dwelling unit for five (5) acres and basically, maximum building coverage of just 2% over the lot of that area. Really, the purpose of that is to maintain the natural features of that property, but possibly allowing somebody to have a home in that area. Residential Estate only allows one dwelling unit per acre with a maximum building coverage of 25%. A new thing, also, in the land uses in the proposed Comprehensive Plan is the building coverage. Since the 1990 Plan was adopted, the State now requires not only density, but intensity on each lot and must be designated in the Comprehensive Plan. So, the building coverage is new. But each building coverage either came from the County Comprehensive Plan or from the City's Zoning Code. So there is nothing incredibly new in that case. There is one change in density of an existing land use. That is the Medium Density Residential Hutchinson Island. The original land use density was 11 dwelling units per acre, that has been brought down to 8 dwelling units per acre to reflect the referendum past in the City years ago to bring down the density of that area. This will fit, somewhat, with the proposed Overlay District, although it only effects those properties that have a residential land use over on Hutchinson Island. Two new other land use designation is Moderate Density Residential, Medium High Density Residential, fairly boring names, I am afraid. I prefer the conservation and state lands, but we started running out of interesting names as we went along. And finally, the last one is the Mixed Use designation for the existing Harbour Isles and related commercial development over there on Hutchinson Island. This one also comes with a land use mix as required by Chapter 163 and 9J-5, where commercial is allowed up to 20%, but residential would be the primary use over there, taking up 80/90% of the uses and those of that area. And that is only one parcel over there on Hutchinson Island, maybe one or two. Let's take a look at the commercial land uses. New ones include County Commercial. There is no residential use in that. Basically, the building coverage is 50% that allows a broad variety of business activities. There is a minimum of one acre lot size, unless the property is adjacent to a previously developed commercial site. Another new land use designation is Mixed Use Development. This is also another land use designation pulled from the County Comprehensive Plan. These land uses are used primarily around the interchanges at I-95 and the Turnpike and is expected that there will be a mix of uses both horizontally, possibly first floor retail and upper floor would be residential, or vertically maybe within the same parcel you might have a mix of uses: one building may be residential and another would be retail or office or something like that. That Mixed Use Development category also has some urban design guidelines. You must have some focal points, open spaces, community buildings, and hierarchy of streets and so forth. So all this was taken from the County's Comprehensive Plan. Basically there is no real change in the use of that area, but it is now been incorporated into the Fort Pierce Plan. So, that way when that property is annexed into the City, it can maintain the current land use as it has currently with the County.

Secretary Johnson said on the County Commercial, you said it is a minimum one acre and if it is smaller than that, it has to be located next to an existing commercial or just a land use of commercial? In other words, does it have to be developed or is it just designated commercial?

Ms. Tappen said basically, directly from the County Comprehensive Plan, it said with the commercial land use. So, I would imagine that means a commercial land use designation. That probably allows for the commercial development that has a vacant piece next to it to continue to develop and expand their development onto adjacent properties that are available to them.

Secretary Johnson said I can see that being a concern, because if you owned a piece of land now and all of a sudden "I can't do anything with it commercially." But as long as it's with a commercial land use, I think it would be ok.

Ms. Tappen said and this, actually, this is not a change from the County designation. And actually, at this point, it doesn't even affect anybody within the boundary of the City of Fort Pierce. This is now in reserve for when that property comes into the City.

Secretary Johnson said and in addition to that for the residential conservation, which is the one dwelling per five acres. I know going off the County designation future use, are there any properties at this point designated that? Is there a map that would show one dwelling per five acre? I was looking at Map 1-16 looking for that.

Ms. Tappen said exactly. There are actually...

Secretary Johnson said is it just on the beach? It looks like there is a couple, maybe, at the bottom left.

Mr. Travis Gibbons, Planning Administrator, said actually down in the White City area, down near the creek, there is some Residential Conservation areas designated there.

Secretary Johnson said ok, I see it now and then the Savannahs over by the Drive.

Mr. Gibbons said correct.

Secretary Johnson said thank you.

Mr. Tappen said now we will take a look at some of the other land uses. New ones under the Industrial category include County Industrial, another uncreative name where we just stole the industrial designation from the County. Another new designation is Heavy Industrial. Basically that new designation was created to adapt to existing industrial uses in the City. Basically, in the southwest area there is already some plans that are producing, for example, concrete, fertilizers and so forth, which really fit a heavy industrial land use where there is more intensive uses, more environmental permitting required and so forth. Whereas the industrial land use category tends to really only permit manufacturing with minimal impacts, storage, and distribution facilities. The Recreational Land Uses are the same as they were in the existing Comprehensive Plan. Another new land use designation is Institutional. Basically, this is has been put together to protect existing government properties and to kind of separate their uses from the residential, commercial, and industrial uses. So, what else is new in the proposed Future Land Use Element? First, City staff and others in the City have indicated a desire to update the land development regulations and I

think that will be a high priority. So we gave that a deadline of December 2007. Of course, it is also important that the City's land development regulations and the Comprehensive Plan require buffering of residential land uses, especially when the sit next to land uses that might have negative impact on residential land uses. A new thing in the Comprehensive Plan is the Density Bonuses for significant contributions to public amenities. There is a new policy in there where if the developer contributes to public amenities, such as streets, parks, infrastructure, over and above the required impact fees and other adjustments with development application, they may receive additional residential units on their site. Also, the City has indicated that they are working on the South Beach Overlay District and also there is an interest in a special area planned for the Lincoln Park area and creating a Performing Arts Overlay District, which would incorporate the Lincoln Theatre and be very compatible with the nearby Sunrise Theatre. Other new policies: architectural guidelines by June 2008 and I think that is something the City is already undertaking, at this point. We might want to move up that date. The dates that you have in here, the City should be fulfilling, but of course they can do anything sooner. They don't have to wait until that date. Also, create Art in Public Places fee by December 2008. Currently the land development code allows for public art, but possibly the City could have a fee on development to contribute toward public artwork or possibly require public artworks on new development or redevelopment sites. A require that new development have underground utilities, especially for this City that was severely affected by storms in 2004. I am sure that will be of great...many folks will be looking forward to seeing more of that type of thing in the City. Also, looking into doing a feasibility study for a Marine Industrial Zone along Taylor Creek by 2008. There is some interest in having some marine industrial uses along Taylor Creek, but there is a question of whether or not Taylor Creek is navigable for most of the boats that might go that direction for service. Green building standards by January 2010. But put that date a little farther out, because that would be a dramatic change in some of the building codes for the City. And also, a 5-Year Strategic Economic Development Plan by July 2008. Other policies in the Future Land Use Element include regulating annexation. Currently annexations going piece by piece without significant planning so with the new policies in the proposed Comprehensive Plan, one includes develop a strategic annexation play by December 2007, provide fiscal impact analysis for public facilities for the annexations, make sure that level of service won't be affected by the annexation, and provision of service. As we talked about before, Future Land Use designations would be designated in the proposed Future Lane Use Map. And evaluate the historic value of new annexed areas to make sure that any historic builders receive Fort Pierce's own designation and are protected. Community Redevelopment in the proposed Comprehensive Plan, we basically outlined the objectives from the CRA plan and in addition to that, we suggest to having downtown urban design guidelines for the downtown area by July 2008, which would basically regulate, not only the height, but also how the mass of the buildings, how they sit on the street, what kind of setback they might have and how they would interact with any open spaces and pedestrian facilities and things of that nature. The City would coordinate with the CRA, Main Street Fort Pierce, and, of course, Lincoln Park Main Street. Provide a downtown parking garage, which I also hear is underway and then also create a downtown parking management plan by January 2008. This would come up with some strategies to assist visitors and employees with finding appropriate parking, maybe some wayfinding, appropriate signage, shared parking strategies, and so forth to make use of what existing parking you have and make it more efficient. Neighborhood Planning was a big topic at the

public workshops. Currently the City has the Neighborhood Enhancement Action Team, which incorporated planning, public works, the engineering department, and quite a few police department in order to create special area plans for the City and kind of target specific neighborhoods for improvements and the special area plans concept basically came from the neighborhoods and districts plan that was introduced to the City earlier this year. From that we gathered that some ideas for the special area plans including: significant public participation; an inventory of the neighborhood or district land uses and public facilities; goals, objectives, and policies for economic development and public safety; and capital improvements to enhance that particular neighborhood or district. It has been suggested that there is some areas that are already could have an interest in the special area plan and those would be the Avenue D Historic District, the Downtown Historic District, Edgartown Historic District, Rivers Edge, and South Beach. Historic Preservation, the policies in the proposed Comprehensive Plan are quite similar to the 1990 Plan. The City already has a fairly extensive historic preservation program. It maintains a list of almost 1,000 sites of buildings and architectural archeological sites and has at least a half of dozen sites on the National Registered of Historic Places. So, basically, the policies include maintaining that inventory, encouraging renovation and adaptive reuse, provide grants, ensure that new construction in historic areas fits the vernacular architecture of the area or at least must be compatible and also promote awareness of historic preservation in the City, possibly through the schools or through your Chambers of Commerce and through any advertising that promotes the area for business and tourism. Ok, well that's the Future Land Use Element in a nut shell. I am going to hand it over to Scott Brunner to talk about the Transportation Element.

Mr. Tom Knott said on the new districts that the land use, the intent of those is not to pigeon-hole the land use, but more to echo what actually is going to be annexed into the City in the future, that is the intent of that?

Ms. Tappen said basically, the properties that are being annexed now, if you gave it an existing future land use, in general, they would receive a higher density and in order to keep the low density atmosphere, the City would like to, and we agree - use the County designations in order to maintain the low densities.

Mr. Knott said because the City doesn't have those designations. We haven't fine-tuned our different categories or uses like the County has, so we are expanding it to fit that when they come into the City.

Ms. Tappen said exactly. The lowest density that the City currently has in the Comprehensive Plan is six dwelling units per acre. So, in order to accommodate those properties that might only be developed to one to five acres or one to an acre and to limit that, those designations were brought in.

Mr. Knott said that's good. Thank you.

Mrs. Margaret Benton said under Land Development Policies, could you tell us a little bit about the green building standards that you want to have in place by 2010, what's that going to be all about?

Ms. Tappen said basically there is an organization that regulates green building standards and they are fairly detailed. I am not an architect by trade, so I can give you a hint of what they might entail. One example of a green building standard is a way to...maybe I should start from the beginning. Basically, they are energy saving buildings in terms of the materials that are brought to the site are brought efficiently, possibly from a local supplier and then the site itself is energy efficient. One thing I have seen in a few other cities, that they will have a roof-top garden. The whole roof would have grass and shrubbery and so forth and supposedly this keeps the building cooler. There may even be a wall inside the building that has all green. It might regulate certain types of insulation, the amount of sunlight that is allowed in and so forth.

Mrs. Benton said ok, thank you.

Mr. Scott Brunner, Traffic Engineer, Calvin Giordano & Associates said good afternoon, I will go ahead and walk you through the **Transportation Element** part of the Comprehensive Plan rewrite. First of all, the Transportation Element is, by State Statute, required to develop a plan for the safe, efficient, and coordinated multimodal transportation system and I think for this area, probably, not that safety isn't important, but I think your two biggest challenges are on the efficiency of your system and the coordination of your system with St. Lucie County and your State and interstate facilities. There is really two components of the Plan. The first is the Data, Inventory, and Analysis and then there is Goals, Policies, and Objectives. There is two parts to the Data, Inventory, and Analysis. The first thing that we have to do is evaluate the existing transportation system and the existing transportation needs. In doing that, we evaluate the existing level of service on the transportation system and take a look at your existing relationship between your land use and your transportation system and analysis of your capital improvements as it pertains to the transportation network. The second part is we do a future transportation needs analysis and ours was conducted consistent with the MPO's analysis for future year 2030, where we identified the forecast of level of service and assessed the future facility needs. The plan identifies your public transportation system. Currently you do have fixed route service throughout the City and one of your major routes is along US 1. Demand Response of Service is paratransit or transit that is kind of an on-call service for transportation disadvantage handicapped and non-fixed route type services. Trolley system could involve local downtown trolleys and expansion of type of circulator services. The current transit Level of Service is "D" which is based on headways and a service frequency per hour, which is basically how many times the bus arrives at a specific bus stop and it is Level of Service "E" which is based on hours of service provided throughout the day. I don't know how well you can see this map (Map 2-8), but this is your existing transit routes and you have reasonably good coverage along the major routes and arterials throughout your area. We also have to identify the bicycle and pedestrian facilities and really your major points of interest are your school areas and your major generators where you may have significant amount of pedestrian traffic. As you can see, you actually have a pretty good network system in the downtown area. We also have to identify the existing port, rail, and clear air zones. There you can see your port facilities, the railroad facilities, and the artificial services created by the County airport. I think that one thing you can notice is that the airport, port, and your rail system, particularly where they meet I-95 actually form a triangle.

They are relatively separate. They are not in close proximity to each other, so in years to come, I think, the relationship and the connectivity between those ports and rail services is going to become more critical, I am sure with the increase in population. You are going to see more and more pressure to expand the airport service. I think those are things that in the next major Comprehensive Plan evaluation, those will probably need to be clearly looked at. Your Strategic Intermodal System facilities, these are your major routes for the transport of goods and services. Your primary truck corridors in the area are the Florida's Turnpike and I-95, which are already designated. State Road 70 is an emerging route. It is not designated, but obviously, you have significant amount of truck traffic on there already. Your railroads, the Florida East Coast and South Central Florida Express Railroad, which is an emerging entity. Your waterways, obviously, your port and the waterway that serves your goods is the intracoastal.

Mrs. Benton said can you go back, South Central Florida Express Railroads, where is that? You said it was emerging, the railroads. Is there another line or track system?

Mr. Brunner said Neelam, do you know what the specific plan for that is?

Ms. Neelam Fatima, Traffic Engineer, Calvin Giordano & Associates said from the west side, it is in the County. It is in St. Lucie County, it is not in Fort Pierce. But they are talking about SIS Facilities and additional SIS Facilities. It is on the west side of the City.

Mrs. Benton said thank you.

Mr. Brunner said the next map (Map 2-12) shows the existing levels of service throughout the City. Your major level service deficiencies, which you are probably already aware of, are on US 1, from south of Downtown south to the Port St. Lucie area and Midway Road from, basically, the Turnpike to almost to US 1. It technically stops at Oleander but that whole corridor. Of course there is a PDU Study underway now, between 25th Street and US 1 and there is a design project from Florida's Turnpike to 25th Street with anticipated construction, I believe, is going to begin next year. 25th Street is obviously under construction. This is a map (Map 2-18) showing the major committed roadway projects in the area. You can see Jenkins, Kings Highway, widening of I-95, and the Midway Road projects are on there. In developing a plan, we identified congestion management systems and congestion management corridors. Basically, congestion management really deals with trying to make the existing system more efficient without necessarily putting substantial amount of capacity in it by roadway widening and some of these corridors are constrained for a variety of reasons and they will be kind of looked at more on a systems efficiency level rather than pure widening. Obviously, A1A, for environmental and Comprehensive Plan reasons, would not be widened and US 1 through the Downtown is physically constrained due to right-of-ways. So, these are corridors that we need a little bit of creativity to address their potential congestion issues. The next map (Map 2-19) is your Future 2030 Projected Level of Service. The blue and the green links are your better operating links. The blue is Level Service "B" and green is Level Service "C". Obviously, your letter grade "A" is your best and "F" is your worst. There are some segments that are still showing to be Level Service "F": US 1 through the south part of the Downtown area, Midway Road, and Kings Highway.

Mr. Edward Reilly said going back to that map, this is the projected level of service, but what happened with 25th Street, I guess, right there south of Virginia, in that section. Why would that be? Did the modeling dictated that or how did that evaluation come about?

Mr. Brunner said 25th Street...

Mr. Reilly said I am asking not all of it, but specifically for instance, 25th Street. What would dictate? Because of the Edwards Road and Virginia, just because of that section there coming together. Why would that become an "F" at that section?

Mr. Brunner said the modeling showed that's where the demand would be. There are a couple of things that probably could use a little more refinement in the modeling. Because they are done on a very regional, kind of microscopic basis and I think that some of these Level of Service determinations could really use a finer corridor level analysis. But that is what the MPO's model is showing currently.

Mr. Reilly said ok. I guess, in the section of US 1 that would be where there would be no plan. I know Georgia Avenue was just redone and I imagine there is not going to be a plan to enhance the service at Georgia Avenue to assist that. Was that information taken into account? Is that what you are stating?

Mr. Brunner said yes and that section of US 1 there that is a piece that wouldn't be widened but was still showing to have demand that projected traffic volume over the capacity of the roadway without any enhancements.

Mr. Reilly said and there are no plans for DOT that you know of at this point for Downtown.

Mr. Brunner said not that we know of and I suspect that it is predominately because of the right-of-way issues.

Mr. Reilly said thank you.

Mr. Brunner said the Future Needs Assessment: this is kind of a map (Map 2-20) showing where there were improvements needed and you will actually see on US 1 that there is kind of a congestion management strategy that kind of addresses the level of service there. That is not what that is exactly is unclear. There is a lot of signal system and operational improvements that can be done as part of that strategy. I think in the MPO's plan that was something that was kind of a blanket treatment to that section and has not been quite refined yet. I would like to find out more that exactly some of things that entails. There are some system improvements that can be done, but I would like to look into that a little bit further. Future Transit Needs: the things that have been identified is to reduce your peak hour headways, which basically is increasing the frequency of your fixed route service; expand your current bus service to better include weekend and evening services on all routes; establish multimodal transportation hobs, where you bus service ties into other modes; establish new fixed route service on Midway Road and on Glades Cut-Off Road which are predicted to show a demand but do not have current fixed route service; add or

develop premium transit service along US 1 which could be almost kind of an express type service that had kind of a higher speed, less stop type treatment on your route; and also to develop a commuter/van pool program. This is just a list (p. 35) of the bicycle and pedestrian projects. I won't go through them here, but there is actually a good amount for the area. And it takes us to the second part, which is the Goals, Objectives, and Policies for the Transportation Element and this is where we kind of establish objectives that we want to do and policy. Goal 2: the City will provide multimodal transportation system to all residents within the City limits to provide a safe, convenient, and efficient method of mobility of people and goods. The adopted level of service standards are listed here. For the most part, they are Level Service "E" on the State Roads and Level Service "D" on County and City roads. Those are the level of service standards that are proposed. I don't know if anybody has any questions on that at this point. We also have to evaluate the future land use patterns to maintain the required transportation requirements concur with the future development needs and included within this is transportation demand management strategies which addressed kind of the soft side of the transportation system where you actually attempt to modify peoples behavior in terms of commuting, what time they get off work. You really try to address traffic congestion in more of a time and demand relationship rather than actual capacity improvements for requiring new asphalt. You also have to look at the consistency with your future land use changes and the system also has to be coordinated to make sure that the transportation system meets the needs of your new future land use element. Another important objective or part of that goal is to support the preservation of the historic districts and the redevelopment of the Downtown area through an appropriate multimodal transportation demand management strategy. That's kind of a fancy way of saying you need to protect your historic districts and encourage the economic viability of your redevelopment areas in the Downtown by looking at other ways to get people around, not just providing highways and roadways. But a combination of pedestrian, bicycle, trolley services, better utilization of side streets just to make kind of integrate your transportation system with your land use so that the two kind of compliment each other rather than just kind of making new routes of capacity or asphalt.

Mr. Reilly said I am going back to page 36 on the Goals, Objectives, and Policies. All this stuff is kind of new to me, but a goal is something you are striving for are we striving for "E's" and "D's" on our roads? Is that how we look at this, I guess an "E" is better than an "F"? Is that what we are striving for the lowest?

Mr. Brunner said that's a good question.

Mr. Reilly said I think my children would like you to set their goals.

Mr. Brunner said this is an issue, which I think we are going to talk about later in the Concurrency Management. But the Level of Service Standards relationship to the new statutory requirements is definitely a double-edged sword, because you want to achieve and maintain a higher level of service, like you would prefer to maintain "C" or "D". However, if you choose to go that route, you also have to figure out the way to fund the system that will maintain that level of service. That is where it gets kind of difficult. Level Service "E" is not great on the peak hour basis, but for Downtown area in an urban setting during the peak hour it's pretty typical.

Mr. Reilly said so you want to set your goals somewhere you can achieve it, is what you are saying?

Mr. Brunner said that's where we are that you want to set something that is achievable and cost feasible and US 1 is kind of it's own special animal, because probably 70% to 80% of the traffic on there is actual longer length trips that don't necessarily have a destination immediately on the corridor. They maybe one mile west and then they go east and then they go north 10 miles and then they get off. So, you kind of don't want to put the squeeze on the component that is actually serving the Downtown area. Because if were to do actually nothing in terms of development, the traffic on US 1 is going to continue to increase. If you were to set the Level Service "D" as you standard, you would be looking for ways to get more right-of-way and demolish buildings and that type of thing. I think that that is going to have to be looked at in a very comprehensive matter. Because I think we are going to have to look at assigning a special, for lack of a better term right now, concurrency exemption area or concurrency management area where we kind of addressed that through traffic component of US 1, but the Level Standard doesn't hinder your goals and objectives for land use in the Downtown area. That is where the other component is kind of the mobility. Can you better utilize side streets? Can you better utilize pedestrian connections to get people off of US 1, kind of start going east-west along that Downtown grid.

Mr. Reilly said is that why all these are... I am not just looking at US 1, here, we have local roads, collector roadway, minor arterial, major everything is a "D" or an "E". Is that because everything is just going to...I mean it is just not US 1, I mean, everything just starts...your utilizing all these side roads at that point, too?

Mr. Brunner said I think once you get into an urbanized setting, where you actually have a significant amount of traffic signals along the roadway, it get's very difficult to maintain Level Service "C" in that type of environment. In fact, at a certain signal density, it is impossible to achieve LOS "A" or even sometimes "B". So, again "D" is kind of reasonable for an urbanized area.

Mr. Reilly said alright.

Mr. Knott said if I may just follow up to what Mr. Reilly is actually on. Under the State Road column there, the "E's" that you have are for Local, where would those be in our City? With an example, for example.

Mr. Brunner said actually I don't know of an example of a local State road.

Mr. Knott said should that not even be there?

Mr. Brunner said that probably should be omitted.

Mr. Knott said I don't think you would have a State road that wasn't a major arterial, I don't believe.

Mr. Brunner said it would be a pretty rare exception to have a State collector, as well.

Mr. Knott said maybe A1A might be the minor arterial. But US 1 would be the only other, I believe, State Road, well, also Okeechobee.

Secretary Johnson said Kings Highway or is that County?

Mr. Gibbons said that's County.

Mr. Knott said but local road you would not have...maybe it would be wise and not to even have those in there, do you think?

Mr. Brunner said yeah, I think we should redo that table.

Mr. Knott said your red flagging something right to start with.

Mr. Brunner said off hand, I can't think of any. Actually, they can't be, they are self exclusive: State and local road.

Secretary Johnson said there are definitely ways to improve it. Because I just have to give an example. This signal at Orange Avenue and US 1 is awful. I traveled through here at 4:30 and 5:00 in the morning and I get stopped 50% of the time at the traffic light because I don't know why. Where is the engineering department? But you can improve the Level of Service without a doubt just by simple things.

Mr. Knott said let me just ask a follow up questions, these comments that we are making at this point, assuming everything goes fine, the presentation and we go into the public hearing portion of this meeting after 7:00, if the Board so chooses to move approval, recommendation of this to the City Commission as a result of your presentation, how are we going to deals with items like this that we just discussed. Rather than us coming with a long laundry list of things, is there is someway that you all can keep track of them so that if we make a motion to approve, we can say "subject to the correct or the modification as outlined in the previous discussions." So we don't have to go back and revisit every one of these things, is what I am getting at.

Ms. Tappen said unless, it is a typo, we would probably put together a memo with the changes recommended during this session so that it is very clear what happened between the first draft and the draft that goes forward. We are not sure if we are going to get into the text and change it, but we are going to make it very clear that this was discussed at this meeting and this was recommended.

Mr. Knott said any recommendation for approval from this Board would go with those changes?

Ms. Tappen said yes.

Mr. Knott said such as the local and State road as a conflict in its terminology.

Ms. Tappen said we are going to be taking notes during this session. Because any comments like that on changes, we are going to make a note of it so that way we can be sure that they go forward.

Mr. Knott said ok.

Mr. Brunner said since we are on these pages, all the City roads, all types are at level service "D" Level Service Standards. So that is what's most important to you right at this moment.

Mr. Knott said we don't go below a "D", is that right?

Mr. Brunner said that what we understand.

Mr. Knott said ok, thank you.

Mr. Brunner said moving on to some other objectives were to maintain the existing transportation system and improve regional access that really means that to allow reasonable travel time among different areas within your service boundary and probably one of the challenges that you have is really on the south side where you kind of interface with the City of Port St. Lucie. You have kind of these land locked routes and it is difficult to actually find a reasonable route through that area. so that is kind of really what that means. Provide a secure transportation system for residents, businesses, and visitors within the roads that comprise a Strategic Intermodal System. Again, that's really a little bit of a Homeland Security issue to make sure that the routes that are covering the transportation of your goods and services and the majority of your people are secure. Another objective is the city shall provide a right of way plan consistent with its future land use element and future needs of the City. I think that perhaps this is one of the most important things of the element is to establish a thoroughfare plan where you predict your right of ways for the future. All the times that I have been doing this I think that failure to do that causes more trouble for the future generation than anything else. I think this is a very important aspect of the plan.

Mrs. Benton said if you could go back, in what way are you proposing or suggesting that we can protect the right of way. I am not sure I am understanding the full context of what you are saying.

Mr. Brunner said I think that what we are trying to encourage here is a development of a right of way protection plan in where you designate where you think your roadway network is going to be in the future and to make sure that the right of way width that you may need to accommodate all of your facilities, you know, your future widenings or your future needs. If there is a plan that establishes that and sets the right of way that you would need for certain facilities, such as a four-lane or a six-lane, and that gets incorporated hand-in-hand with your land development regulations that would require if that property along that right of way corridor was redeveloped that that right of way would have to be dedicated so that you are in the process of creating right of way rather than in the business of condemning it. It is

a lot easier to give it up 30 years from the future than it is to try to get it back. This is really in terms of making sure that all your rights of way widths are what you're going to need to be in the future and that all of your potential corridors are protected that there is a plan to get that right of way in the future.

Mrs. Benton said thank you.

Mr. Brunner said that last part of the Transportation Element deals with safe and efficient transportation using the port routes to ensure that the capacity on the roadways in the Port area are maintained. Basically it is just these three items: maintain the level of service of the roadway within and surrounding the port area, monitor truck traffic growth within the Port Transportation Network, and monitor the impact of future development on the Port's access. The next section is Infrastructure. So, I don't know if there were any other questions on the Transportation Element. Thank you.

Mr. Patrick Figurella, Traffic Engineer, Calvin Giordano & Associates said I will be presenting the **Infrastructure Element**. The Infrastructure Element of the Comprehensive Plan deals with the sanitary sewer, the solid waste, drainage, potable or drinking water, ground water aquifer recharge, and long term water supply so we have the fairly dry nuts and bolts. To get right into it, the Sanitary Sewer System covers 63 square miles and the services are provided by the Fort Pierce Utility Authority, as you are probably aware. The Island Water Reclamation Facility was originally constructed in 1956. It has been updated twice, since then. There is a maximum permitted daily flow of 14.92 million gallons per day and it has sufficient capacity throughout the extent of its useful life. It utilizes deep well injection to dispose of treated effluent. One of the problems that FPUA has in infiltration and inflow, which is water entering the sewer system that is not intended to be there. It is generally stormwater that enters due to leaking manholes or crushed sewer pipes. It is considered a maintenance problem and it could leave the city having to treat, up as of several years ago, almost 43 percent of all of the treated effluent was, in fact, leaking ground water. And FPUA has undertaken a program for several years to reduce that in the system and they have knocked in down by roughly 20 – 25 percent since then. They have a continuing on-going program as part of an annual maintenance program to try to reduce this in the older neighborhoods. FPUA's main project, as far as sanitary sewer concern, is to construct a mainland water reclamation facility within the next 20 years. When the Island facility has reached the end of its useful life, they do not wish to refurbish it or replace in kind. They want to construct a new facility on the mainland. This is a map (Map 3-1) of the sewer collection system. It is a little bit difficult to see at this scale, but the red lines are the gravity sewer lines and the kind of orange lines are the force mains. Force mains are sewers that have been collected and have been pumped under pressure. It is the force mains that carry the sewage onto the island. This is a map (Map 3-4) of the Island water reclamation facility and it shows the various treatment processes, water entering the system, goes in initially through the grid screeners begins the process. It screened, then it's aerified, much of the digester are the main work of sewage treatment is conducted by microorganisms that eat, if you will, anything that is organic in the process after the digestors, it is aerated and clarified. The final stop is the chlorine contact facility where the last remaining biological organisms are killed by contact with chlorine and then they are pumped down into the blower zone, by means of what is called a deep injection well. So,

after the sewage is treated to a level which is generally considered to be cleaner than what is coming into the system, we inject it into a deep, deep well below, with an impermeable layer that can never reenter the water supply stream to prevent...while the water is cleaner than the water coming in for the standards, it contains many things that are not found in natural ground water, which we probably won't get into, but the primary one tends to be hormones, things like that that you cannot filter out that have entered into the sewer supply and are just not wanted to flow into the system. The second item of the Comprehensive Plan in the Infrastructure Element is Solid Waste. All of the solid waste collected in the City is taken to the St. Lucie County Bailing and Recycling Facility on Glades Cut-off Road. Currently residential collection exceeds 24,000 tons a year from a little over 12,000 residences. Commercial collection exceeds 17,000 ton a year from 1,340 customers and commercial collection would include anything that is not a single-family, so apartment complexes, townhomes, condominiums, schools, banks, commercial all lumped into that 17,000 ton figure. Recycling is, in fact, provided by a City contractor called Waste Pro and it is not generally available to commercial customers, but it is provided on a once a week basis curbside collection in residential neighborhoods. Currently the landfill has capacity until the year 2044 for Class I Solid Waste, which is your general household trash and it has a capacity til the year 2020 for construction and demolition debris, which these figures both assume the waste stream is being knocked down by 50% by recycling, which is the primary method of dealing with garbage these days is to try to recycle as much of it as possible and what is not be recycled will eventually be incinerated in the plasma incinerator to reduce its volume even further. The third item is Drainage. The drainage outfall is provided by four systems: Moore's Creek, Taylor Creek, Five Mile Creek, all of which discharge into the Indian River Lagoon, which is the ultimate location for all City run-off. The City can be described, generally, is having seven drainage basins and they are: Moore's Creek Canal Basin, which drains through Moore's Creek into the Indian River Lagoon; Avenue Q and North 12th Street Drainage Basins, which drains into Taylor Creek; the George Avenue/Peterson Road Canal Basin, which drains into Five Mile Creek; the Virginia Avenue Canal Basin West, drains into Five Mile Creek; Virginia Avenue Canal Basin East drains directly into the Indian River Lagoon; Indian Hills Basin drains directly into the Indian River Lagoon; as does the Hutchinson Island Basin. Currently the City doesn't have what they consider major storm water flooding issues. They have events that occur during large rain events and those are primarily caused by debris clogging the system. It is not generally considered to be a capacity issue. City's systems are sufficient to carry or convey stormwater run-off in an efficient manor as long as they cleaned and that is a standard City maintenance program. For Potable Water, service is once again provided by the Fort Pierce Utility Authority. The service are encompasses 61 square miles and a little over 15,400 customers. Water is treated at the Henry A. Gahn Water Treatment Plant, which was constructed in 1960. It was a lime softening plant. Recently a reverse osmosis plant was added to the system and that was completed in 2002. Combined, the system has a permitted capacity to treat 14.6 million gallons per day. The water comes from 40 surficial aquifer wells, which are between 90 and 130 feet deep. Almost all of the surficial aquifer wells are tied to the lime softening plant. There are 9 Floridan Aquifer wells, which are significantly deeper. The majority of those are tied directly to the reverse osmosis plant. One is dedicated to the lime softening plant and there are three that can go to either plant depending on the conditions of the day. There are 9.6 million gallons of water storage provided between the Plant and the 3 repump stations. Here we have a map (Map 3-5) of

the water distribution system and in this case, all of the orange lines on the map are water mains. This is a map (Map 3-7) showing where the water storage tanks are. They are located in various locations in and in fact outside the City to provide water. The City system provides water to the tank and then the water from the tanks is then pumped out into the system and the tanks are filled on a continuous basis. Water comes into the tanks and is distributed out of the tanks. This is a location map (Map 3-6) showing all the locations of the wells. The wells are primarily located on 25th Street, as you can see. And the location of the water treatment plant is also shown. You can see there is really essentially two well fields at 25th Street Well Field, and the Lawnwood Well Field, which contains most of the deep water wells. One of the major concerns in the drinking water is the water aquifer recharge. This surficial aquifer, where the City gets most of its water from, is shallow. The shallow aquifer is naturally recharged by rainfall, so when it rains in the City the water is absorbed into the ground and it gets into the surficial wells, which are only 90 to 130 feet deep, as you can see in the map here (p.51). One of the main problems with surficial wells, which do provide most of the water, is they are more susceptible to surface contamination. If you have a large chemical spill or a continuing chemical spill, farming operations, golf course, dry cleaners, can create issues for surficial aquifer wells. The deeper wells are the Floridan Aquifer. They are the secondary water source for FPUA. Like I said, it's about a 60/40 split on the amount of water withdrawn from each of the various aquifer types. The Floridan Aquifer, because it is deeper and protected by a semi-confining unit, that is a less permeable layer so that the surficial water is perched on top of a non-porous layer and below that is where the Floridan Aquifer is. There are no natural recharge areas identified by the Water Management District within the city for the Floridan Aquifer. So, we draw water out of it, but we don't actually contribute back to it. The water that are getting in kind of travels in horizontally under the ground. In terms of long term water supply, the increased demand that is going to incur on FPUA's well can lead to a condition called saltwater intrusion. What the graphic shows (p. 52) is when the pumping rates are what you would consider minor pumping there is sufficient vertical distance between the ground water table and the saltwater table. Sea level pushes saltwater under the land at a 45 degree angle in normal conditions. When coast communities start drawing heavy amounts of water, they will actually bring saltwater in from the ocean and it will start to contaminate their wells and the wells will become salt, but they will become brackish. The South Florida Water Management District has prepared, as part of their Upper East Coast Water Supply Plan, a very large comprehensive study for every area of South Florida and this City is located within the Upper East Coast Water Supply Plan limit and they have identified two primary sources of alternative water supply for the City and alternative water supplies is anything that is non-traditional. Traditionally, if you well becomes brackish, you would stop using it, turn it off, and drill a new one. In the future, the City will be able to desalinate somewhat brackish water because we have drawn too much water out and pulled the saltwater in. The other main source of alternative water supply is really not for drinking water is the use of reclaimed water, which is the water that is currently pumped down through the deep injection wells to the blower zone and is lost to the hydrologic cycle is intended to be reused when the new plan is constructed on the mainland. It will have a separate water supply loop to supply irrigation quality water out to golf courses, city parks, everything that is a non-farming use can be irrigated with this reused quality water. Like I said, it is cleaner than the input water to the drinking system, but it is not sufficient for

drinking. But using irrigation quality water will reduce the demand on the well field, because than we won't be using it to water our golf courses and things like that.

Mr. Reilly said I know they use that in other communities, but you said that that water we are putting down in our deep injection well has hormones and all kinds of other things, when you are doing it for irrigation, it is all going back down into your shallow.

Mr. Figurella said it will be going into your surficial system. The things like the hormones and the nitrogens and things like that will generally be used for irrigation. You actually would use it to recharge a lake waters. So, it is in the lake and it has a chance to evaporate or evapotransferate. It would be lost to the atmosphere, then it will be sprayed around and it will be absorbed through the ground and while the hormones and things will be absorbed by the plant materials, it will be filtered by the ground. The difference between working through the system as opposed to actually coming out of the sewage treatment plant and running it right into the water treatment plant would not be safe for that, but it would be after it is filtered through the system.

Mr. Reilly said I guess, most of it is lost by the time it goes through all of the...

Mr. Figurella said it is like for instance in the Everglades Restoration and the cleaning of wetlands, what they do is absorb the phosphorus in the plant materials and that is what happens in the reclaimed water. The Level of Service Standards adopted by the City for sanitary sewer is 240 gallons per day with an Equivalent Residential Connection and an Equivalent Residential Connection is essentially single-family homes. So, if you were to equate everything to a single-family home, it would be allowed 240 gallons per day. The City is desiring to supply the ability to remove 300 tons per day of Class I and 300 tons per day of construction and demolition debris and solid waste. That it's capacity to haul it out. It actually exceeds our capacity in the land fill, but on a daily we would be able to pull out that much per day. Under the drainage, these are the criteria of the South Florida Water Management District is 25-year 3-day run-off from an undeveloped site. The developed site would be allowed to have a run-off that does not exceed its development of run-off before it was developed. So, we can't go in and put in parking lot without putting in a system that will restrict the run-off to the amount that was generated before we went into it. The storm sewers are to be designed to convey a 1-year 1-day storm event. For larger storm events that means the water will tend to pond temporarily until the rain stops and then it will dry out. The canals are designed to convey a 3-year 1-day storm event without causing flooding. For Potable Water, the standard be 300 gallons per day, per equivalent residential connection.

Mr. Knott said on the storm sewer, it that what the City's existing is for the storm sewer design is the 1-year 1-day?

Mr. Figurella said for existing and proposed.

Mr. Knott said really? I guess I remember that. That's not much because I think you should use a 5-year or something like that. Is there any reason why you don't suggest going up with that or are these just the existing?

Mr. Figurella said these are the existing. If you increase it, the only problem is you have to go back and retrofit all of your current systems and would not meet the standard. You would have to grandfather all the older systems in.

Mr. Knott said but at some point, wouldn't that be the logical thing to do just to grandfather stuff in until it is replaced or they be upgraded or something like that. At this point, why stay with something that is going to cause a flooding situation with all the development we have going on. It would be good to try to take this opportunity, since we are doing it, is to increase it to a 3-year or 5-year or something like that in the sizing of the storm sewer systems.

Mr. Figurella said we can certainly evaluate the increase to a 5-year 1-day run-off for storm sewer on a going forward basis.

Secretary Johnson said I think it would be helpful to do that because if you look at the number of projects that we have, especially the street projects that we have going on. We are actually removing and replacing storm sewer systems all the time, in addition to potable water and sanitary sewer.

Mr. Knott said even the DOT's pipe sizing program are all the ones that we have that we are using they don't even mess with the 1-year. I think you automatically go with the 5-year. Our ordinance ought to reflect what is standard in the trade. Thank you.

Mr. Figurella said that's leads us to the Goals, Objectives, and Policies. For the entire Infrastructure Element, the goals is to ensure the provision of high quality, healthful, effective, reliable, efficient, environmentally sound and necessary services for coordinated sanitary sewer, solid waste, drainage, potable water, and natural ground water aquifer recharge to City residents and visitors. For sanitary sewer, one of the primary objectives is sanitary sewer facilities shall be designed, constructed, maintained, and operated in a manner that protects the functions and quality of ground and surface waters, natural groundwater recharge and natural drainage facilities. One of the key policies is that the City shall monitor the general operation of its sanitary sewer services to assure that no less than the acceptable Level of Service standards are being provides. Such as monitoring programs shall provide recommendations for needed capital improvements commitments in the Schedule of Capital Improvements. For solid waste, the objective is that the City shall coordinate with St. Lucie County to conserve its reserve in the existing solid waste disposal facilities by continuing to recycle at least 30 percent of the solid waste stream and increasing the recycling of the five state designated recyclable materials to at least 50 percent for each state designated material by 2010, where technically feasible. And one of the policies is the City shall continue to maintain and expand its recycling education program as a means of reducing the waste stream. In drainage, the objective is stormwater management facilities shall be designed in accordance with South Florida Water Management District criteria and the policy is the impact of the construction and operation of stormwater management facilities and support services on adjacent natural resources shall be considered in accordance with SFWMD regulation during the siting of new stormwater management facilities and the expansion of, or increase in capacity of

stormwater management facilities. Potable water, the objective is potable water facilities shall be designed, constructed, maintained, and operated in such a manner as to protect the function of natural groundwater recharge areas and natural drainage features and not exacerbate saltwater intrusion. The policy is the design for the construction, operation, and maintenance of new or expanded potable water facilities shall consider the short-term and long-term impacts to natural groundwater recharge areas, wetlands, surface, and groundwater levels and exacerbation of saltwater intrusion. The design shall also consider whether or not the construction, operation, and maintenance will harm the aquifer system. Adverse impacts of construction, operation, and maintenance shall be avoided or at least minimized. Natural groundwater aquifer recharge, the objective is to manage the natural ground water aquifer recharge conditions in a safe, effective, and reliable manner as required by current design standards and codes. The policy is to improve groundwater recharge by requiring all new construction projects to meet or exceed the City of Fort Pierce site development technical regulations and stormwater management requirements. And that is the Infrastructure Element. Next is the Conservation Element, which would be presented by Sandra Lee.

Mr. Knott said a questions before you go, since this is under the Goals and what-have-you's, on the sanitary and the water, the permitted capacities that you have the maximum of 14.9 mgd for the sewer and 14.6 for the water, do you have any idea where we are in relationship to those numbers as far as are we starting to bump it or is there something that we need to concern ourselves with?

Mr. Figurella said actually, well, the discharge limitations on the sewer are limited under permitted capacity. For maximum daily flow of 14.92, the average annual daily flow is limited to 10 mgd, the maximum 3-month average is 11.5 mgd and the maximum month average daily flow is permitted to 12 mgd.

Mr. Knott said you have the operating levels there or do you know those?

Mr. Nathan Schaeffer, Civil Engineer, Calvin Giordano & Associates said (from the audience) those are provided in the FPUA's own master plan.

Mr. Knott said so, you all don't have those in here anywhere.

Mr. Schaeffer said, no we didn't specifically list all those.

Mr. Figurella said but we did refer to the FPUA Master Plan. It was included by reference.

Mr. Knott said I just thought, you deal with the Level of Services and what the goals are to maintain all this and I was just wondering...

Mr. Figurella said per the FPUA's Master Plan, they are anticipated to, on the sewage side, not to exceed the capacity at the plant for the next 20 years.

Mr. Knott said based on what they are doing right now?

Mr. Figurella said based on what they are doing right now. And with the 20 year population increase, they should still be able to provide it at the current treatment plant.

Mr. Knott said one last question, has the FPUA seen this document that pertains to the infrastructure.

Mr. Figurella said yes, they have.

Mr. Knott said they've signed off on it.

Mr. Figurella said no, we have coordinated with them throughout this process. If the water and sewer, since they are not provided by the City directly, we had to coordinate with them during the preparation of this documents.

Mr. Knott said right, so they are comfortable with all the information.

Ms. Tappen said I believe they have reviewed the element, as well. Is that right, Travis?

Mr. Gibbons said yes, they did. When we received the first draft of the element, we sent that to Fort Pierce Utilities, Dave Mellert and his crew revised the numbers, looked it over, and submitted comments to us which we forwarded to Calvin, Giordano.

Mr. Knott said great, that's what I wanted to hear.

Mr. Figurella said I knew I would find the number eventually. Right now, they're operating somewhere around 4.5 mgd on the sewage and water.

Mr. Knott said really?!

Mr. Figurella said yes.

Mr. Knott said that is good.

Secretary Johnson said I think the first limiting factor is probably the actual deep injection well, if I remember.

Mr. Figurella said in fact, the projected residential sewage...this is residential, the 4.5. Even if you figured doubling it for commercial, you are still only at 8. And then you would not get an actual doubling. Commercial doesn't generate as much as residential does. It consumes more water, but doesn't generate as much sewage because of industrial processes.

Mr. Knott said what Mr. Johnson talked about there, what is the possible relocation off of the Island to the mainland, what does that do to the deep well? Jeremiah, you might know that. How does that impact it? Are they still going to pump the effluent back?

Mr. Figurella said no, they would create a new deep injection well.

Mr. Knott said that is a pretty expensive operation to do that, isn't it? Not only construction, but permitting it to get another deep well.

Mr. Figurella said it would be a major capital project. For instance, not to get into a many of details, but the liftstations currently pump sewage to the Island, the last one the system, will actually be turned to a repump and pump it backwards from where it goes now.

Mr. Knott said ok, thank you.

Secretary Johnson said I just have one more item, not necessarily a question for you, but just a statement in general. If you look at the actual final draft on page 3-26, it is just an example at this point, where it talks about potable water. It says the objective of 3.9 is the City shall identify existing deficiencies. And this is just a general statement for that, because of potable water and sanitary sewer collection should we not make mention of FPUA in those objective statements? Because the City is going to identify it indirectly that's it through the FPUA. Do you see where I am going? So, I don't know if you need to make reference to that entity or not. But that is a broad topic, because I noticed that in a few different cases.

Ms. Tappen said we should adjust that. You are correct.

Ms. Sandra Lee, Calvin Giordano & Associates said I will be presenting the Conservation and the Coastal Element. I think it is first important to understand that the purpose of the **Conservation Element** is to promote the conservation use and protection of the natural resources. To understand your natural resources, the City is composed of the barrier island, the estuarine lagoon, and the mainland component. It is an older city. One of the oldest cities within the State, due to that at this time, a large portion of the City is urban or developed in nature. However, a variety of the historic native vegetative communities still exist including your coastal dunes, scrub, prairies, hammocks, pinelands, and wetlands. If you look at your existing habitats, most of these habitats have been greatly fragmented and disrupted due to the development or the encroachment of the invasive exotic vegetation. The data is collected and analyzed is that is bulk of the city is developed or disturbed. 8,619 acres developed or disturbed land, 3,472 acres of open water, and 3,472 acres of your native vegetative habitats. A dominant feature of the City is the Indian River Lagoon. Overall this linear system covers more than a third of the east coast. There are over 155 miles of it. The combination of the freshwater, saltwater, seagrass mangrove communities provides for valuable coverage, foraging, reproductive habitats for many species, fish and wildlife, alike. There is approximately 3,000 acres of open water and 180 acres of mangrove and saltmarsh habitat of the Indian River Lagoon that is within the City. It is important to know that the Indian River Lagoon provides greater species diversity than any other North American estuary. Over 10% of all saltmarshes in Florida occur in the Indian River Lagoon. Portions of the Indian River Lagoon are designated aquatic preserves. Although a portion that falls within your city is highly disrupted due to the construction of the inlet, port activity, the dredging of the intracoastal waterway. What impacts there is here does have repercussions throughout the entire system. The Lagoon impacts, of course, are the port activity, the intracoastal maintenance, your spoil island

creation, and the Barrier Island component of your City. There is 2.7 miles of coastal beach in the City. The beach dune system is utilized for nesting habitat by the federally listed loggerhead, green, hawksbill, and leatherback sea turtles. Hutchinson Island is recognized as one of the major nesting beaches in South Florida. Dunes are also habitat to the listed Southern Beach Mouse and the beach is wintering grounds for the federally listed piping plover. So, that is significant habitat. The Dune protection, the goals, objectives, and policies are to establish your setback criteria, the avoidance of direct lighting during nesting season, avoidance of physical obstructions on the beach, discourage random pedestrian crossings, removal of invasive vegetation, and establishing effective native re-vegetation plans. Coastal erosion. The elevation of the City ranges from sea level to 45 feet. Due to the relative flat topography, the Mainland portion of the City erosion is typically not a problem. However, a barrier island is by nature a migrating system. It is subject to erosion, especially during storm events, which I am sure you are all critically aware of. The Florida DEP 2006 Update has identified 2.3 miles of Fort Pierce Beach, just immediately south of the inlet that is considered critically eroded. The City is, however, a part of an ongoing beach renourishment program authorized by the Corps. Your goals and policies within the plan address the avoidance and dealing with the critical erosion and continuing with beach restoration and beach renourishment programs. On the Mainland component of the City, there is a unique freshwater ecosystem. It is located in the shallow catchman area, between the deeper western slope of the Atlantic ridge and the gentle eastern slopes. A large portion of this habitat is under public ownership. It is referred to as the Savannas. The Savannas Leisure Recreational Area is utilized as an outdoor recreation area. It provides camping, boating, fishing, picnic facilities. It covers 467 acres and contains five distinct biological communities, including pine flatwoods, wet prairies, marsh, lake, and scrub. With a goal to educate, as well as to recreate the area provides interpretive trails, both land and water. In addition to the highly recognized, of course, manatees and sea turtles, there are 36 listed wildlife species and 28 threatened or endangered species which can occur in the City. Conservation opportunities that you have for this species that do occur here, one of the things that is occurring is the regional botanical park that is planned by the City, the County, and Heathcote Botanical Gardens. You do have 950 acres of publicly owned recreation and open space within the City. Conservation strategies that you have in your goals, objectives, and policies that support that are your continued land acquisitions, continued coordination with the Indian River Lagoon Surface Water Management and Improvement Program and all of the organizations that are conducting Indian River Lagoon research and monitoring, continued beach renourishment, continued beach and dune protections programs, monitoring the port and inlet maintenance for best management practices, and implementation of effective invasive vegetation control

Secretary Johnson said with that being a goal at the end to coordinate the Indian River Lagoon Surface Water Improvement, a minute or a few minutes ago we talked about surface or storm water being with sufficient capacity to handle any storm event. Now, one of our direct ways of draining our mainland is to dump it into the Indian River Lagoon. So, what suggestions are there for helping that situation?

Ms. Lee said one of the things is that as an older community, the best management practices for surface water are not implemented on a lot of your parcels, because they simply weren't in place. As you move forward with redevelopment, with new development,

implementation of your best management strategies for those particular parcels is going to be of considerable assistance. There are policies in the plan that recommend that.

Secretary Johnson said ok, but you didn't look at the existing system, is that correct? I know that it is a very expensive and would be a finely detailed plan to try to manipulate the existing stormwater collection system. I know that Indian River County has made it one of their priorities and they had two commissions up there that actually drove a system in place. Now they have a very detailed canal system that helps redirect that flow away from the Indian River Lagoon and I thought it was a pretty impressive system, actually.

Ms. Lee said and isn't just a collection system, in terms of your pipes, canals. What you need to do is look at all of your parcels, all of your surface as a whole and you will have a lot of private ownership and a lot of it is older, as best management practices, which were not in place at the time of that development. Those are things that you will have the capacity as time goes on to address.

Secretary Johnson said right, thank you.

Ms. Lee said there are a lot of things, in terms of natural resources, which are also required within the **Coastal Management Element**, in terms of the Lagoon, the beach, the beach restoration, the beach protection, recognition of the data, and the recognition of what those are. I covered that within the Conservation Element and I am not going to replicate it with you, but you are going to find it as you review the Coastal Element within it. Again, it is important to know what the framework is that this element is based on. That the purpose of the Coastal Management Element is to protect human life, limit public expenditures in areas that are subject to destruction by natural disaster, and to plan for, and where appropriate, restrict development activities where such activities would damage or destroy coastal resources. This is the framework established as the base of the Coastal Element. The Coastal Element focuses on a defined planning area, the Coastal Planning Area. For your particular City, this is the Florida East Coast Railroad as the western boundary and the remaining boundaries follow the eastern most municipal boundaries. Inventorying what your existing uses are within that to look for conflicts. Within that there are 1,839 parcels, which totals a little shy of 2,000 acres. You do provide 37% as recreation open space, 11% is vacant land, your residential is 31%, and your other uses total 21%. Your other uses are comprised of your commercial, educational, institutional, and industrial. Your Fort Pierce Community Redevelopment Agency was formed in 1982 and the current Community Redevelopment Agency plan adopted in 2001 and mostly recently updated in 2004. One of the program objectives of the CRA Plan is to acquire beach front properties in order to enlarge the public parks, open space, public parking, and beach access. If you notice, the majority of the coastal area falls within the Community Redevelopment Area, providing the agency opportunities to identify environmentally suitable waterfront areas, recommend strategies for reserving such areas for water dependent, water related uses consistent with estimated needs, identify strategies for encourage appropriate mixed-use development that includes water dependent and water related uses that is compatible with existing land uses, analyze any conflicts in priority of the existing shoreline uses and develop strategies for reducing or eliminating such conflicts, develop strategies to protect existing waterfront sites that exhibit unique community character or are identified as an historic resource, and

ensure public access facilities at the adopted level of services. These are reflected in the goals within this Plan. In terms of public access facilities, which you establish your level of service and look for your opportunities to provide, this table (Table 5-3) just provides a listing of them. There will be more information presented on that in your Park and Rec Element. In looking at your designated future land uses to eliminate or conflict or to ensure that you have appropriate water dependent, water related uses. Your open space total comprises of 36%, your marine commercial comprises 13%, the industrial, the bulk of which is your port facility, comprises 12%, commercial and professional comprises 6%, mixed residential commercial use on Hutchinson Island 9%, and your residential is 34%. In looking at this as designated, 15% is allocated for marine commercial and port and 15% is allocated for various commercial which does support your water dependent and water related uses. Within your coastal area, you have numerous historic resources within the City. When looking at your coastal area, it is identified that you have 11 historic structure, 1 historic bridge, and 13 archaeological sites. To recognize and protect these historic resources, the City has established an historic preservation officer and established historic districts within the City. The historic districts are not the next slide. But you do have it with your established historic district the Edgartown, the Riversedge Historic District all fall within the coastal area and most of the Downtown District does fall within the coastal area. Within the City, this particular element requires that you address your natural disaster planning. Within the City, there is very limited potential for impacts from wildfires, sink holes, they are problematic throughout the remainder of the County. The most significant natural disaster throughout the City need to plan for is the event of a hurricane. We have records from 1870 through 2005 indicate 23 hurricanes have passed within 40 miles of the City. As you are all acutely aware, in 2004 Hurricanes Jeanne and Frances both made landfall in St. Lucie County causing extensive damage and the City was last affected by Hurricane Wilma on October 24, 2005. Natural planning requires that you identify your coastal high hazard area, which is the evacuation zone for a Category 1. In mapping this for your City, you are fortunate that a good of that portion does fall within the spoil islands or mangrove islands, there is no infrastructure there. None of your city resources the required goals within the Plan direct uses away and limit uses within the coastal high hazard and ensure redevelopment follows regulatory techniques for hazard mitigation. With each new hurricane season, you have to address evacuation, hurricane shelters. You have to be prepared to evacuate highly vulnerable population and critical routes often concurrently with evacuees with Southeast Florida. In disaster management planning, it is important to know the capacity and the location of your hurricane shelters and understand your surge zones and evacuation routes. To be able to provide sufficient shelter and capacity and to maintain and reduce your evacuation times is in you required goals within this plan. The evacuation data for St. Lucie County, because hurricanes impact large areas, the evacuation data that is presented within your Plan is specific to St. Lucie County and it comes from the Treasure Coast Regional Planning Council Transportation and Analysis Hurricane Evacuation Study which was updated in 2003. It was a study prepared for the US Army Corps of Engineers, Jacksonville District, prepared by Post, Buckley, Shuh and Jernigan, Inc. Specific to the County, it has identified your existing permanent population as 192,695 people. On the permanent occupied dwelling units are 76,933, mobiles homes are 11,576. It has identified 10,180 tourist/seasonal units and for the purposes of this study calculated 2.39 people per permanent unit, 1.3 vehicles per permanent unit and has determined that your local public shelter capacity is 6,666 people and I do think that number is actually real. In the Hurricane

Evacuation Study, it's provided information based on whether you have a Category 1 or 2 or 3 or 5 event for a high and a low tourist occupancy and your worst case scenario for your high tourist capacity, Category 3-5 event is calculated there will be 77,377 people in 29,792 vehicles evacuating with a public shelter demand of 6,479 people, which is critical, because you have sufficient capacity in your shelters within the County for all of those people. Because you do have limitations on your roadways system, study identified your critical roadway locations as Okeechobee Road, from US 1 to Holly Road, North Beach Causeway at US 1, and Seaway Drive at US 1, US 1 from South Bridge to Orange Avenue and Orange Avenue at I-95. Your projected clearance times for 2008 with a long response, high season capacity, your County projected clearance times are 14 hours. If you look at a 3 to 5 Hurricane event with a long response time, it is 14.25 hours, which is under what is under your County Comprehensive Plan and what we have established in this particular plan as a target.

Mr. Knott said just a quick questions, I am assuming that you are talking about the two categories is the high tourist time, is that what this is is that it breaks it down to the summer months and the winter months, is that what you are saying?

Ms. Lee said what it breaks it down to is the top chart addresses a Category 1 and 2 event, the bottom chart addresses a Category 3 and 4 event. And what they have looked in the first and second category are during when you would have low seasonal occupancy, second category is when you would have high seasonal occupancy. So, when in your first table what you look at is strictly relates to a Category 1 or 2 event, which would occur during low seasonal occupancy or during high seasonal occupancy and within the study they have broke it out whether you are going to have a rapid response, medium response or long range response based on how much time you would have available knowing in advance where the storm was coming from, how much information you got out in advance, the parameters that they defined for each of those.

Mr. Knott said did you all prepare this or was this something that comes from somebody else?

Ms. Lee said no, this came from a study that was conducted for the Army Corps of Engineers by Post, Buckley, Schuh and Jernigan. It was prepared for the Treasure Coast Regional Planning Council. It was prepared for the five counties in the Treasure Coast.

Mr. Knott said really?! Because at high season, I just can't imagine that be applicable to a hurricane situation.

Ms. Lee said it is County date. It is specific to the County. No one has done very, very specific data strictly for the City. So what this is is the data that they have analyzed and calculated specifically to St. Lucie County.

Mr. Knott said it would be like having a blizzard evacuation in August up in the North. I just don't see that being an issue. But that's just me.

Ms. Lee said I think one of the things that they have done in this and when you read the parameters, they said if they were going to err on anything, they were going to be generous in numbers so that there wasn't...

Mr. Knott said it's the same people who set our insurance rates, I guess. Thank you.

Ms. Lee said it is important to note that as required by this Plan, you're City has developed and has in place a current 2006 Strategic Emergency Management Hurricane Plan and as in place a Mutual Aid Agreement with the St. Lucie County Sheriff's office and the Port St. Lucie Police Department and the State of Florida. The City also participates in the St. Lucie County Unified Local Mitigation Strategy. And that's it for Coastal Management.

Secretary Johnson said thank you.

Ms. Tappen said we will now take a look at the **Housing Element**. Actually, Housing was not mentioned much in the public workshops, but it is still a required element of the Comprehensive Plan. The data basically inventories existing housing conditions. It provides an affordable housing assessment, City housing programs, and, of course, goals, objectives, and policies. I will give you a roundup on some of the data. In terms of tenure is always an important part of the Housing Element and the number of owner-occupied units versus renter-occupied units. And in Fort Pierce, it is basically split between owners and renters. It has a much higher rental rate than St. Lucie County overall, where St. Lucie County has a large number of owners and a few less renters there. Also, the Element looks at housing costs. Now, these housing costs are from 2000 so they don't look anything like you might find out there in the market right now especially when it comes to home costs. As of 2000, the median rent in Fort Pierce was \$517, a bit less than St. Lucie County. The median home value was \$57,000. I think these values maybe based upon the taxable value rather than the actual sales value. The average single-family value (\$174,540) as of 2004, this figure is actually is for St. Lucie County. The average for Fort Pierce in 2004 was about \$125,000. Probably in 2006, it is coming closer to the \$200,000 range. In general, the housing prices in Fort Pierce are lower than St. Lucie, it is considered to have a fair amount of affordable housing. But if we look at income, in general, the median income in Fort Pierce is lower. The median income is \$25,000 here versus \$36,000 for the County overall. And actually there are a fair number of very low income folks in Fort Pierce, almost 38% of the population. While we can say that the housing prices look affordable, there are a lot of folks in the City that do have difficulty affording the rents and the housing prices. And than to further that point, let's take a look at housing costs and basically in the Housing Element, you need to talk about the cost burden and how many folks are paying more than 30% of their monthly income on housing. For Fort Pierce, the number of renters paying more than 30% of their income is 46% percent, which is fairly a high number. St. Lucie County, as well, is high at 41%. However, homeowners is actually a small percentage of homeowners are actually paying more than 30% of their income. So, the homeowners are doing ok, the tenants are probably having more day-to-day difficulties.

Mrs. Benton said how did you come up with the study? Is this something that you did? It seems to be something very close to what the IRS has done and I am just curious about that.

Ms. Tappen said the data comes from the US Census and it is digested by the Schimberg Institute at University of Florida, which has been given the task of collected population and housing data for Comprehensive Plans.

Mrs. Benton said are there any projection or could projections be gotten, since this is a 2000 study?

Ms. Tappen said for 2005, unfortunately that is not available. The best is the year 2000.

Mrs. Benton said ok. Do you have any suggestion of what the median rent might now be based upon the data that you do have?

Ms. Tappen said no, I don't have that data.

Mrs. Benton said ok, thank you.

Ms. Tappen said probably no surprise for folks that live here there are a fair number of overcrowded household units. It is a bit higher than St. Lucie County. Overcrowding is about 10% of all households in Fort Pierce and that is also significant. But Fort Pierce, the city itself, is extremely active in housing and in-housing business. In conjunction with the Fort Pierce Housing Authority, there are nearly 2,000 public housing units and also assisted rental units available in the City. The City works with the SHIP Program, which provides first-time home buyers assistance as well as home repair grants, as well as CDBG and HOME Programs also provide similar services. The City is working very closely with the Hurricane Housing Recovery Program. They received a very large grant to develop 70 to 90 workforce housing units along Moore's Creek. There is an additional 14 townhouse complex coming up and that will be available as affordable housing. So the goals, objectives, and policies of the Housing Element are first and foremost is encourage provision of housing for very low, low and moderate income households. The addition of very low income households is an addition from the 1990 Comprehensive Plan. At that time, it didn't require a provision for very low income households. Participate in the St. Lucie County Attainable Housing Task Force. Of course, utilize CDBG, HOME, and SHIP funds for providing housing opportunities and home repair grants. Increase homeownership. Complete the Moore's Creek Housing Project. The City in the last year or so, has discharged liens on some County workforce housing projects in order to facilitate those, the City should continue those programs, as well. And promote hurricane protection and post-hurricane repair. Home repair is going to be a huge issue in the City, as probably the average age of the housing in the City are roughly 30 years old with a fair number of houses built before 1950. I think that an emphasis in keeping the affordable housing stock affordable and in good condition is very important for the City. Let's take a look at the Recreation and Open Space Element data. The City has an impressive 959 acres of park and open space. That is 24.87 acres per 1,000 residents. If we compare to another City that has a fair amount of park acreage is the City of Parkland in northwestern Broward County. That has 16 acres per 1,000 residents and I thought that was impressive, but actually this is surpasses that and is something the City should be quite proud of. Park improvements coming up include the Moore's Creek Linear Park, which will become a local

destination, expansion of the Heathcote Botanical Gardens. The City is looking to acquire property on South Beach to increase public beach access. Recreational equipment at Veteran's Park and restoration of the Old Fort Park. In the Recreation and Open Space Element, we did an analysis of your current parks. We put together an extensive inventory and broke them down into categories. These categories are designated by the Florida Department of Environmental Protection in their outdoor recreation in Florida Guide, which was developed for Comprehensive Plans. Regional parks include the Fort Pierce Inlet State Park and the Savannahs Regional Park. Urban District Parks include the Indian Hills Golf Course and the Lawnwood Recreation Center. Urban Open Space is just a few parcels here and there, passiverious. Community Parks tend to be about 20 acres in size with community facilities, ballfields. Neighborhood Parks are approximately roughly between 5 and 15 acres have both active and passive recreation areas. I don't want to get too much down into the breakdown of park because that is not necessarily as important as the parks that folks use day-to-day are your community parks and your neighborhood parks. Your previous Comprehensive Plan allowed for a level of service total of 1.3 acres for both neighborhood and community parks. Considering that you actually have 4.4 acres with the old level of service you wouldn't see any additions of park space in those categories with new development. Therefore, continuing to increasingly tax your existing facilities. So, what we suggest is that you increase that level of service from 2005 through 2014 to 1.75 acres for 1,000 people. Then from there increments will only increase it so that way there is more availability of neighborhood parks and you continue to have a good level of service as you do now as you grow in the future. And you might say "well, why do was stop at 1.75 and not go for 5 acres for 1,000 people? Why don't we really raise the bar?" Which would make sense. But you also have to make sure that your Comprehensive Plan is financially feasible. Once you raise your level of service, you need to show that you have the ability to provide those facilities. So, through 2014, the City is covered. No additional new park space is needed. However, by 2015, new park space will be needed to than move to 2 acres each of neighborhood and community parks space and through a Parks Master Plan and an extensive Capital Improvement Planning, the City can get to that point. The City is planning to implement impact fees and with a new Concurrency Management System, new parks can come in with new development. The facilities level of service is the same as in the old Comprehensive Plan and basically the City has a fair amount of facilities already so there may not be a need to increase those facilities in the near future, at least. I wanted to add the Recreation and Open Space Map (Map 7-1) as many folks mentioned in the public workshops, there is a need to have another recreation center like the Lawnwood Recreation Center in the western edges of the City. As you can see, if you look just past 33rd Street, there is not a park facility at all. So this is something that the City should focus on working with the County to get some kind of new facility out in the west and as development comes forward possibly target those areas for new park facilities. Goals, objectives, and policies include providing incentives for inclusion of publicly accessible park and recreation in new development, creation of a Parks and Recreation Department currently it is run jointly by the Public Works Department of the City and the Parks Department of St. Lucie County. So the City may want to consider having its own Parks and Recreation Department considering the populations that it's going to be serving that might be a good idea, and of course, create a Parks Master Plan. I put by 2010, maybe that date should be moved up in order to accommodate development or at least it will fit the deficit that will occur by 2015 with a new park space. Goals, objectives, and policies also include any residential development over

100 dwelling units provide a community building. The community building can also double as a shelter during hurricanes and other hazardous times. Coordinate with the County to build an urban district park in future annexation areas, create a Park and Recreation Trust Fund for those impact fees or other development fees that are collected for parks, and actively pursue parks and greenways along the waterways, like the Moore's Creek linear park. I think that is it on Parks and Rec. Do you have any questions on that before we continue?

Mrs. Benton said would you name those two regional parks again?

Ms. Tappen said the Regional Parks were the Fort Pierce Inlet State Park and the Savannahs.

Mrs. Benton said thank you.

Ms. Tappen said when we talk about regional parks, if we are just talking you and I and we are not the Planning Board or a planner, then we would talk about a place like the Lawnwood as being a regional park, but they call that an urban district park. So, for that reason, we've the policy to create a new urban district park in connection with the County. We will move on to Intergovernmental Coordination Element. Basically, this Element surveys the relationships of the city with various government agencies that affect provisions of public facilities and affect land development in the City of Fort Pierce, such as the school district, your neighboring City, Port St. Lucie, St. Lucie County, the Fire District, and of course, the Utility Authority. New goals, objectives, and policies included in this Element a lot of things in there are regulated by Florida Statutes, but there are a few things in here that are very specific to Fort Pierce and existing conditions today: coordination of roadway level of service with the County, FDOT; pavement of unimproved roadways; school capacity and school facilities planning. The School Board is now putting together a level of service, a school concurrency method and by 2008, the City will be required to incorporate that into the Comprehensive Plan. It is not in it now because it hasn't been developed yet; creation of urban district park; needed infrastructure where the St. Lucie County Fire District makes sure the pipes are in good working order for all the hydrants; beach renourishment programs; and preservation of historic resources.

Mr. Knott said when we first received this, Travis and I noticed on here on page 8-2, under the Coordination Efforts for the Florida departments and agencies, we thought maybe IRCC should have been added to that. I don't know if it was added to that or not and then the Library, I don't think that was mentioned even under the County departments.

Ms. Tappen said ok.

Mr. Knott said IRCC and FAU, I think maybe both for coordination with them.

Ms. Tappen said and consider Harbor Branch.

Secretary Johnson said I don't know if I saw the Coast Guard on their either.

Ms. Tappen said ok, we'll add them. Any other comments on the Intergovernmental Coordination Element? Let's take a look at the **Capital Improvement Element**. Basically, with the Comprehensive Plan, you start out with the future land use element regulating land uses and development and then the Capital Improvement Element typically is the catch-stone element which kind of rounds it out and makes sure that you have the public facilities and money available for the development plan that you have. It includes an evaluation of your need for public facilities, estimates the cost of improvements, analyzes the City's fiscal capability, adopts financial policies, and schedules funding and construction of improvements. Here is a summary of the schedule of the capital improvements (p. 103). In your draft Comprehensive Plan there is an extensive schedule which shows all the plan improvements for City parks, transportation facilities. Statutes also require that you include County and State transportation improvements. It also included details on stormwater improvements. Basically, in just fiscal year 2007, between all these entities, it is expected that there will be \$38 million of capital improvements. Over the next five years, \$11 million will be spent on parks. Over the five years total, between the City, the State, and the County \$116 million are expected to be spent on public facilities within the City of Fort Pierce. The City has to show they have the money to pay for the capital improvements, especially within the first three years. This chart (p. 104) is a little hard to look at, but I think the most important thing to look at is the funds available for the SCI (Scheduled Capital Improvements). Basically, the funds available for the scheduled capital improvements for Fiscal Year 2007 are approximately \$50 million. This includes the City's budget, plus CRA funds. Of course, the CRA funds cannot be used citywide, but there is a lot of coordination between the CRA and the City on payment of capital improvements. And the good news is that over time, we analyzed increases in revenues for the CRA and for the City. The average increase in revenues for the City over the 10 year period was 7.36%. Hopefully, that is not too high, because in the last few years with significant increases in property values, it could possibly skew it. If you look at CRA funds, the average is 8.83%. But last year, there was almost 100% increase or 30%, it was a significant increase in funds. But anyway, if we take the average overtime, the City does have funding available for the scheduled capital improvements which makes the City's Comprehensive Plan and the Capital Improvement Element financially feasible. Goals, objectives, and policies for the Capital Improvement Element include ensuring development bears a proportionate cost for public facility improvements, fiscal impact analysis for future annexations, coordinate expenditures with service providers such as the Utility Authority, County and the State, ensure financial feasibility and also that the City's overall debt cannot exceed \$67 million and this is set by the City's Charter. Additional goals, objectives, and policies from next year, the City will need to annually update the Capital Improvement Element and the schedule of capital improvements to make sure that it is up-to-date. And the Capital Improvement Element should be based upon the following criteria: Emergency and post-disaster mitigation; deficiency determination by the City's Concurrency Management System; proportionate fair share mitigation agreements; public involvement in the Capital Improvement Program and budget; existing plans of the City and the County; and, of course, it all should be financially feasible. Any questions on the Capital Improvement Element before I move on? We will talk about the **Concurrency Management Element**. This is a new element in the Comprehensive Plan. Basically, it sets up the City to actively monitor public facilities with development in order to have predictability on the availability of those facilities for the City. It also helps the developers, as well, know what is available

here. Basically, this Management system will monitor transportation, potable water, sewer, drainage, solid waste, parks and open space and it requires that the Planning Department maintain a capacity and level of service database to monitor existing use of these facilities, use by committed developments, and all those will go into the database. The review, basically, with each development application, there will be review of the impacts and development based upon on the level of service standards set by the Comprehensive Plan. As you can see, all these level of service standards are summarized in this table (p. 108) in the Concurrency Management Element. When development applications come in, then the Planning Department will conduct a concurrency assessment for the development application or the temporary plat approval and public facilities are available for that development or it will be available through the Capital Improvement Element. Then a Certificate of Concurrency can be issues. The City could also consider entering into a proportionate fair share agreement if the development will cause a level of service of a facility to fail and the City can also amend the Capital Improvement Element if it was just to accommodate that development. The facilities must be available on a certain time frame as governed by the Florida Statutes. For transportation, those facilities for a development must be available within three years of issuance of a building permit. For other facilities, they must be available no later than the issuance of the Certificate of Occupancy, possibly much sooner. That wraps up the Concurrency Management Element.

Mr. Knott said I noticed on Table 10-1, we have that same level of service for the road. Can we address that as we did under the Transportation Element?

Ms. Tappen said sure.

Mr. Knott said one other question is this Concurrency Management Element is this something that the State is encouraging or requiring as a part of the updating that we are doing now?

Ms. Tappen said Concurrency Management is required of all Comprehensive Plans. Typically, it falls in the Capital Improvement Element. But because the City wanted to move toward a more comprehensive manner of monitoring concurrency and issuing Certificates of Concurrency, it was agreed that we would create a new element to incorporate all the Florida State requirements plus procedures for the Certificate of Concurrency.

Mr. Knott said so, what you have done is you have taken all the other elements and sort of summarized them for brevity or for clarity you can go right to this or a developer or whomever has a shopping list he can look at.

Ms. Tappen said exactly.

Mr. Knott said thank you.

Secretary Johnson said I have a question on the Certificate of Concurrency and bullet number 2, I think it is.

Ms. Tappen said regarding the proportionate fair share.

Secretary Johnson said and I know this is going to come up tonight with the agenda item that is here. I guess with proportionate fair share where I have issues somewhat, because you have development that is going to take place or would like to take place and you have certain facilities in place and let's say that, for instance, we have the Fort Pierce Utilities Authority and the watermain is not there at that time. I don't know, currently, the developer has to extend that watermain to that property, is that still considered a proportionate fair share?

Mr. Margotta said I will try to answer this question, but correct me if I am wrong. The general idea with proportionate fair share is that that development would pay its proportion of that improvement. Imagine that there is other, maybe, vacant land or land that needs to be developed near it and somewhat of it is the decision of "well, you need this improvement now, we only require you to pay a third of it because we expect the other two-thirds to come from other developers or just in our regular capital improvement program itself. We are looking for the developer to flip their share of the bill that should be theirs. If it is 100%, it is 100%. And some times maybe that might be the case. So, it's a little fluid in that sense, but the general idea is that we need to identify the improvement which needs to be paid for so that is not arbitrary. It needs to be something that the developer knows about and is on the hook for. So, all parties come to the table in a public forum knowing that is the case before they start. It supposedly it is supposed to be fair or fairer or the fairest of way of dealing with this.

Secretary Johnson said and it is and it is not. It is complicated because with Fort Pierce Utilities currently thank goodness they have a master plan in place at this point. But let's say at some street that yeah, there is a line proposed there but it is not an arterial line, it is not a main line that needs to be put in for looping purposes as far as potable water. With Proportionate fair, that developer, according to the Fire District, is going to be required to extend, this has just been quoted in the past, an 8" or 12" watermain because of fire service. Now, their potable requirements are not 8" or 12" watermain capacities, because that serves half of Fort Pierce. However for fire demand, the Fire Districts dictates 8" or 12" or whatever the watermain size is. It gets into is that their proportionate fair share? That's what the Fire District is going to require for them.

Mr. Margotta said would this be, and I don't want to punt this because I think it is a good idea, but is this more appropriate for when we talk specifically about the ordinance or should we just address the ordinance. That why you want to present this concept.

Ms. Tappen said yeah, I think that the one thing to emphasize right now is that in general the Statutes are focusing proportionate fair mostly on transportation facilities and possibly later on school facilities. At this point, you have a policy that says that the City may enter into proportionate fair share. So, if it is not advantageous for the City to engage in that or the Utilities, then it is not an option that the City has to take. Where the City maybe forced a little bit more to take a look at proportionate fair share, it will be for transportation facilities, however.

Secretary Johnson said I got that from the ordinance that is proposed. However, it didn't really say we had the option. We don't have a choice well, we'll do it here, but we will do it fully for the transportation because that is what the ordinance is designed to be fore. But when you get into potable water and sanitary sewer, then you're dealing with another entity in Fort Pierce Utilities. Because their plan right now is if a developer extends the watermains or the sewer mains, then there is a certain impact fee that is associated with their development. That impact fee is credited 60%. Their construction cost for offsite utilities can be credited to their impact fees. So, if your impact fees are \$100,000, then it will cost you \$200,000 to extend that watermain. Well, 60% of the \$200,000 can be credit to the \$100,000 impact fee, if that makes sense.

Mr. Margotta said yes, it does. Somewhere this being a policy document and you are talking about the way that it is administered, which has not been worked out yet. But what is being proposed later is primarily transportation impact and transportation concurrency. That is one method that is going to be used for transportation. This whole issue of concurrency is being developed as we speak. But for our Comprehensive Plan, we need to have an element that addresses it so that, policy wise, we know that it is coming down the road and we get it all enacted. I think this is strictly just transportation that our Concurrency Management Ordinance, that you will be looking at later, addresses. You are bringing up a great point, but we haven't even worked out that detail yet. We have on Transportation, which was hard enough. Just give us some time and then we can maybe deal with the other stuff.

Secretary Johnson said because the other is going to take a long time. But I guess I will bring it up later and we will have to be careful in our ordinance how we state that, because there is a gamete of issues that come up with water and sewer. No doubt. Thank you.

Mr. Margotta said thanks, Lorraine. Sorry to interrupt.

Ms. Tappen said oh, not at all. That was good. That summarized the Comprehensive Plan Elements and I believe, basically I will go over our next steps, but I think later on we will actually open up for a public hearing. The Planning Board can tonight recommend the proposed Comprehensive Plan for transmittal to the Department of Community Affairs. With that recommendation, the City Commission will consider an ordinance to transmit the proposed Comprehensive Plan to the State. Once that reaches the State, the State takes a look at the whole Comprehensive Plan and issues an objection, recommendations, and comments report. That report is then sent back to the City. The Comprehensive Plan is edited based upon that report and then once it has been fixed based upon that report; it comes back to the City Commission for final adoption. So, basically, the Comprehensive Plan will probably, if we can follow a schedule where the City Commission gets to pass the ordinance next month or in January, DCA will look at for about three months, I think they have 90 days. So, we are looking at the State possibly adopted the Plan around May.

Mr. Knott said if I am understanding this correctly, when we reconvene the public hearing portion of it, our recommendation will not be to forward it to the City Commission, but to DCA. That is the next steps, is that what you are saying?

Ms. Tappen said I believe the recommendation is that you recommend that the City Commission forward it to DCA.

Mr. Knott said ok, so we do recommend approval to the City Commission for them to forward it to DCA. Thank you.

Mr. Gibbons said with the Calvin, Giordano's presentation, we can take a break here for food. We did provide dinner for everyone here tonight. That is being set up in the Engineering Conference Room. Concluding dinner, the public hearing will start at 7:00 pm and we would reconvene at that time, if that is ok.

Secretary Johnson said is there anything else from the Board? Any questions? Staff, do you have any other comments?

Mr. Margotta said I would just say that was an amazing presentation. There was quite a bit of information. I know it is a lot to simulate. I am hoping that there is a good discussion tonight and that we are on the right with answering your questions and we're able to address your concerns. Thank you very much, Lorraine and everyone and Calvin Giordano. I appreciate it and I do appreciate the amount of effort that went into that. I think Lorraine knows more about our City than I do.

Secretary Johnson said thank you. Mr. Walker, do you have anything before we take a break?

Board Attorney Walker said no, sir. Thank you for asking.

Mr. Knott said now that you did mention Mr. Walker, where does legal staff fit into this formula? Have you all had your time with this or do you need to look at this document before we forward it?

Board Attorney Walker said in the event the Board determines, for its purposes, that it is able to make a recommendation to the City Commission, the Board is encouraged to do so.

Mr. Knott said so, unlike a regular ordinance where you all would like to look at all the legal portions of it, it is not necessary for you all to review this document?

Board Attorney Walker said we've reviewed it to the extent that that is necessary.

Mr. Knott said thank you very much.

Secretary Johnson said anything else. Thank you, guys, for your presentation. I guess at this point we will take a break until 7:00 pm and open the public hearing.

Meeting adjourned at 6:00 pm.

Meeting readjoined at 7:00 pm.

Secretary Johnson said before we get started, I want to thank staff and whoever coordinated the efforts here for dinner. I appreciate that, it was very nice. Also, I want to thank Calvin, Giordano & Associates for the presentation earlier. Also, to get started is there any questions of staff from the Board before we open the public hearing? Seeing none, at this point we are talking about the Comprehensive Plan Rewrite for the City of Fort Pierce. At this point, if there is anyone from the public who would like to speak, we are now open.

Mr. Phillip “Flip” Gates, said good evening, Jeremiah Johnson, Chairman, Planning Board members here at the City of Fort Pierce. I am happy to be here this evening and happy to see that we have a quorum for the rest of the evening, Mr. Walker. I was worried about that. I know that the City has been working on the Comprehensive Plan for over a year and I am grateful for the opportunity to speak to you here tonight to comment for the first time on the progress to date and I encourage you all to listen and always listen to the citizens. All of you and the Honorable Mayor and Commissioners should be commended for encouraging public discussion about these important strategic policy decisions that we are here to talk about tonight and eventually recommend to the State to be incorporated in our Comprehensive Plan. I have reviewed the current drafted elements of the Comprehensive Plan and I am very encouraged by the progress, even as it has taken very long to get to this point. However, I have serious concerns about the content. Also, about the process the City has followed to get to you all to this point. I trust my comments will be heard and will be helpful. Most of you have received a very lengthy complex materials for the Comprehensive Plan and a few days ago. This was the first time that any private citizens, such as myself has been able to review any of the Comprehensive Plan issues in a draft form or first draft or even maybe in a final form. This is an important document that is intended to protect us, as citizens, from bad development, poor political decisions, and thus, I and all of my many volunteers who have participated in Visions of Fort Pierce including our 14 neighborhood's presidents and vice-presidents who have met with City staff over the past few months. In fact, the law says we all have the right to be heard by you and the by the City Commission. Unfortunately, the City has not scheduled any workshops about the proposed elements of the Comprehensive Plan in their draft form or their final form this evening, except what you all held this evening without a quorum present. Instead of allocating sufficient time for review and comment, the City has created an uncomfortable deadline for you to act and I know you all have talked with staff and asked them repeatedly if you all could work and have workshops at a reasonable time and at a reasonable lasting length that may encompass 2, 3, 4, 5, 6 workshops and even have them in the neighborhoods. Without the regard for the public's right to be heard, unfortunately the State law protects our right to be heard and provides for future opportunities to intervene in the process as it proceeds through adoption and review by the Department of Community Affairs. However, I would prefer to have the productive discussions on the content of the Comprehensive Plan during property scheduled Charrettes and advertised workshops were everyone is allowed to speak rather for any of us to resort to any legal challenges. One concern I have about the process to date is the fact that the City had several preliminary workshops with which I attended four out of the five. I have not received any minutes from the meetings, in spite of my formal request two times. Matt, have found any minutes to the meetings?

Mr. Margotta said as you are aware, we've sent you a letter stating that they are not required nor are there any minutes. There are no verbatim minutes and they are not required. You have received correspondence from our attorney's office to that affect and you are just bringing up an issue that is nonsense.

Mr. Gates said well, that is your opinion and I know that we can look at those issues here and in the future as such. We will cover that issue a little bit later. The workshops included discussions about future actions by the Commission and of course, anytime you have several commissioners present with State law and the Sunshine requires you to have minutes for the process. I remember sitting in here for a workshop here in City where people wanted to talk about the Comprehensive Plan issues that had to do with the Port and they were refused to be able to discuss those issues. And we certainly need to understand those issues. As such and I have don't a little bit of research on those issues and we have done research and we have gone and looked at the law and the law is applicable to actual court cases, most of them in the 70's that went through the judicial process. The law is applicable to any gathering, whether formal or casual, of two or more members of the same Board or Commission discuss some matter on foreseeable action that will be taken by a public board such as the Commission. Hough versus Stembridge, 278 S.O. 2nd 288 Florida 3rd DCA and see City of the City of Miami Beach versus Barnes, 245 S.O. 2nd 38 Florida 1971 and the Board of Public Instruction of Broward County versus Dorian 224 S.O. 2nd 693 Florida 1969 and Wilson versus the State 344 south 2nd 611 Florida 2nd DCA 1977. It is how and why officials decide to act which interest the public and yourself and not merely the final decision that you may make or that the City Commission may make. While the general rule is that two individuals are necessary to implicate the Sunshine Law, there are certain factual situations where it has been necessary to conclude that in the presence of two individuals of the same Board or Commission this is not necessarily to trigger the application of the Statute. The Sunshine Law is to be construed as to frustrate all evasive devices. The Town of Palm Beach versus Gridson 296 S.O. 2nd 473, 477 Florida 1974 was a prime example of this where there has been a delegation of authority. The Sunshine Law does not provide for any government by delegation exception a public body cannot escape the application of the Sunshine Law by undertaking to delegate the conduct of public business through an alter ego. I.D.S. Properties Inc. versus the Town of Palm Beach 279 S.O. 2nd 353, 359 Florida 4th DCA 1973. Certified question answered in sub nom. The Town of Palm Beach versus Gradison 294 S.O. 2nd 473 Florida 1974 see that the court held.

Secretary Johnson said Mr. Gates.

Mr. Gates said yes.

Secretary Johnson said I understand there is discrepancies within, what you say, the characteristics of the Charrettes and/or the meetings that were held and I appreciate that. But there are others out here that want to speak and I would love to grant them the opportunities also, so I need to limit you to a couple of more minutes.

Mr. Gates said yes, sir. Would you then, Jeremiah Johnson, please ask the Attorney to put my comments from the State into the record, please?

Secretary Johnson said is there an objection to do that?

Board Attorney Walker said as I understand it, they will be part of the minutes.

Secretary Johnson said ok. So, Mr. Gates, just a couple more minutes to just talk about the Comprehensive Plan.

Mr. Gates said yes and in particular I attended several workshops and made specific comments and my comments are not reflected in the materials provided to you and to me and as a taxpayer, I have the right to be heard by you and the Honorable Mayor and Commissioners. You and the Commission may disregard my comments, but staff or the City's consultants do not have the legal authority to sensor public input at their discretion. To comply with the Sunshine Law, our comments have to be forwarded through a process. I am concerned that the law has not been followed, but I may reconsider this view as soon as City staff provides the minutes for the workshops and of course, I understand Matt doesn't have them. To date, they have not been this obviously. I only had one day to review this very complex document as it was delivered to my wife and I reviewed and spent a lot of time working on it with some other staff. I have a few cursory comments and concerns and, of course, I will probably have more if and when it does get to the Commission. But, where and how in the draft can one tell changes and amendments recommended by staff, consultants, or both. There is a discussion in the staff memorandum about several drafts for some proposed elements and some comments about the staff's changes and the background memorandum. However, without the strike through and underline format, of which in 2001/2002 and early 2003, this Planning Board was going through the Comprehensive Redraft Plan for the City of Fort Pierce, which I have a copy, which those strikethroughs were available. You certainly have the right to be able to understand where things are being changes, not just to be handed something that says "this is going to be entered here" and not know what might have been struck through or what might not have been. So, you know, again, it is very hard to tell what has changed or not changed and this is important as it relates to the right for the public to be heard, which means that there has to be a paper trail that any of us can review. I mean, Calvin, Giordano gave a draft to the City, the City went through a process of whatever and they sent that draft back with changes, but have any of you seen the original draft and what the changes the City staff recommended to Calvin, Giordano before they brought it back tonight? Number two is an example of my concern about the content of the Comprehensive Plan, the Future Land Use Element, although the data analysis is very extensive, there are only a few brief pages of nice, but extremely vague policies. Unless we codify and talk about the policies in depth and detail, I worry how we would have staff implement what your vision may be versus their vision or what our vision is versus what the Commission's is. You're here to recommend and help the Commission make a vision here. As we all know, policies are the only practical content of the document and they will be used to guide the future of our community into the future as we go forward. Basically, the policies are elegant platitudes that state what the City that the City will follow the law and the law is the law, but we need to get into deeper detail of what our Comprehensive Plan is and how we should go through it. I am happy to learn this but I don't believe it is enough. Nevertheless, a few policies are needed additions to the Comprehensive Plan, such as the requirements for

underground utilities, 1.1.16. However, most are vague and lack teeth and all are full of ambiguous phrases, such as emphasize a sense of community, 1.1.16 assess the potential for urban sprawl. How do we do that? 1.1.16, encourage the use of innovative land development regulations. What? 1.1.7, and the like. In fact, some policies are a cause for concern such as policy 1.1.8, which requires the code to be amended to allow density bonuses or even the policy 1.1.9 which requires the City to maintain a South Beach Overlay, which a lot of us realized is a poorly drafted document. And we have spent a year working on it, but it is still not ready for adoption, yet, that I've learned. The Future Land Use Element is one of the most critical documents of our future. As proposed, it is vague and incomplete, which is not unusual here for tonight and not very helpful to protect us as citizens. Certainly I remembered many good ideas proposed during the public workshops that I attended. Some of them are not here. Sometimes Comprehensive Plan promises that the issues will be addressed in the future and sometimes such as a policy such as 1.8.5 on special area plans that the document says maybe adopted by 2011. That is a long time. It is 2006. You know, after paying good hard earned tax dollars to work through the Comprehensive Plan and these issues and these issues and things like that, sometimes you know, I would expect a better document and content we should have by now. And as Matt writes in his memo, the Planning Board's involvement with the evolution of the Plan makes it successful and that is what your job is is to help adjust and make these things successful. As I heard Tom Knott say this evening, he was making comments about the Plan during the earlier workshop and I've attended many Planning Board meetings over the last number of years and have read the planning documents that my wife has received since 1996 and have been very involved in it, sometimes in silent ways, sometimes in an active way and many times I come to these Board meetings and here you all ask for changes to be made and the changes are promised to be made, but when I see at the City Commission level, I see many of your promises changes not to be there. And I am very concerned about that, Tom. And I would suggest, you know, that if you do have serious changes you want to make tonight that you please ask them to be brought back to you and I certainly hope that you guys can have some three hour workshops, maybe 2 or 3 times a week for the next number of weeks and I am sure that there will be plenty of people to come here. Because I know by 9:30 or 10:00 you guys are worn out and then you, some people throw up their hands and say "well, let the City Commission wrestle with it". So, number three, I should go on and on, but I believe it will be more effective to follow Matt's idea, please request not just one special meeting to deal with each major element, but maybe you need many, but you all can decide how many you do need and deal with each element in the Comprehensive Plan on an individual basis, not as a group or as a whole. Provide the minutes to all the meetings and the background materials. All of us citizens would like to do that because we want to see how we get to these issues and how we get to these Comprehensive Plan changes and what is the process that we came through. If you do this, you will have public support and a Comprehensive Plan process and will be seen as a success, because you have worked very hard on it and should be complimented when you work very hard on it. We want to help you fulfill your important responsibility as proposed by the State law and again, Jeremiah, thank you for allowing me to speak.

Secretary Johnson said thank you.

Board Attorney Walker said when we met originally, at 3:00, we didn't have a quorum. As the Chair knows, subsequently we did receive a quorum. It would be my recommendation that for record purposes that you go ahead and formally reconvene the meeting and then after that carry on with the public hearing.

Secretary Johnson said ok. I have one question.

Board Attorney Walker said now that we have a quorum.

Secretary Johnson said we needed a roll call. At this point we will reconvene the Special Planning Board meeting.

Upon Roll Call, those present were: Margaret Benton, Charlie Harris, Tom Knott, Robert Poitier, Edward Reilly, and Jeremiah Johnson; James Walker, Assistant City Attorney; Matthew Margotta, Planning Director; Peter Buchwald, Zoning Administrator; Travis Gibbons, Planning Administrator; Kara Wood, Urban Design Administrator; Diann Ploetz, Administrative Secretary. Those absent: Chairman Don Bergman (called in November 14), Vice Chair Sunny Gates (called in November 13), Chuck Enns (called in November 13), and Leslie Olson (notification was given at the October 12 Planning Board meeting).

Secretary Johnson said at this point, we will open up the public hearing.

Board Attorney Walker said thank you.

Secretary Johnson said if you would when you come forward, please state your name and address, please.

Mr. Ken Shields said I am here on behalf of the Port of Fort Pierce, Inc. and Indian River Terminal Company. I live in Vero Beach, Florida. Good evening, Chairman Johnson and other Board Members, Mr. Walker, and Mr. Margotta. I appreciate the opportunity to talk to you today a little bit about some of the issues or questions that we have with some of the things that have come out regarding the Comprehensive Plan. First of all, some of you folks may remember me from the April 11th public hearing that we appeared before you regarding a height restriction in the Marine Industrial, I-2, Zone. At that particular meeting, it just so happened that you did vote to not pass that height restriction. At that meeting, we had a little presentation. Part of slide show encompassed some of the history of the Port of Fort Pierce and how long and what a long tradition it was we had in cargo shipping and a port. At that time, we actually showed you a slide and some information about a schooner that come to the Port of Fort Pierce from the Port of Mobile to pick a load of cargo, lumber actually, and that lumber ended up leaving the Port of Fort Pierce and was delivered to Cuba by an Australian shipping company. That goes back as far as the 1930's. Just an illustration of how broad a scope and how global an ocean port can have on a region like ours. That was in the 30's. In 1950, when the City first adopted its first zoning ordinances, at that time, the City recognized the importance of a marine industrial zone and shipping and it actually recognized the importance and the right to store and ship goods from our property to regions well beyond our immediate urban market area. There is some language...I am here tonight to point out some language and also some objectives in the new Comprehensive Plan that

really aren't consistent with what the City and our region has done in the Port for the last 77 years. That is where we are going with this. In essence and in reality, no port can exist in an area zone which does not allow or authorizes the storage and shipping of goods and materials beyond the immediate urban market area. We believe that the consultants must have inadvertently omitted some language, must have inadvertently omitted some objectives that were contained in the Comprehensive Plan that was existing and was adopted in 1990. A couple of the objectives which have not been carried forward to the new Comprehensive Plan which we need to ask ourselves why and we need to analyze and figure out how this happened. One is objective 1.1.11 and I quote "increase where appropriate the amount of land available for industry and other basic export activities in order to promote expansion of the City's economic base and provide needed employment." That particular objective in the 1990 Comprehensive Plan has not been carried forward. Don't understand why. Don't understand how anybody would not be a proponent of that objective. Policy 1.1.11.1 and I quote "the City should encourage efficient and effective use of the Port of Fort Pierce. It should be developed according to a well thought master plan." Once again, that objective was not carried forward and you know, I just don't understand why and I think we all need to question why that objective would not be or that policy would not be carried forward. Some of the language that we have an issue with and once again, we believe or we hope that it was inadvertent but the consultants left out the following language from the industrial future land use category that was actually present in the City's 1990 Comprehensive Plan and I quote and this is with respect to the Industrial Zone and the Marine Industrial, I-2, zone. This is again, the language, once again, that was in the 90 Comprehensive Plan and I quote "products which are then shipped or stored for shipments to markets that typically extend well beyond the immediate market area." The entire 1990 language in the Comprehensive Plan reads as follows, industrial I and I quote "areas provided primarily for activities that involve the manufacturer or the processing of materials and the finished products which are then shipped or stored for shipment to markets that typically extend well beyond the immediate urban market area. Storage and distribution facilities are also provided there." Clearly, in that 1990 Comprehensive Plan it alluded to the importance of preserving this area, the Industrial and the Marine Industrial, I-2, zone area for shipping interest, for cargo interest, for ocean cargo port interest. The new language, which has been recommended by the consultants reads as follows and I quote "Industrial. Manufacture and processing of finished products. Storage and distribution facilities. Building coverage maximum 60%." They don't allude at all to what the 1990 Comprehensive Plan called for and highlighted which was shipped or stored for shipment to markets that typically extend well beyond the immediate urban market area. That is a very, very important difference in the language there that has a substantial impact on what our port and what our industrial and our marine industrial areas can and can't do. You know, I want to say that we really appreciate the time that the Board puts into looking at these issues and reviewing them. I think to most of the population, to a lot of folks, language like that probably doesn't mean much, but it means a heck of a lot and maybe it doesn't mean much today or tomorrow, but you folks are dispatched with a very important responsibility to oversee the wellbeing and sort of the custodian of the feature of this area. what we are getting to, what we are asking you to do today, we believe without the inadvertently removed language, the Future Land Use category will be inconsistent with both the Port Master Plan, adopted by both the County in 2002 and by the City only two weeks ago, and the Zoning category of Marine Industrial, I-2, which has been the zoning on our property, once again, since the 1950's. The Future Land Use category and designation

should not conflict with the Zoning designation. We would like you to eliminate any inconsistencies between the Future Land Use designation and the Zoning designation. In essence, we are simply recommending that you reinsert the inadvertently omitted language which has recognized our vested rights to use our property as a cargo port shipping terminal facility for the last 77 years. This time if anybody has any specific questions, I will be glad to answer them.

Mr. Knott said I would like to ask staff, are you aware of this, Matt, of what the gentleman is talking about the terminology that has been deleted from this?

Mr. Margotta said certainly, the language has changed. I don't know to what degree the interpretation of that language means that we expect that the Port operations as they currently are or the I-2 Zone is expected to change. I don't believe that is the case. If it is important and it is a distinction you all would care to make, I think the intention of our policy document, this Comprehensive Plan, was try to broaden that scope and not be so specific as it was in the 1990 document. But if you care to be more specific, let me know. But let me also defer to the consultants and Travis, who were here for the discussions. For all I know, there was an overwhelming number of folks that specifically wanted to pull that language. I just know that in general we wanted to broaden the scope of our policies. Please let the consultant and Travis answer that, too.

Ms. Tappen said I agree with what Matt is saying. We were really going for a broad definition. But if the Board feels that it should be included, I don't think there is a problem.

Mr. Knott said if you all have no objections, because this gentleman is right. We have spent a lot of time on the Port or on his property up there with the outside storage and I watched the Commission and they've spent a lot of time on it. I think that everybody was in agreement that that's been there a long time. It's a Port, for God's sake. It's not a playground. Any rate, if you don't have a problem with it, I don't know how the rest of the Board feels, but I would like to see this information, if you've got it in a form that the staff could have it.

Mrs. Benton said there is just one concern that I would raise. I wouldn't have any objection to include that language either. We would just like to pass it by our own counsel. Usually, I suppose, that the Comprehensive Plan is suppose to be broad in order to accommodate many ideas and thoughts and concepts. I guess that is what we are hearing. I would just like to hear Mr. Walker's take on that. In other words, if the language as it is presently stated does not exclude or preclude in anyway the language of the zoning designation then that is fine and I would agree with that. I would agree with keeping the language as it is, but I would also agree with changing it so long as it is not too restrictive.

Board Attorney Walker said a couple of points. Number one, in specific response to the question received, I think I could probably site maxims of statutory construction that would permit a conclusion for either side of the question of whether the current changes impact the prior intent of the Plan or merely amplify it. Number two, it would my recommendation that the Chair reserve this portion of the meeting, the public hearing, for receipt of public comment and then after that that it would than be deemed in order by the members of the Board to ask questions or to make comments as appropriate.

Secretary Johnson said thank you very much. I guess at this point, Board if you would just document your questions and comments and additions we might want to make.

Mr. Shields said I just have one additional comment, just to follow up some of what just came up in the discussion here. It is our opinion, anyhow, the old language in the 1990 Comprehensive Plan regarding Industrial, it was a broader description than the new language, at least to my way of thinking and my interpretation of it, is actually a more narrower view. It is essentially the same language, they just omitted some of the prior language, which specifically called for and recognized the export aspect of it, the cargo terminal aspect of it, the Port terminal aspect of it. The new language simply refers to a very narrow scope manufacture and processing of finished products. So, what we have done in affect is gone from a very broad description of what should be going on in the industrial zone to a much more narrower description. So, if the aim of the Board or the opinion of the Board is to keep it relatively broad, than, once again, our request is to adopt the language or reaffirm the language that was contained in the '90 versus the new.

Secretary Johnson said I just have one question, so that when the Board discusses this issue, what section of the new Comprehensive Plan Rewrite did you get that?

Mr. Shields said well, it is basically under the definitions of the different categories: the Industrial, the Marine Industrial, so on and so forth. If you look at what that just the general description is it is just a much more narrow description versus the old '90 Comprehensive Plan's.

Secretary Johnson said ok.

Mr. Shields said thank you.

Secretary Johnson said just with all respect to the public, I know there are a lot people that may want to speak tonight, so...

Mr. Gates said if I could just clarify something...

Secretary Johnson said hold on, Mr. Gates, hold on one second. As the public comes up, I am just going to kind of...I've gotten a lot of latitude with those that have spoken so far. So, we are just going to try to keep it short and sweet as much as we can. But, there will be a little latitude. We try to aim for five minutes. Five minutes, if we could tonight. So, ...

Mr. Gates said clarification, Mr. Chairman, Jeremiah, please. Since you determined that you did have a quorum and you did reopen the public hearing, is it my understanding that my comments will be in the record?

Secretary Johnson said Mr. Walker, I will have to defer to you.

Board Attorney Walker said it is my understanding that all of the comments made in this proceeding from the inception will appear in the minutes.

Mr. Gates said thank you.

Secretary Johnson said anyone else from the public that would like to speak for or against?

Mr. Martin Murphy said I am the owner of Cracker Boy Boatworks, which is at 1602 North 2nd Street. This also happens to be inside the Port. Mr. Shields covered one of the my points, his last point. So, I am glad you guys heard it explained better than I could explain it. I also concur on that second point that that language should be inserted. I am here tonight to talk to you about that and one other thing. I am asking the City to change the existing 1990 Future Land Use designation of Marine Commercial on our property to Industrial. Purpose of this request is to eliminate the inconsistencies between the existing underlined Future Land class designation of Marine Commercial in the existing zoning designation of Marine Industrial, I-2. Basically a little bit of history on our property, we have owned the property since the middle 70's and we have been in the business of a boat yard business there. This is the vision that you see everyday, but we also are in the heavy construction service business. By that, I mean we store heavy construction equipment. We use our facilities for a barge terminal to transport concrete products that we manufacture and sell in two different locations in the tri-county area. We don't go off shore. We are not as big as the user in the Port is. But we do travel Indian River, St. Lucie County, and Martin County. Basically, repairing seawalls, fender systems on bridges, DOT bridges, utility lines, or whatever else comes up that we are lucky enough to bid on. Every once in a while we are lucky enough to beat McCully in a reef job. So, we transport product to the reef. That basically explains to you why we need the industrial underline. I think it would be easy to do that now rather than leave it inconsistent and I ask that you all could handle that. I would appreciate it. Any questions that I could try to answer? Thank you.

Secretary Johnson said thank you.

Mr. Reilly said I have a question for staff. Currently, the current zoning for that area, for what he is going, is there a conflict there or is he allowed?

Mr. Margotta said I don't believe there is a conflict. Obviously, he is approved and he is operating right now. Maybe that is the clarification we would ask for. Has there been some experience where some specific concern that you have as far as the land use where there is a conflict?

Mr. Murphy said there has been no concern. It is just that you take the time to do this update, this review, I just thought it would be something to make it consistent. That is the only reason. Years from now, you don't with the change in technology, the change in code enforcement, I would hate to come back to any of these Boards. I would just rather be out there working. If it is easier to do now, I was hoping that it could be done.

Secretary Johnson said your concern was because it is going to be designated Marine Commercial?

Mr. Murphy said it is Marine Commercial now, I-2, zoning and it will continue as Marine Commercial Industrial, I-2, Zoning and it just seems to me that this is what we are doing. We are cleaning up these matters to make them consistent.

Mr. Gibbons said I understand exactly what Mr. Murphy is saying. I think from reading the definitions of Marine Commercial and Industrial, he has an I-2, which is a Marine Industrial zoning, which went with his operation, which is boat repair and boat storage, are completely compatible. The Marine Commercial Land Use category actually works for Mr. Murphy property better than Industrial. Industrial talks about just like what Mr. Shields was saying "for shipped and stored for immediate markets...distribution facilities." Where as Marine Commercial talks about activities for marine related light industrial activities typically uses found in these areas would include restaurants, boat storage, boat repair, gift shops and things in that nature. I mean, it sounds good. I don't see there being a major issue there, at all. I think that is your best more compatible use would be the Marine Commercial. It specifically states what you do.

Mr. Murphy said I would concur with a boat yard position, but the heavy construction position with the barges and tugs coming in and out, I just didn't want...we have been doing this for 30 years and I just didn't want it to be something later on that becomes a problem for us. And, you know, if I am covered for the construction services by Marine Commercial, I don't read it that way. When it is inconsistent, you want it consistent. Really, I am not that perfect of a guy. I don't mean to be anal about this.

Mr. Margotta said I don't know how much we want to go back and forth on these kinds of things. Generally speaking I think we have identified the issue and staff right now feels that we are consistent. Please, just let us know if you think otherwise.

Secretary Johnson said thank you, Mr. Murphy.

Mr. Knott said let me ask Travis, we are trying to find where this is occurring in the documents that we have. I can't seem to find the definitions or any of the stuff they are talking about.

Mr. Gibbons said if you go to page 1-50 under the Future Land Use Element. The table there which gives you...

Ms. Tappen said at 1-48 starts the Marine Commercial and then 1-50 contains Industrial. There you can look at the definitions.

Mr. Knott said is this the same thing that Mr. Shields was talking about, also?

Mr. Gibbons said yes.

Secretary Johnson said Land Use categories.

Mr. Knott said ok, very good. We kept looking and I couldn't find it. Travis, do you all have a problem with working with these folks to insert these words, even though Mr. Walker says

he doesn't see a problem. He thinks it's covered. We still have folks whose livelihood depends on that it is covered.

Mr. Margotta said I am sorry to bounce you back and forth between Travis and I. The other document that we have which is somewhat of a ruling document and it is being adopted is the Port Master Plan and that gets into land use and such. So, we use that as kind of a, I almost hesitate to use the word overlay, but it is kind of an overlay element. Other than that, please just let us know, give us some guidance and we will change that section, the wording of the sections. Right now, staff doesn't think there is a conflict with what he is trying to accomplish. We have the I-2 Zoning in place. If things get changed, if zoning changes or the comp plan land use changes, there is a public process that is brought back through here. I don't know, 20 years from now there might be a huge role in the City to completely change that are to I don't know what, hotel area or maybe just a park. But right now, he is safe and he's got the correct zoning, as far as we are concerned.

Mr. Knott said what my concern is we are going to nitpick too long here and we are going to end up tabling this thing and it is going to be coming back another month from now and another month from now and another month from now, because we have some legitimate concerns from good citizens who have a lot of grief already. Even though we sent off the Port Master Plan, that was a month or two ago that we sent to DCA. Didn't we or something like that? That included that, but it is not in here. I would like to see whatever Mr. Shields has. If it is in a form that you all could integrate into this and if it doesn't rock the boat with staff in order to do this, then we can get onto the next.

Secretary Johnson said let's get through the rest of the public comment and then what we will do is we will discuss that and maybe we just need to make reference to the Port Master Plan, something of that nature. But let's take that note and then move forward.

Mr. Margotta said the Port Master Plan doesn't cover all the properties. You understand that it is different things.

Secretary Johnson said absolutely. I mean just making reference to that area.

Mr. Margotta said thank you.

Secretary Johnson said is there anyone else here to speak for or against the Comprehensive Plan that is before us today? Public hearing is now closed, Board discussion.

Mr. Knott said I know we have items that were discussed earlier that we would like to have incorporated into the document that is going to the Commission either by addendum or just a memo or however they are going to handle it, because I think the Commission has a shot at it too and you are going to include or incorporate all of the comments from the Commission and ours at the same time. The only one that is sort of hanging right now, I believe, is the one that Mr. Shields brought up. Are you all comfortable with what you heard from Mr. Shields? Do you need him to work with you or provide you with something?

Ms. Tappen said on the additional language on the Industrial Land Use? We took notes. So that's ok.

Mr. Knott said ok.

Secretary Johnson said so at this point you have the additional language that he was referring to.

Mr. Margotta said I am sorry to interrupt. Hopefully this is going to provide some clarity or at least some direction, if staff can articulate back what we've heard so far and we incorporate this in the document that goes to the City...I understand that apparently sometime before we've said we are going to change things, if we said we are going to change that tonight, we will change this before it goes to the City Commission. But I want you all to be comfortable that that's the case. If you need to see the document again, you need to see the document again. I understand that, too. That's fine. But if we can articulate it to you, we might be able to cut a step here and I would appreciate that.

Mr. Knott said personally, I have no problem, because it is a matter of public record or it is in the minutes. I don't care what form it goes to the Commission, as long as they are aware of these items. I don't care if it's in a memo form or if you want to go ahead and do a strikethrough underline, however you want to do it, whatever you have time for to get the document to them.

Mrs. Benton said on that issue, Mr. Chairman, do you think we should have a vote so that we can move along? On the issue of giving instruction to staff to proceed with the change?

Mr. Knott said are you speaking of just of a motion...

Mrs. Benton said just this one item.

Mr. Knott said through discussion...

Secretary Johnson said personally, I think it needs to be articulated back to us so that we can make mention of that in a motion any additions that we would need to do for this specific item. Because it needs to be clear as this goes forward.

Mr. Knott said that's true.

Ms. Eichner said it is my understanding that basically to go back to the original 1990 Comprehensive Plan specifically objective 1.1.11 with its policy 1.1.11.1 that in general keep in all language that would permit cargo activity within the Port.

Mr. Knott said Mr. Shields was not listening.

Ms. Eichner said what else that I have was basically to go back to the language of the 1990 Comprehensive Plan that alluded to all language that would permit cargo activity within the Port.

Mr. Margotta said the only caveat is the acknowledgement of the Port Master Plan in some way.

Secretary Johnson said correct.

Ms. Eichner said to allow consistency with the existing Port Master Plan and we will go back and research the 1990 Plan and pull out those elements' goals, objectives, and policies within the Land Use element dealing with Port cargo activity.

Mr. Knott said ok.

Secretary Johnson said do either of you have the 1.1.11 language in front of you or no?

Ms. Eichner said if you would like me to read the language that they are referring to so that we could have them in the minutes?

Secretary Johnson said yeah, because I am not 100% sure that I wouldn't want to see all that language in there.

Ms. Eichner said it is basically the original policy of objective 1.1.11 of the original 1990 Plan says "increase where appropriate the amount of land available for industry and other basic "export" activities in order to promote expansion of the city's economic base and provide needed employment." The policy that goes along with that policy 1.1.11.1 "the city should encourage efficient and effective use of the Port of Fort Pierce which should be developed according to a well thought master plan." I believe that is the exact language that the folks from the public, Mr. Shields, was asking for and if you so direct us to put it into the Plan, we would again.

Secretary Johnson said if you would, state the last part of that one 1.1.1, the last sentence.

Ms. Eichner said "the city should encourage efficient and effective use of the Port of Fort Pierce which should be developed according to a well thought master plan."

Mr. Poitier said that should cover it.

Secretary Johnson said that's the key.

Mr. Poitier said the master plan should cover that.

Ms. Eichner said this was the policy that was in the 1990 Plan.

Mr. Knott said for the record, does Mr. Shields has indicated, he is nodding, that he is in agreement with the addition of this.

(inaudible discussion from the audience to staff)

Mr. Poitier said 2002.

Mr. Margotta said I don't know what they are called. Hang on. Travis? What is the formal name of the Port Master Plan? That is what it is and that document gets updated. This way we are talking about the same document. There is something that has been enacted by the County and it may change over the time and we need to, obviously, stay in step with it.

Ms. Eichner said whatever document that was

Mr. Gibbons said the Port of Fort Pierce Master Plan. It is referenced by the 2002 Update to the Port of Fort Pierce Master Plan.

Mr. Poitier said that should cover that the 2002 Master Plan.

Secretary Johnson said at this point, Mr. Knott, you had some other comments earlier this evening that I am not sure of what the pleasure of the Board is at this time. If we make a motion or if a motion is made, then I would think that we would want to put those recommendations in there, as difficult as it is.

Mr. Poitier said what else you got.

Secretary Johnson said there weren't very many of them.

Mr. Knott said there weren't very many, and again, we are now at that junction that we find ourselves at when we have these little discussions on lengthy documents is that a lot of talk and a lot "would you do this, could you do this" that's when I stated at the beginning of their presentation, if they could incorporate these in there or make note of them so that we would not have to tabulate, because I didn't know how many we were going to have at the time and I don't know how many we've had. I was not writing them down, but I know that we had 2 or 3 or 4 in there, anyway.

Secretary Johnson said does staff have a tabulation?

Mr. Gibbons said we took notes of the changes that you recommend. Just to kind of go over them real quick to refresh your memory.

Secretary Johnson said hold on one second before you do that. Let's see if there is a motion on the floor that would include those.

Mr. Gibbons said do you want to hear them first before you make a recommendation?

Mr. Poitier said let's here them.

Mr. Knott said let's hear them first. Save us from making another motion.

Mr. Gibbons said one of the recommendations to change was on page 36 which was actually within the Transportation Element to remove the State Road/Local and Collector Roads from the actual table. The other recommendation was for the stormsewers the level of service from the 1-year, 1-day storm to the 5-year, 1-day storm event. The other one was the reference of the Fort Pierce Utilities Authority within the policies inside the Infrastructure Element. Also, within the Intergovernmental Coordination Element was to add St. Lucie County Library, IRCC, FAU, Harbor Branch, and the Coast Guard for the coordination. And also, the other one was actually removing the same item from the Transportation Element out of the Concurrency Management System the table under the Level of Service, which was to remove the State Arterial and State Collector roads from the Level of Service table.

Secretary Johnson said ok. Any question on those items from the Board for discussion. What is the pleasure of the Board at this point?

Mr. Knott said there has been lots and lots of information presented to us and we have portions of it for the last month, they have been given to us as they had it so we have had an opportunity to review it. I am comfortable, personally, that if we were to engage in a meeting every night for the next three weeks I am not sure we could refine it or do whatever anymore that what we have done through the review we've had already. I am ready to support a motion or make a motion, once the rest of the discussion is done here to forward it on to the City Commission for their approval for them to send it onto DCA with inclusion of all the aforementioned items that staff has written out. But that is just for discussion, right now. So, if anybody else has a discussion...

Mr. Gibbons said I just wanted to make sure that included the dialogue with the change to the Industrial category.

Mrs. Benton said yes.

Mr. Poitier said yes.

Mr. Knott said yes, that also.

Mr. Gibbons said thank you.

Mr. Poitier said make a motion and I will second it.

Mr. Knott said there more discussion on it.

Mr. Reilly said we took in a lot of information today. I am missing one or two chapters in my book. I would like to, and I know this is not popular, but I actually would like to digest what I have had today and come back and if need be, ask more questions on it after I have thought about everything that was brought up today. Maybe that slows down the process, but this is a big document to digest and like I said, I am missing one of the important sections. I am just throwing it out there. I would like to hold off and whether it means

having another session or something like that, not that I enjoy ya'll's company that much, but that's kind of where I am going.

Mr. Knott said was it the free meal.

Mr. Reilly said the free meal was good. I was hoping for another one.

Mrs. Benton said for my part, I did receive the documents and followed the discussion earlier and I kind of also agree that we could come back many, many times and probably come right back to this same point. We've made some clarifications on some vital changes, which I agree to. So, I am not convinced that I would be changing no matter how many times we come back. I would be interested in moving forward with it.

Mr. Poitier said move forward, move forward.

Mr. Knott said Mr. Walker, if we should end up with only a five vote, that would go on to the Commission without...

Mr. Poitier said six.

Mr. Knott said well, if we have only five for and one against, we would go with a no recommendation to the City Commission, is this correct?

Board Attorney Walker said this body is not sitting in its capacity as the Planning Board. It is sitting in its capacity as the Land Planning Agency. The City Code of Ordinances requires that as to the Planning Board any vote be by a majority of the total membership. There is no such provision equivalent to that in Chapter 163 of the Florida Statutes governing Land Planning Agencies. Therefore, Mr. Chair, I think that normal parliamentary procedure would tend to control so that if a majority of those present where there is otherwise a quorum supports a recommendation, then the matter may then proceed to the City Commission upon that recommendation.

Secretary Johnson said thank you, Mr. Walker.

Motion was made by Mr. Knott, seconded by Mr. Poitier, to forward this to the City Commission with our recommendation for approval with the inclusion of all the revisions and additions that were previously outlined by Mr. Gibbons.

(Stated earlier: Mr. Gibbons said one of the recommendations to change was on page 36 which was actually was within the Transportation Element to remove the State Road/Local and Collector Roads from the actual table. The other recommendation was for the stormsewers the level of service from the 1-year, 1-day storm to the 5-year, 1-day storm event. The other one was the reference of the Fort Pierce Utilities Authority within the policies inside the Infrastructure Element. Also, within the Intergovernmental Coordination Element was to add St. Lucie County Library, IRCC, FAU, Harbor Branch, and the Coast Guard for the coordination. And also, the other one was actually removing the same item from the Transportation Element out of the Concurrency Management System the table

under the Level of Service, which was to remove the State Arterial and State Collector roads from the Level of Service table and included the dialogue with the change to the Industrial category)

Secretary Johnson said we have a motion and second. Do we have any discussion on the motion?

Mr. Reilly said I, again, go back to that I really don't think we have put in that much, I am not knocking what we have done here tonight, but just listening to a couple comments, grammatical errors, and definition errors and things like that, it doesn't seem, I mean we normally have much more lively discussions on things. I feel like we haven't really gone over it in depth and that is what I am concerned about and maybe there wouldn't be anymore changes on a second meeting and I am not normally for additional meetings. But I just want to make that heard.

Secretary Johnson said thank you, Mr. Reilly.

Those in favor of the motion were: Mrs. Benton, Mr. Harris, Mr. Knott, Mr. Poitier, and Secretary Johnson. Those opposed were: Mr. Reilly.

Secretary Johnson said thank you very much. Mr. Walker discussed that. We will proceed from here. It goes forward.

Secretary Johnson said excuse me, we are still in session. We have one more item, Mr. Morrel. We have one more item to take care of here. So, if you would allow us to do that.

The next item considered **#4 – Concurrency Management/Proportionate Fair Share Mitigation Ordinance.**

Secretary Johnson said this was brought forward from last night's meeting.

Mr. Travis Gibbons said I would just like to point out Calvin, Giordano was the consultant hired by the City of Fort Pierce to prepare this document and Lorraine is going to start out the presentation.

Ms. Lorraine Tappen, Senior Planner for Calvin, Giordano & Associates, said just a little background. You all probably heard that Chapter 163 was amended extensively in 2005 and one of the requirements was that cities adopt an ordinance addressing proportionate fair share for transportation impacts, officially December 1, 2006. So, this is the City's attempt to conform with the statutes in addition to updating the Comprehensive Plan. I am going to make a brief introduction to the Concurrency Management System and then I will hand it over to Scott Brunner, our Traffic Engineer, who will talk a little bit more about how the Transportation Concurrency Management System will work. As we covered before in regards to the Concurrency Management Element, Concurrency Management basically regulates and provides for adequate facilities for transportation, potable water, sewer, drainage, solid waste, parks and open space. The City as directed by the proposed

Comprehensive Plan, City staff will be preparing a capacity and levels service report on the public facilities as described in the Comprehensive Plan and also, in this ordinance. The ordinance requires that the Planning staff prepare a yearly report by September 1st on public facilities. They need to describe the ability of existing and projected public facilities to serve existing and future development and that report will provide the basis for updating the Capital Improvement Element. As we mentioned earlier, from next year the Capital Improvement Element and the schedule of capital improvements included in that needs to be updated on a yearly basis. This ordinance allows the City to conduct concurrency assessments on site plans and temporary plats based upon Level of Service standards and the impacts those developments will have on the Level of Service standards for public facilities. If the City finds that the development will not have a negative impact on the Level of Service standards, they can issue a Certificate of Concurrency, which must be obtained before final site plan approval or the temporary plat approval. And that Certificate of Concurrency would expire when the development order expires. So, now I am going to hand it over to Scott Brunner, our Traffic Engineer, to talk a little bit about the Transportation Concurrency Management System, which is included in this ordinance, which is a detailed tracking system of transportation impacts.

Mr. Scott Brunner, Traffic Engineer with Calvin, Giordano & Associates, said there are two components to the **Transportation Concurrency Management** system and the first is what we are calling the Monitoring Component where we will be tracking and keeping a public record of the existing traffic on a link-by-link basis throughout the roadway segments in the City and as new projects come in, we will at their traffic assignments on a project-by-project basis into this system. We will actually track the increases and forecast the traffic on the links and also through the intersection. So, at any given time, there will sort of be an official accounting of traffic from existing traffic and the commuted traffic from projects. That will be update on an at least an annual basis so that the existing traffic numbers incorporate new traffic that comes on-line and any other traffic increases that come through the area. Again, here is the traffic performance standards. We are going to change those two sections of the table and get rid of those (State Local and State Collector roadways) but also, we are going to require that not only that the links be monitored but the signalized intersections also meet the adopted Level of Service. What we are proposing is part of this ordinance is basically an analysis of traffic impact for a project at which we established a radial area of impact based on the trip generation associated with the project and as the size of the project and the number of trips that it generates increases, the impact area will also increase. So, basically for what we are calling a minimal scale project that generates between 9 and 50 peak hour trips, you have a 1-mile radius that you have to evaluate. Now, in the 1-mile radius of impact that does not necessarily mean that every single intersection will need to be evaluated. It just means that roadway links or signalized intersection for which the project has a significant impact will have to be monitored. Because many of those roadways, there won't be a traffic assignment for that project. The largest scale project, which is called we are calling large scale that would include 1,000 peak hour trips or more and that would include a 5-mile radius. Again, not every roadway segment or intersection within that radius would be evaluated, but those that the project has a significant impact on. These are the components of the Traffic Impact Analysis submittal. The forecast horizon for which the traffic study has to be conducted is for the build-out of the project plus 5-years out. So, if the project is anticipated to be complete by 2008, there

will have to be an analysis of 2008 and 2013 performed. The AM and PM peak hour periods would have to be analyzed. The applicant will have to take existing traffic counts to use as their basis for their analysis. As part of the impact review, the access management standards will have to be looked at. On a State Road, we will do a review to ensure that they meet the State's requirements and if on a County road, that they meet the County requirements. And on a City road, they meet the City standards. Standard process for impact analysis will include trip generation of the site, trip distribution among the network and the trips assigned through each link and intersection. We have something in the ordinance that also requires us to ask for additional information if a particular circumstance warrant. After the application is reviewed, it basically has two paths. If it is demonstrated that the impact and links and intersections with the project traffic meet the adopted Level of Service standards, the application will move forward. If it does not, if there are links or segments or intersection that do not meet the Level of Service standard, the application will be denied for traffic concurrency. Then it has several options to go from there. The first is if it is a segment that is over capacity now, but is planned on being improved. In other words, it is a program improvement that mitigate or provide additional capacity, that improvements in the schedule of capital improvements, or the County's transportation improvement program, or DOT's work program, then the application can proceed assuming that capacity will be provided by those program improvements. The other is the proportionate fair share mitigation which kind of a result of the new statutory requirements and guidelines. Basically, proportionate fair share we talked about a little bit earlier. Just real quickly, there is a mutual burden put on the applicant and the City in the event that you kind of go down this road and if a project that will provide capacity for the site application is already in...actually, I'm sorry, this slide shows it is not included. Let's go back a second, if there is not an improvement in the DOT work program or the County's work program that helps the project out, the City may adopt a resolution to commit to the funding of the improvement and then the developer would provide its proportionate fair share of funding towards that project. So, here is where it gets a little tricky for the City. Say the improvement costs \$1 million and the developer's impact represents at 50% committal. Their agreement would represent \$500,000, but the City has to ensure that the financial would be in place for the remaining \$500,000. So, if it is already in your cost feasible plan that is not such a problem because you have already found a revenue source to do that. But if you haven't, then you are in a situation where you are kind of playing a forecasting game as to are there going to be more applicants coming in, are there going to be other developers, or other funding sources. So, that is the tricky case. It is something new. It is something that we have done for municipalities before. But it does put a burden on the staff and on the City to make sure that whatever they forecast is good forecasting.

Secretary Johnson said a quick question. Is there a time line associated with that commitment from the municipality?

Mr. Brunner said for it to be included as a program improvement, it would have to be under construction or contract to be construction within three years per the State Statute. So, it doesn't have to be under construction at that moment, but it could be programmed. Now, in the case that we were just talking about, it might be an improvement that nobody's has even thought of. You may have a new parcel that operates fine but it is going to be heavily impacted by new development. It might be in a redevelopment area. Say you know what –

we really want this development to come in, but this road really needs help and we think if this guy goes in, we will have three other projects that might go in. So, you kind of take in a calculated risk when you go down this road, but it can be done.

Mr. Knott said let me expand and I have a question to follow up on that. Are you saying that in a case that you just described where the developer is willing to put up his half million, but the City has no plan or its not even in the works to kick in their half, does his project get denied then?

Mr. Brunner said if the City does not have the ability to enter that agreement then that option is not open really to either party because you can't allow him to pay half of his money and not be financially responsible for the other half.

Mr. Knott said isn't that sort of a catch-22 there that the City says we are going to improve that section of some road, Hartman Road, as soon as we get more tax base out there. And say here is a guy, he's going to put in 500 units out there so he is willing to kick in a half a million dollars to do that and say but we don't have any plans to do that road so we can't approve his project. There is no given from the stand point that the developer, he is out. If there is no way, he had to pay all of it. Could you set up something where the City would reimburse him then if he said "ok, I've got a project that I want to do"...

Mr. Brunner said actually, yeah, under a State Statute a development agreement could be set up where the developer basically advances a component of the funding for the project and the City enters into an agreement to pay that amount on a yearly basis.

Mr. Knott said it could go towards impact fees or something like this.

Mr. Brunner said what has kind of happened in the past, where I think the statute has kicked in this year is that municipalities would say "you know what, you owe about 20% of the impact on this road, we will take your \$200,000 and you are approved." Well then the City never commits to funding it, the traffic goes in and people are saying "what happened to our road."

Mr. Knott said and they don't earmark the money and it's in the general fund. But I can see where something like this, if the developer didn't step up and try to work out a deal like that, it would stymie projects because he can't move ahead because the City has not made a commitment.

Mr. Brunner said but it encourages multi-party, you might get two or three developers together to work with the City to come up with a cost feasible solution. Whereas in the past, who knows what would happen.

Mr. Knott said and you could, if you got two or three developers that are all impacted by the same road.

Mr. Brunner said I mean we've done it.

Mr. Knott said but I don't know. I am just not comfortable with the fact that he is willing to do his part to increase our tax base, he can't move ahead because the City is not committing to it.

Mr. Reilly said in this same scenario, let's say there is, I don't know what road, but there is a possibility of three developments coming in. One guy at the end of the road wants to develop that property. There is a possibility of two developments. One is just vacant land. This guy at the end wants to develop. The guy with the vacant land doesn't want to do anything with the land. He got a super high price on this and he doesn't want to do anything right now. Are you saying the City would have to belly up if we roll one them out or if the guy could come back and say "I will pay for the whole thing" or is there a way when the next guy comes in the line, the guy on the vacant land wants to develop 10 years down the road, is there a way for, you know, this whole road was put in for him, is there a way for us to get reimbursed at that time for this whole thing or is that once that road is in?

Mr. Brunner said well, I think, you probably need to make the distinction between the two major scenarios. This process is required to be in place by State Statute. But you may have some roadway that you would now add to your Capital Improvements program that may not have other wised added from your existing funding sources because you anticipate you will be able to get a good amount of proportionate share dollars that you might be able to make the money work. In this case, we are talking about a road that you didn't anticipate at all, maybe.

Mr. Reilly said or even just widening the road.

Mr. Brunner said but under the law, you have a lot of creative mechanisms to get the road built in a variety of ways. One of them might be, yes, unfortunately, the developer, if he really wants to building now and go forward and doesn't have any partners, he may have to pay for the whole thing up front and enter into an agreement with the City that they reimburse that developer as time goes on. Or he waits or the conditions change where the City may see that it is in their best interest to find the funding for it and go ahead and put it into their plan and have their developers come in later and pay their fair share of it.

Mr. Reilly said what I am saying is that if the guy comes down 5 years, 10 years down the road after developer "A" bellied up his portion and maybe he paid for the City's portion also which then the City reimbursed him for, 5 years down the road developer "B" says "now this road is widened and everything, I want to go ahead start my development." Is it possible with this to get this developer "B" to belly up his portion?

Mr. Brunner said if that road has been identified as a proportionate fair share segment, yes.

Mr. Reilly said ok.

Mr. Margotta said actually, I believe that is the intent is to be able to catch that even over time.

Mr. Reilly said I didn't know if once the road was built and it has been there for a while, whether....

Mr. Margotta said the intent is for those that create the need for the impact. The expansion of whatever that facility and right now we are talking about transportation. We haven't even gotten into all the other things that are subject to proportionate fair share ordinances, like parks and potable water, whatever. The subject of transportation, if a road segment needs to be improved and these developers come forth, we expect them to pay the impact. The problem is that they come in over time. I believe this ordinance is an attempt to do just that: for the public to recoup its money from the impact of those developments. If that makes sense, I might have talked in a big circle there, I don't know.

Mr. Brunner said I mean, that is something your financial people would be involved in because of the escalation of costs and all that.

Mr. Reilly said and that's my big question is it the responsibility for the Planning Department to keep track of that? I mean, if that developer funds \$10,000 out of \$20,000, who is going to keep track of how we get reimbursed.

Mr. Margotta said the main point there is that the City is responsible to keep track of that. The Planning Department is designated right now. That may change over time. It might become another Department in the City. But for the time being, it is the Planning Department that is on the hook to keep track of all this and we will have to see.

Mr. Reilly said through the State?

Mr. Margotta said the report goes back through the City Commission, isn't that correct?

Secretary Johnson said it's through the Commission? Ok.

Mr. Reilly said with this report that is generated all the time, we, I think, a couple of months ago, we had, I think it was Jenkins Road or something there was all kinds of development going on and the County is developing part it and the City is developing part of it and it is all going pretty quick. I think it was Jenkins Road. If all that is occurring quickly, does the Concurrency Management report take into account? Is that how it works?

Mr. Brunner said the staff in however arrangement the management system is done would have the additional burden of keeping track to the best of their ability what's happening around the City on the County projects that would impact those segments. Yeah, I mean, the City would want to know what's happening with the County approvals so it can track those trips that enter your system.

Mr. Margotta said that is a really good question and if you will remember way back in the beginning part of the first presentation tonight, they showed the nice little jagged edge of our City limit. We go in and out of the County in our growing area all the time. the City staff and County staff are working under an intergovernmental agreement and the intention is for these procedures to be able to catch these, identify these issues, and so far I don't know if

anything has been dropped, but the County is very good in telling us where the improvements on the County roads need to be and a lot of those roads are County roads. So, the system seems to be working, maybe it could be formalized more. These are the things that we have to work out over time, but right now there is already a system in place to catch things that cross lines.

Mr. Reilly said what happens going on the same road. I think we got into this before. If the development is being built in the County, but it is impacting the City road, how does that...I guess there County roads...

Mr. Margotta said it could be a City road, State road, and so on. This ordinance identifies the roads that are proportionate fair share roads, in the first place. We know where those roads. It is kind of a known entity as we review things. "Oh, ok. This project is going to affect these particular roads, who has the impact and who makes the decision?" So, in a lot of cases, right now, it is the County, but it could be the City. I don't know if I am answering your questions. But it does go back and forth and it is up to both of our staff to catch these things.

Mr. Brunner said I think a part of the answer to your questions is can the impacts from other jurisdictions have secondary impacts on your system. Yes, its definite yes. That's why it is a coordinated Comprehensive Plan is so that both sides are aware of what's happening across your jurisdictional lines.

Mr. Margotta said maybe I could use an example. The Meadows was a recent project that's come forward and the County has identified road improvements where we have made that part of our approval. That's how it gets done. I guess keeping an eye on each others projects and the impact, whether it is correct and fair and proportionate, I believe that is what this ordinance is all about and to identify specific projects.

Mr. Brunner said and also this system should help you be less likely to get blind-sided by an accumulation of projects trips that all of a sudden appear because of all these other projects that they have been outside the City limits got approved. I think we pretty much covered this slide.

Secretary Johnson said if you could back up a couple slides, I have a question, the traffic impact analysis slide. At the end, you are referring to projects coming before us when you talked about requiring the developer to present these items to us. Is that what you are referencing?

Mr. Brunner said yes. Our intent is for them to submit a traffic impact study that kind of addresses transportation concurrency status.

Secretary Johnson said and that stays in the ordinance now?

Mr. Brunner said yes, there is even more specific items outlined in the ordinance.

Secretary Johnson said the important one is the last one “additional studies may be required” because a lot of developers will come in and quiz us on, maybe not necessarily why we would need it, but “sorry our traffic is not impact to the existing streets and whatnot.” I want to make sure there is leverage in here that says staff or some one needs an additional study or something else additional that can be required of a developer.

Mr. Brunner said what’s in there is pretty comprehensive. I think one of the other aspects of that was that there is sometimes different ways to evaluate Level of Service, depending on the facility type and we want to give them a little bit of leverage and being able to analyze things differently. But we will have a basic set of intersection volumes that have accumulated that their project will be measured against at a minimum. So there may be others things, I can’t think of anything off-hand, but if you had a major terminal and a bunch of railroad crossings, you know, there might be some special operational things that have to be evaluated. Also, the access themselves, they have to demonstrate that they can do safe and adequate access by their driveway openings or whether or not they have they signalized and opening that’s part of it to and separate and above concurrency.

Mr. Knott said to answer Jeremiah’s concern here, on page 6 item 14, pretty well catches anything you want to throw at them if you don’t like it “after initial review, the Director of Planning may require additional information if it is deemed necessary to properly evaluation the traffic study.” So, they could ask them for their first born, if they want.

Mr. Gibbons said absolutely, there are also 17 different criteria that are listed now, where before we had nothing and we would get different types of traffic studies, impact statements, where this sets a correct...

Mr. Knott said that leads to my follow up to that. You are right. Depending on his swing completely to the other side, my question is this, this is pretty high powered, we have Scott as a Traffic Engineer, do you have somebody that is going to be able to swing the hammer when they come in or do you all have to buy or pay somebody to...

Mr. Margotta said right now, the City’s Engineering Department has a traffic engineer that we currently use. I know enough about traffic planning to be really, really dangerous. But we rely on their expertise, because of that.

Mr. Knott said because it appears you’ve done exactly what this Board is asking for, I know, 5, 6, or 7 years I have been on it. I just throw up my hands because no matter what we would say, you could have gridlock out there and the developers, traffic engineers would say its still level “C” or level “D” or something like that and we say it can’t be. Well, I like that it comes down to this fair share thing. I think with this, we will be able to finally say “look, sure you can do your project, but you’ve got to pay your fair share.” Because I am tired of all these projects coming in and none of the roads are getting widened or turning lanes or intersection improvements. We are getting more cars, but we have never been able to hammer them or nail them with things. So, I think I like it.

Mr. Reilly said there is a couple of things on this Level of Service. So, with this all I have to strive for is a level of "D" and "E", right, because that's what we are writing in our Comprehensive Plan?

Mr. Brunner said that's correct, but there are several existing segments that are at "E" or "F". So, upon adoption of this, there is already going to be...

Mr. Reilly said ...some things that are approved.

Mr. Brunner said yes, some problems. There is going to be some things that have to be worked out because the Level of Service won't be maintained. There is no doubt about it, US 1 is eventually going to have to be looked at. It is a special corridor. Just from my know with some of the hurricane damage and the need to redevelop some of those areas and get people back occupied, there is going to be some creative things that probably need to be done.

Mr. Reilly said I had one more just, again, going back to the when the study is done it would be a study of the current of what's there now, what's being added, and then also what we project is coming up?

Mr. Brunner said five years after their project completion with their project traffic. So, then analysis-chiasm would stop cold their first day of opening, it stops five years after they are opened.

Mr. Reilly said and we are looking at the surrounding property usage also in that analysis or just there?

Mr. Brunner said yes, there will have to be some estimates and agreed methodology to forecasting.

Mr. Margotta said if I could add to that, if you really want to look at some of the map of it, part of the requirement, if you remember again from the Comprehensive Plan on land use, it was an intensity study. You can go from the land use allows a certain amount of density and intensity, come up with a number off of that with your acreage to be able to figure out the surrounding land uses in a worse case scenario or even some factor there of and that would tell you what generally you expect to happen in the area. That is why you give that future land use and that is why you assign that zoning so all that kind of ties into together. If you notice one common theme tonight is that we pulling things together. They should be related to each other and there is a reason for things and there is a reason for impact fees and stuff like this. It is just not arbitrary figured out on the fly. We are trying to give you reasons for the decisions that are made.

Mr. Reilly said I have one more. On page 4, item "E" in the annual determination of public facility adequacy, I guess each year is going to be a report presented to the Commission...

Mr. Brunner said yes.

Mr. Reilly said and it is supposed to be on or around September 1, I guess it has to be before that date. Is there anything in the language that talks about presenting that to the Planning Board; so that this Board would have some idea of what's happening in their community before they see projects?

Mr. Brunner said well, I would say that, I mean, your staff could answer that but I would suspect yes and I also think that every 30 or 60 days that there would be kind of a update at least to the Transportation Concurrency system that would be available to you all and the Commission. It would be periodically updated, anyway.

Mr. Margotta said it is actually a living document, to tell you the truth, throughout the year. Part of it now of the existing conditions when the development comes forward is the fact that we would point out "here is our model right now. Here is the numbers that we are using." I don't know if that is the exact way we are going to go about it, but theoretically what it could be used for. So, we should have it constantly anytime.

Mr. Reilly said that would be my next questions was instead of doing just a report to us, then every site plan that comes in front of us, then that would be part of your staff report.

Mr. Margotta said you are going to see it. The only problem there is that it is a site plan here and there and whatever and the report is supposed to be a one over the world all at once. So, yeah, you should get some kind of periodic report and quarterly would probably be certainly manageable. Anything less than that might get lost in the mix.

Ms. Tappen said the ordinance does actually allow for a quarterly report.

Mr. Reilly said I did see that. But I mean that is going to be the question at the Planning Board. The first question that I may ask or Tom may ask is "ok, tell me what the impact of traffic is now" and we say "now we have Mr. Developer gave us a report, however let's see city-wide or in this 2-mile radius, what does it look like?"

Mr. Margotta said you mean as far as the site plan comes through? Yes, it will be part of the site plan review. It is already a part of the site plat review just like FPUA has their input, the Fire District does, and so on. One of the inputs is the traffic impact and as we go down the road and we develop the systems you are also looking at parks and rec and the potable water and sewage drainage and these other concurrency management items that we are supposed to develop.

Mr. Reilly said ok, thank you.

Mr. Margotta said you will probably have some sort of report on concurrency management and here is how they hit it – A+ or F.

Secretary Johnson said makes sense. Anyone else?

Mrs. Benton said do we need another proposed ordinance in reference to the other types of issues that would come up for concurrency management?

Mr. Margotta said yes, yes.

Mrs. Benton said I mean, this is just the beginning.

Ms. Tappen said actually, this ordinance does require that the Planning staff monitor all public facilities. It is specific on transportation because of the recent changes to the statutes and because of the complexity of tracking transportation.

Mr. Margotta said but we have to develop the systems yet for each one of those and each one of those have to be adopted by ordinance. You are going to see them as they come forward.

Mr. Reilly said Matt, who is in charge of, I mean do we send Mr. Buchwald out to do traffic counts or how do you do it?

Mr. Margotta said ok, we get the traffic counts from all sorts of different sources. But for each application that comes forward, the applicant is required to provide that information.

Mr. Reilly said ok.

Mr. Knott said on that subject, I was just reading that you have on there the times when they can do the...I am assuming that you are going require a new traffic count for every project or can they use MPO's trips or are you making them do a count?

Mr. Margotta said if you will recall, they have to go through the concurrency assessment first. So, that alone makes sure that they talk about each one of these items, traffic being one of those and how are they going to do that. typically it is some sort of a traffic report or study, a full blown study, and so that's what leads us open to either ask questions "ok, that is an adequate report, I understand what's going on." Some things are simple: here's five homes I know is a little less than 50 trips per day, XYZ and some things are fairly simple like that. Others are much more complex and require more information.

Mr. Knott said concerning the counts themselves is there any leeway to let them just use existing counts that like the MPO has?

Mr. Margotta said they expire after certain amount of time and a traffic engineer could probably answer this better than I could, but I believe they live for two years and then it is a dead document. They may be able to keep them alive for five years if there is no changes or something like this. But usually they have a life span.

Mr. Brunner said I think that anything that is reasonably recent, 12 months or less, they would be able to use.

Mr. Knott said you would accept another traffic engineer's counts at the same intersection or something of this nature?

Mr. Brunner said we would probably look at on a case-by-case basis. But theoretically they are supposed to be signed and sealed reports.

Mr. Knott said ok, in that case, let me ask you got the times of no Fridays or Holiday and all the hours, how about seasonal?

Mr. Margotta said that is a good idea.

Mr. Brunner said the standard is really for peak hour, peak season so there would be seasonal adjustments if the counts were taken off-season.

Mr. Knott said I don't see the word "seasonal" in item 5 on page 5 that's where I thought maybe you ought to put in there "seasonal" because I got a project and I am going to count in July, I am not going to do it in December.

Mr. Margotta said I believe that the base data is AADT, isn't it?

Mr. Brunner said it is not clear, but the prevailing weight measure level service is peak hour/peak season representative of the hundredth highest hour of the year, which is basically middle peak season.

Mr. Knott said maybe you could make that clearer in that item 5 there. Put some thing in there so that they don't try to flim-flam.

Mr. Brunner said we probably have been hearing that for so long that we just didn't write that in there.

Mr. Knott said one other question then I think that is all I have. Over on the next page, number 11 says "in cases where a proposed development requires a signalized intersection..." Who is going to determine that? Does the traffic report determine that or who is going to determine that?

Mr. Brunner said I figured if there was a major development, like a shopping center, and their main access apparently generated the need for a signal, we would ask them to do a signal warranty study adding in their forecast of traffic and then making them provide an application to the agency that permits the signal.

Mr. Knott said ok, I just didn't know...sometimes we sit here and talk about they would sure like to see a signal there and of course you have to have the signal warranty study on the thing. But all of a sudden in cases where the proposed development requires a signal, I would just like to know how we got to that point.

Mr. Brunner said and actually, if it is not in here, maybe it is part of the land development codes is to come up with a procedure for providing security for the signal even in the event that I may not be warranted or permitted by the agency initially, but where it might be warranted 2 or 3 years down the road and the developer doesn't walk away or sell it to

someone else and DOT doesn't have funds for another 2 years. So your secure where the City can actually collect the bond and move forward with the construction.

Mr. Knott said ok, that's all I've got. Thank you.

Secretary Johnson said any other questions of staff? The consultant? Ok

Mr. Knott said I am sorry, I do have one more question. Mr. Walker, have you put an eye-ball on this thing yet?

Board Attorney Walker said I reviewed the initial draft and then met with Mr. Margotta and the consultants in a meeting where we went over that and they were very open to modifying the draft in accordance with my suggestions.

Mr. Knott said thank you very much.

Secretary Johnson said that's a yes.

Board Attorney Walker said you know lawyers are paid by the pound.

Secretary Johnson said any other questions? Is there anyone here to speak on behalf or against this proposed ordinance? Seeing none, the public hearing is closed. What is the pleasure of the Board?

Mr. Knott said did we have any stipulations or changes?

Mr. Gibbons said well, Mr. Knott, didn't you include the seasonal analysis?

Mr. Knott said yeah and then on page 10, the Level of Service, we are going to take out the State and Local road conflicts. Was there anything else? I can't remember.

Mr. Gibbons said that's all I have.

Secretary Johnson said that's all I have.

Motion was made by Mr. Knott, seconded by Mrs. Benton, with the inclusion of those corrections or additions, recommend approval of the Concurrency Management and Proportionate Fair Share Mitigation ordinance.

Secretary Johnson said there is motion and a second, any discussion?

Those voting in favor of the motion were: Mr. Harris, Mr. Knott, Mr. Poitier, Mr. Reilly, Mrs. Benton, and Secretary Johnson. Those opposed: None.

The next item considered - #5 – Discussions

Secretary Johnson said is there anything that staff would like to talk about?

Mr. Knott said I would like to go ahead and echo the staff's good words to the consultants for the work that they have done this. That was well represented, the couple of hours you spent really helped. Thank you.

Ms. Tappen said our pleasure, thank you very much.

Secretary Johnson said thank you.

Mr. Margotta said I would just like to let you know that, obviously, once the Comprehensive Plan is moved forward and adopted, whether there is any changes, you are going to get a final document. What you have is still a draft and we encourage you to refer to that Comprehensive Plan all the time. you will get a final document, that is not it and you are going to get the two elements that somehow didn't get to you.

Secretary Johnson said is there anything else? Mr. Walker?

Board Attorney Walker said no, Mr. Chair. Thank you for asking.

There being no other business, the meeting adjourned at 8:52 pm