



City of Mexico Beach  
Planning & Zoning Board Regular Meeting  
Tuesday, April 24, 2018  
Special Meeting 1:00 P.M.  
Civic Center – 105 N. 31<sup>st</sup> Street

Post 1 Alex Hogan  
Post 2 Jim Bush  
Post 3 Jack Kerigan  
Post 4 Bill Driver  
Post 5 David Masters

Alternate Post 1  
Alternate Post 2

Laura Metcalf  
Vacant

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ROLL CALL

MINUTES

1. March 6, 2018.

MISCELLANEOUS

1. Review of Conservation Element.
2. Review of Recreation and Open Space Element.
3. Other Various and Sundry Items.

ADJOURN

\*Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

\*\*You are hereby notified that in accordance with Florida Statutes, you have the right to appeal any decision made by the Board with respect to any matter considered at the above referenced meeting. You may need to ensure that a verbatim record of the proceedings is made which may need to include evidence and testimony upon which the appeal is based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Adrian Welle, City Clerk, at 114 N 22<sup>nd</sup> Street, Mexico Beach, Florida 32410; or by phone at (850) 648-5700 at least five calendar days prior to the meeting. If you are hearing or speech impaired, and you possess TDD equipment, you may contact the City Clerk using the Florida Dual Party Relay System, which can be reached at 1-800-955-8770 (TDD).

**Planning and Zoning**  
**Tuesday, March 6, 2018 6:00 pm.**  
**Civic Center 105 N. 31<sup>st</sup> Street**

**Post 1 Alex Hogan**  
**Post 4 Bill Driver**  
**Post 5 David Masters**

**Post 2 Jim Bush**

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The meeting was called to order at 6:00pm

Motion by Mr. Hogan and seconded by Mr. Driver to approve the minutes from February 27, 2018. Motion carried unanimously.

City Administrator Smigielski provided some background information to the Planning and Zoning Board regarding the request from the City Council to look at changing and/or modifications to the Land Development Regulations in regards to Accessory Apartments. Mr. Smigielski spoke about the process of how the issue has come to this point. Mr. Smigielski also wanted to remind the public and the board that this issue is not about the rental of these structures but the existence of these structures. The board opened discussing requesting public comment.

Connie Risinger 504 Maryland Blvd spoke to the board about being opposed to accessory buildings being used as rentals. Ms. Risinger spoke about concerns of safety in the neighborhoods if rentals are allowed in the neighborhoods, she stated she is not opposed to letting family members stay

Lyn Tuttle 2501 Hwy 98 shared concerns as to how we define the term family. She further shared concerns of what the standards will be for these structures.

Tanya Castro 408 7<sup>th</sup> Street wanted to clarify some things that are being discussed and that state law prohibits the zoning restrictions of vacation rentals. Mrs. Castro further clarified that the structures in her back yard are not sheds and are properly permitted structures with water, sewer and electric.

Lisa Logan 402 Maryland Blvd asked when the first LDR was created (1991). Ms. Logan also questioned other structures in the City and whether they were permitted and built.

City Administrator informed the board that a letter will be sent out soon to property owners that may potentially be in violation of the current LDR.

Mary Lee Raulerson 416 Texas Dr. spoke to the board that rentals in someone's house or property bothers her less than people that rent an entire room without an owner present.

Bobby Pollock 215 Kim Kove asked if he was to modify his shop and make a bedroom in the shop could he rent it out. He further stated that he could divide the lot down the road and sell his home and live in the shop.

Discussion of the board ensued regarding how to proceed with the topic of accessory structures.

Motion by Mr. Masters and seconded by Mr. Hogan to recommend to the council no change to the land development regulations regarding accessory structures. Motion carried unanimously.

The next comprehensive plan meeting will be on April 24, 2018 at 1:00 pm

Motion by Mr. Hogan and seconded by Mr. Driver to adjourn.

Meeting adjourned at 6:52 pm.

**By:** \_\_\_\_\_  
**Chair Jim Bush**

**Attest:** \_\_\_\_\_  
**Adrian Welle, City Clerk**

**CONSERVATION ELEMENT****GOAL 5A: MAINTAIN, PROTECT, AND ENHANCE NATURAL RESOURCES THROUGH APPROPRIATE RESOURCE MANAGEMENT.**

**OBJECTIVE 6.1:** Maintain or improve ambient air quality standards.

**Policy 6.1.1:** The City shall promote the decrease of air pollution from auto emissions through provision of non-automotive vehicular pedestrian facilities.

**Policy 6.1.2:** Clean air protection shall be fostered by promoting sustainable land development practices.

**Policy 6.1.3:** Mexico Beach shall work with the Florida Department of Environmental Protection (DEP) and the Environmental Protection Agency (EPA) to eliminate unlawful sources of air pollution as they are identified, as requested.

**Policy 6.1.4:** Only a licensed contractor trained in asbestos removal may remove asbestos from a structure.

**OBJECTIVE 6.2:** Protect the quality and quantity of environmentally sensitive lands.

**Policy 6.2.1:** Lands designated as Special Flood Hazard Areas and floodplains by the Federal Emergency Management Agency, wetlands, beaches, and sand dunes are designated as environmentally sensitive lands and shall be afforded maximum protection with applicable planning controls.

**Policy 6.2.2:** The City shall provide maximum protection to those lands classified as "Preservation" on the Future Land Use Map through additional criteria as specified in the Mexico Beach Land Development Regulations.

**Policy 6.2.3:** The City shall promote acquisition of appropriate parcels of land through the Florida Communities Trust Florida Forever Program or the Trust for Public Lands and/or other programs as may be appropriate to develop state/county partnerships to protect environmentally sensitive lands, to protect Endangered, Threatened, or Species of Greatest Conservation Need and their habitats, and provide enhanced public access to outdoor recreational opportunities and open space.

**Policy 6.2.4:** All required federal and state permits and approvals submitted to the City in relation to an issued development order must be submitted prior to

commencement of any on-site development in the areas defined in Policy 6.2.1, to include land clearing.

**Policy 6.2.5:** All required federal and state permits and approvals submitted to the City in relation to an issued development order must be found consistent with said development order. If the federal or state permit or approval is inconsistent with the approved final development order, then the applicant shall apply for an amendment to the approved development order to be in accordance with said federal or state permit and all applicable local policies and regulations.

**Policy 6.2.6:** To ensure the protection of the white sandy beaches, the usage of materials in site development or road construction that will cause the discoloration of the white sandy beach is strictly prohibited. The white sandy beach shall be defined as the area seaward of the Coastal Construction Control Line (CCCL) or Highway 98, whichever provides greater protection.

**Policy 6.2.7:** With exception of work vehicles approved by the Chief of Police, beach cleaning equipment, ambulances, life rescue vehicles, law enforcement vehicles to include the Beach Patrol, vehicles to aid handicapped persons, and those vehicles associated with wildlife monitoring, no motorized vehicles are allowed on the beach.

**Policy 6.2.8:** Wetlands are locally designated as environmentally sensitive and shall be afforded maximum protection with applicable planning controls.

**Policy 6.2.9:** Wetlands shall be defined as specified in Florida Statutes.

**Policy 6.2.10:** Development shall be required to maintain a minimum thirty (30) foot vegetative buffer from any wetland jurisdictional line with exception to a maximum ten (10) foot wide access way for the purpose of access to the water.

**Policy 6.2.11:** No development shall occur inside a wetland unless a valid permit from the applicable state agency has been received and submitted to the City Manager. Prior to any development or impact to a wetland, the applicant for development activity must show:

- A. That every reasonable step has been taken to avoid impact to the wetland and buffer area, and
- B. Every reasonable step has been taken to minimize any impact to the wetland and buffer area, and
- C. The applicant has shown that there is overriding public interest in the development or impact to a wetland.

**Policy 6.2.12:** No subdivision of land shall occur that will create new lots lacking sufficient buildable area, as determined by applying all setback requirements, open space, and other development standards.

**Policy 6.2.13:** Any unauthorized development activity that directly impacts a jurisdictional wetland, such as unpermitted filling, shall be required to mitigate said impact.

**Policy 6.2.14:** Future land uses that are incompatible with the protection and conservation of wetlands and wetlands functions shall not be located adjacent to jurisdictional wetlands. The standards for determine incompatible uses shall be located in the Land Development Regulations.

**OBJECTIVE 6.3:** Conserve and protect the quality and quantity of water bodies and their sources.

**Policy 6.3.1:** No new point sources shall be permitted to discharge into the Mexico Beach canal or Salt Creek unless treated to Class III water quality standards as specified in Rule 62-302, F.A.C.

**Policy 6.3.2:** To assist with the water quality protection of the canal, no development shall be permitted within twenty (20) feet of the canal shoreline. Within this buffer, all natural shoreline vegetation shall be preserved for a distance of twenty (20) feet from the canal shoreline except for a cleared corridor not to exceed fifteen (15) feet for the sole purpose to provide access to the water.

**Policy 6.3.3:** The City shall cooperate and assist the Northwest Florida Water Management District with the update and implementation of the Regional Water Supply Plan (RSPP).

**Policy 6.3.4:** At any time there is demonstrated a need for the emergency conservation of water sources, the City shall follow those requirements of guidelines of the Northwest Florida Regional Water Management District.

**Policy 6.3.5:** All surface water systems in Mexico Beach shall be protected by the buffer widths established in Policy 6.2.10.

**Policy 6.3.6:** In order to protect water quality, chemical control of vegetation within thirty (30) feet of a water body shall be prohibited.

**Policy 6.3.7:** All construction of docks, piers, wharves, and other similar structures in water bodies under city jurisdiction must be approved by the City Council.

Note: the above policy was moved from the Future Land Use Element.

**OBJECTIVE 6.4:** Protect native vegetation from degradation and prevent soil erosion and sedimentation.

**Policy 6.4.1:** Mexico Beach shall prohibit native vegetative communities from destruction by development activities through the development review process unless such destruction is authorized pursuant to the applicable state and federal permitting process.

**Policy 6.4.2:** Standards to protect native vegetation may include but are not necessarily limited to: adequate buffer zones and site preservation techniques. The City shall coordinate with the Northwest Florida Water Management District and other appropriate agencies to promote the removal of non-native and invasive species, and to retain or reinstate native and natural vegetation.

**Policy 6.4.3:** The clearing of vegetation, with exception to bona fide agriculture or Silvicultural uses, shall be prohibited prior to issuance of a development order. Exceptions shall include clearing of underbrush and removal of trees three (3) inches in diameter or less at a measurement taken fifty-four (54) inches from ground level.

**Policy 6.4.4:** After the issuance of a development order, land clearing shall be phased with development construction so that:

- A. Soil erosion is minimized.
- B. The site is cleared and revegetated in a timely fashion so that the soil remains stabilized.

**Policy 6.4.5:** All stormwater outfall and irrigation connections shall be designed to prevent erosion and sedimentation.

**Policy 6.4.6:** The control or elimination of non-native and invasive vegetation shall be encouraged and permitted.

**Policy 6.4.7:** The planting of invasive plant species shall be prohibited within the City limits.

**Policy 6.4.8:** New development shall conserve existing hardwood trees that are greater than ten (10) inches in diameter at breast height (DBH) unless the tree is

in the footprint of a structure. Every effort shall be first sought to not locate a structure where such trees are located.

**Policy 6.4.9:** For planning and management purposes, the City shall reference the Bay County Soil Survey, as published by the U.S. Department of Agriculture, Natural Resources Conservation Service during the comprehensive planning and development review process.

**Policy 6.4.10:** The City shall work with Bay County and Gulf County to protect and conserve unique vegetative communities, as deemed necessary.

**OBJECTIVE 6.5:** Conserve and protect Endangered and Threatened Species and State-designated Threatened Species of wildlife.

**Policy 6.5.1:** Endangered and Threatened wildlife and State-designated Threatened Species shall be those species listed by the Florida Fish and Wildlife Conservation Commission (FWC) published in the "Florida's Endangered and Threatened Species".

**Policy 6.5.2:** Species of Greatest Conservation Need are species that are imperiled or at risk of becoming imperiled in the future and shall be those identified by the FWC and are published in the "Florida's State Wildlife Action Plan".

**Policy 6.5.3:** No development permit within the City shall be issued that will damage or destroy the habitat of identified Endangered and Threatened Species and State-designated Threatened Species unless a permit has been first obtained by the respective state agency.

**Policy 6.5.4:** Mexico Beach shall support state and federal requirements for on-site protection and/or managed relocation for all species listed and identified as Endangered or Threatened, and conservation management of critical habitats.

**Policy 6.5.5:** In order to protect nesting sea turtles, any existing or new construction seaward of the CCCL must have exterior artificial light fixtures designed and positioned so that:

- A. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
- B. Areas seaward of the frontal dune are not directly or indirectly illuminated; and

C. Areas seaward of the frontal dune are not cumulatively illuminated.

**Policy 6.5.6:** If the requirements in Policy 6.5.4 cannot be satisfied then the artificial lighting fixture must be permanently disabled or removed, or the bulb in the fixture may be replaced with "bug" type yellow bulbs not exceeding 25 watts.

## **GOAL 6B: IMPROVE MANAGEMENT OF HAZARDOUS MATERIALS AND TOXIC SUBSTANCES.**

**OBJECTIVE 6.8:** Protect environmentally sensitive lands and waters from, and minimize human exposure to, hazardous waste, toxic substances and contaminated sites.

**Policy 6.8.1:** The police and fire departments in Mexico Beach shall coordinate with Bay County Emergency Management in the event of a hazardous materials emergency.

**Policy 6.8.2:** Land uses which store, transfer, or use hazardous materials shall not be permitted within two-hundred (200) feet of any city water well.

**Policy 6.8.3:** Underground storage tanks containing hazardous substances shall not be permitted within three-hundred (300) feet of any city water well.

**Policy 6.8.4:** All generators of hazardous waste shall register with Bay County Emergency Management.

**Policy 6.8.5:** Any hazardous waste treatment, storage, transfer, and collection sites, as well as facilities storing or utilizing significant amounts of radioactive materials shall be permitted only upon demonstration that the facility shall meet all applicable federal, state, and local regulations and that the facility shall not endanger public health and safety or have significant impacts on the environment.

## ~~VIII—6. CONSERVATION ELEMENT~~

### ~~(1)—Purpose~~

~~The purpose of this element is to promote the conservation, use and protection of natural resources.~~

### ~~(2)—Goals, Objectives and Policies~~

~~**GOAL:** PROVIDE THE CIRCUMSTANCES NECESSARY FOR THE CONSERVATION, PROTECTION AND USE OF NATURAL RESOURCES.~~

~~**Objective 6.1:**—Maintain air quality at existing levels or as consistent with Chapter 17-2, FAC.~~

~~**Policy 6.1.1:** The City shall prohibit development, which causes degradation of air quality below existing levels or established state Standards (Chapter 17-2, FAC).~~

~~**Policy 6.1.2:** The City shall decrease air pollution from auto emissions by maintaining established level of service standards and through provision of non-automotive vehicular and pedestrian facilities.~~

~~**Objective 6.2:** The City shall institute procedures to use and protect the quality and quantity of water sources.~~

~~**Policy 6.2.1:** The City shall make improvements to its water system as needed to ensure that potable water is being distributed in an efficient manner and to reduce the potential for possible contamination.~~

~~**Policy 6.2.2:** The City shall prohibit installation of septic tanks except in emergency cases where connection to the sewer system is impossible or beyond any reasonable requirements or adaptations by the developer/land owner. Any septic installation shall require approval by the City Council. New septic systems shall be permitted only in rare cases where no other reasonable options exist.~~

~~**Policy 6.2.3:** Land uses, which store, transfer or use hazardous materials shall not be permitted within two-hundred (200) feet of municipal potable water wells.~~

~~**Policy 6.2.4:** Underground storage tanks containing gasoline, diesel fuel, or other hazardous substances shall not be permitted within three-hundred (300) feet of municipal potable water wells.~~

~~**Policy 6.2.5:** The City shall evaluate the available quantity of water on an annual basis in order to provide potable water based on current needs and projected demand including peak periods of demand.~~

~~**Policy 6.2.6:** The City shall cooperate with, and assist in the implementation of any appropriate Water Management Plans by the State or the NFWMD should a water conservation emergency arise.~~

~~**Objective 6.3:** The City shall conserve, use and protect the quality of surface waters that flow into the Gulf of Mexico.~~

~~**Policy 6.3.1:** The City shall use its canal system for both recreation and stormwater management purposes.~~

~~**Policy 6.3.2:** The City shall undertake measures as specified in the land development regulations to maintain water quality and reduce sedimentation of the canal system. At a minimum, the sedimentation requirements of Chapter 17-25, FAC shall be applied.~~

~~**Policy 6.3.3:** Septic tanks or underground storage tanks containing petroleum products shall not be permitted within seventy-five (75) feet of any surface waters.~~

~~**Policy 6.3.4:** The City shall identify possible stormwater pollution sources into adjacent water bodies and shall undertake measures to reduce pollutant loads consistent with Chapter 17-25, FAC.~~

~~**Policy 6.3.5:** The City shall reserve approval of development permits until stormwater discharge permits are obtained by developers pursuant to Chapter 17-25, FAC.~~

~~**Objective 6.4:** The City shall establish procedures in its land development regulations to protect native vegetation.~~

~~**Policy 6.4.1:** The City shall establish minimum standards for protection of native vegetation and mature hardwoods as part of its land development regulations. Such standards shall include types and sizes of trees to be protected, replacement/removal practices, special construction practices and other similar provisions.~~

~~**Policy 6.4.2:** The City shall cooperate with Bay County as part of the "intergovernmental forum" to be established by the County to protect vegetative communities located within~~

more than one jurisdiction through application of provisions within the land development regulations.

~~**Objective 6.5:** Establish and maintain procedures to reduce soil erosion and reduce sedimentation into water bodies.~~

~~**Policy 6.5.1:** The City shall identify in its land development regulations specific standards for soil conservation, in coordination with the Bay County Soil and Water Conservation District.~~

~~**Policy 6.5.2:** At a minimum, land clearing or development activities which cause direct soil erosion or sedimentation of water bodies shall be undertaken in conformance with Chapter 1725, FAC.~~

~~**Objective 6.6:** Include provisions for conservation and protection of fisheries, wildlife, wildlife habitat and marine habitat in the development review process. At a minimum, such provisions shall address the measures specified in Policy 6.6.2 and Policies 1.1.1, F. and G., 1.1.2, 1.1.4, 1.2.2, 6.3.2, 6.3.1, 6.3.4, 6.3.5, 6.4.1, 6.5.1, 6.5.2, and 6.6.3.~~

~~**Policy 6.6.1:** The City shall evaluate impacts on fisheries, wildlife habitat and marine habitat as part of its development review and approval process. Development activities, which will destroy identified wildlife or marine habitat, or endangered or threatened species shall be restricted through use of an enforceable development agreement pursuant to ss. 163.3220-3243, F.S. or mitigation measures pursuant to Ch. 17-312, FAC.~~

~~**Policy 6.6.2:** In addition to the provisions specified in policy 5.2.1, the City shall protect and conserve the natural functions of existing soils, wetlands, marine resources, wildlife habitat, flood zones, and estuaries by using the following guidelines to establish standards in its land development regulations.~~

~~1. Soils~~

~~All grading, filling, excavation, storage or disposal of soil and earth materials associated with development activities shall be undertaken so as to reduce the potential for soil erosion and sedimentation of water bodies or drainage ways. Erosion control measures shall be required for all such activities.~~

~~As part of the development review process required pursuant to Policy 1.2.2 of this Plan, a developer shall include an "Erosion and Sediment Control Plan". Such plan shall include:~~

- ~~(a) — Calculations of maximum runoff based on the 25-year, critical duration storm event;~~
- ~~(b) — A description of, and specifications for, sediment retention devices;~~
- ~~(c) — A description of, and specifications for, surface runoff and erosion control devices;~~
- ~~(d) — A description of vegetative measures;~~
- ~~(e) — A map showing the location of all items listed in (a) through (d) in this paragraph.~~

~~A developer may propose the use of any erosion and sediment control techniques provided such techniques represent best management practices and are certified by a registered professional engineer.~~

~~Once development activity begins the developer shall maintain in good order all erosion and sediment control measures specified in the Erosion and Sediment Control Plan regardless of whether the development project is completed or not.~~

## ~~2. Wetlands~~

~~Jurisdictional wetlands are those under the permitting authority of the Department of Environmental Protection as specified in Chapter 403, Florida statutes and/or the U. S. Army Corps of Engineers as specified in section 404 of the Clean Water Act or section 10 of the Rivers and Harbors Act of 1899.~~

~~All development activities in jurisdictional wetlands within the City are prohibited unless:~~

- ~~(a) — Valid permits are obtained from the Department of Environmental Protection and/or the U.S. Army Corps of Engineers, as may be required by law, prior to development approval by the City.~~
- ~~(b) — Appropriate mitigation of destroyed or damaged wetlands is undertaken by the developer subject to the provisions of Chapter 17-312, Part III, Florida Administrative Code.~~

## ~~3. Marine Resources~~

- ~~(a) Living Marine Resources~~

~~No development activities may be undertaken in areas containing marine seagrass beds or fisheries nursery areas when such development activity can reasonably be expected to damage or destroy seagrass beds unless:~~

- ~~(i) Valid permits are obtained from jurisdictional agencies prior to development approval by the City;~~
- ~~(ii) Appropriate mitigation of destroyed or damaged seagrass beds is undertaken by the developer subject to the provisions of Chapter 17312, Part III, Florida Administrative Code.~~

~~(b) Canal Shoreline~~

~~No development or construction activity shall be permitted within fifteen (15) feet of the canal shoreline. Within this restricted area all natural shoreline vegetation shall be preserved for a distance of twenty (20) feet landward from the mean high tide line, except for a cleared corridor not to exceed fifteen (15) feet in width to provide access to the water.~~

~~(c) Stormwater Management~~

~~All development undertaken within the City shall be in conformance with the provisions of Chapter 1725, Florida Administrative Code. Stormwater permits must be obtained by developers pursuant to this Chapter prior to the City issuing final development approval. Under no circumstances shall a developer undertake any development activity, which causes a reduction in water quality below the standards specified in Chapter 17-4, FAC. All development within the City shall require a storm water management plan to be approved by the City, and timely implemented, before a certificate of approval or occupancy will be granted.~~

~~4. Wildlife Habitat~~

~~Development shall not be permitted which will significantly damage or destroy the habitat of species listed as endangered or threatened as specified in the "Official Lists of Endangered Fauna and Flora in Florida," published by the Florida Fish and Wildlife Conservation Commission.~~

~~The developer of any areas identified as containing wildlife habitat shall be responsible for the conduct of an analysis to determine the value and extent of such habitat. This habitat analysis shall form the basis of habitat conservation and preservation measures to be established either as condition of development approval or in an enforceable development agreement pursuant to ss. 163.3220—.3243, F.S.~~

## 5.—Flood Zones

~~All development activity undertaken within designated V or A-zones as shown on the official Flood Insurance Rate Map for Mexico Beach, Florida (published by the Federal Emergency Management Agency) shall be subject to the restrictions and standards of the City's Flood Damage Prevention Ordinance.~~

~~**Policy 6.6.3:** Locally determined environmentally sensitive resources are considered to be: jurisdictional wetlands, surface waters, and beaches and dunes. Development activities which destroy these resources shall be restricted through use of enforceable development agreements pursuant to ss. 163.3220-3243, F.S. or permit conditions.~~

~~**Policy 6.6.4:** In the event endangered species such as sea turtles or manatees are found within the City, the City shall contact the Department of Environmental Protection for guidance as to protective measures to be undertaken.~~

~~**Objective 6.7:** Establish procedures, which will require that development activities, which involve handling and storage of hazardous wastes are managed in a manner which will reduce threats to natural resources.~~

~~**Policy 6.7.1:** Police and Fire Departments shall coordinate with the Bay County Department of, Emergency Management in the event of a hazardous materials emergency.~~

~~**Policy 6.7.2:** The City shall require that all stationary above-ground and underground petroleum storage tanks conform to the provisions of Chapter 17-61, FAC, and that permits be obtained from DEP prior to installation or removal of such tanks.~~

~~**Policy 6.7.3:** The City shall require that all small quantity generators of hazardous waste register with Bay County Department of Emergency Management as specified under SS. 403.7234 and SS. 103.7236, F.S.~~

**City of Mexico Beach Comprehensive Plan Conservation Element Analysis Against 2017 Florida Statutes**

Florida Statute 163.3177(6)(d)	Comment
<p>A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.</p>	
<p>1. The following natural resources, where present within the local government’s boundaries, shall be identified and analyzed and existing recreational or conservation uses, known pollution problems, including hazardous wastes, and the potential for conservation, recreation, use, or protection shall also be identified:</p>	
<p>a. Rivers, bays, lakes, wetlands including estuarine marshes, groundwaters, and springs, including information on quality of the resource available.</p>	<p>Policy 6.3.1, Policy 6.3.2, Policy 6.3.3, Policy 6.3.5, Policy 6.3.6.</p>
<p>b. Floodplains.</p>	<p>Policy 6.2.1, Policy 6.2.4</p>
<p>c. Known sources of commercially valuable minerals.</p>	<p>Not applicable</p>
<p>d. Areas known to have experienced soil erosion problems.</p>	<p>Not applicable</p>
<p>e. Areas that are the location of recreationally and commercially important fish or shellfish, wildlife, marine habitats, and vegetative communities, including forests, indicating known dominant species present and species listed by federal, state, or local government agencies as endangered, threatened, or species of special concern.</p>	<p>Not applicable</p>
<p>2. The element must contain principles, guidelines, and standards for conservation that provide long-term goals and which:</p>	
<p>a. Protects air quality.</p>	<p>Objective 6.1; Policy 6.1.1, 6.1.2 and 6.1.3</p>
<p>b. Conserves, appropriately uses, and protects the quality and quantity of current and projected water sources and waters that flow into estuarine waters or oceanic waters and protect from activities and land uses known to affect adversely the quality and quantity of identified water sources, including natural groundwater recharge areas, wellhead protection areas, and surface waters used as a source of public water supply.</p>	<p>Objective 6.3 and subsequent policies.</p>
<p>c. Provides for the emergency conservation of water sources in accordance with the plans of the regional water management district.</p>	<p>Policy 6.3.3 and Policy 6.3.4</p>

**City of Mexico Beach Comprehensive Plan Conservation Element Analysis Against 2017 Florida Statutes**

Florida Statute 163.3177(6)(d)	Comment
d. Conserves, appropriately uses, and protects minerals, soils, and native vegetative communities, including forests, from destruction by development activities.	Objective 6.4 and subsequent policies
e. Conserves, appropriately uses, and protects fisheries, wildlife, wildlife habitat, and marine habitat and restricts activities known to adversely affect the survival of endangered and threatened wildlife.	Objective 6.5 and subsequent policies
f. Protects existing natural reservations identified in the recreation and open space element.	Not applicable
g. Maintains cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local jurisdiction.	Policy 6.4.10
h. Designates environmentally sensitive lands for protection based on locally determined criteria which further the goals and objectives of the conservation element.	Policy 6.2.1, Policy 6.2.2, Policy 6.2.3
i. Manages hazardous waste to protect natural resources.	Goal 6B, Objective 6.8 and subsequent policies
j. Protects and conserves wetlands and the natural functions of wetlands.	Policy 6.2.8, Policy 6.2.9, Policy 6.2.10, Policy 6.2.11
k. Directs future land uses that are incompatible with the protection and conservation of wetlands and wetland functions away from wetlands. The type, intensity or density, extent, distribution, and location of allowable land uses and the types, values, functions, sizes, conditions, and locations of wetlands are land use factors that shall be considered when directing incompatible land uses away from wetlands. Land uses shall be distributed in a manner that minimizes the effect and impact on wetlands. The protection and conservation of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and strategies in the comprehensive plan. Where incompatible land uses are allowed to occur, mitigation shall be considered as one means to compensate for loss of wetlands functions.	Policy 6.2.14

**City of Mexico Beach Comprehensive Plan Conservation Element Analysis Against 2017 Florida Statutes**

Florida Statute 163.3177(6)(d)	Comment
<p>3. Current and projected needs and sources for at least a 10-year period based on the demands for industrial, agricultural, and potable water use and the quality and quantity of water available to meet these demands shall be analyzed. The analysis shall consider the existing levels of water conservation, use, and protection and applicable policies of the regional water management district and further must consider the appropriate regional water supply plan approved pursuant to s. 373.709, or, in the absence of an approved regional water supply plan, the district water management plan approved pursuant to s. 373.036(2). This information shall be submitted to the appropriate agencies.</p>	<p>Mexico Beach receives potable water from Bay County. This analysis was conducted in the Vulnerability Analysis submitted in January. There is not a shortage in the 10-year forecast.</p>

~~VIII -- 7. RECREATION AND OPEN SPACE ELEMENT~~

~~(1) Purpose~~

~~The purpose of this element is to plan for a comprehensive system of public and private recreation and open space sites which are available to the public.~~

~~(2) Level of Service~~

~~Level of service standards for evaluating recreation site and facilities needs, and for issuing development permits shall be as follows:~~

<del>Facility Type</del>	<del>Service standard</del>
<del>Community Park</del>	<del>1 acre/2000 pop.</del>
<del>Tennis Courts</del>	<del>1 per 2,000 pop.</del>
<del>Basketball Cts.</del>	<del>1 per 2,400 pop.</del>
<del>Picnic Area</del>	<del>1 per 2,000 pop.</del>
<del>Shuffleboard</del>	<del>1 per 2,500 pop.</del>
<del>Horseshoe pits</del>	<del>1 per 2,500 pop.</del>
<del>9a11 Diamond</del>	<del>1 per 3,000 pop.</del>
<del>Waterfront Park</del>	<del>1 acre/5000 pop.</del>
<del>Picnic</del>	<del>1 per 3000 pop.</del>
<del>Restrooms</del>	<del>1 per 3000 pop.</del>
<del>Beach Access Points</del>	<del>1 per 500 pop.</del>
<del>Boat Launches</del>	<del>1 per 3000 pop.</del>
<del>Campgrounds</del>	<del>1 per 5000 pop</del>

~~(3) Goals, Objectives and Policies~~

~~**GOAL 7A:** PROVIDE SUFFICIENT AND ADEQUATE RECREATION AND OPEN SPACE OPPORTUNITIES, RECREATION SITES AND FACILITIES, AND OPEN SPACE CONSISTENT WITH IDENTIFIED NEEDS AND ADOPTED LEVEL OF SERVICE STANDARDS.~~

**Objective 7.1:** Correct and improve existing needs for recreation facilities.

**Policy 7.1.1:** The City shall seek to improve the picnic area at the water plant community park in addition to restroom and picnic areas at Canal Park. NOTE: If this has been completed then delete and/or replace with new strategy.

**Policy 7.1.2:** The City shall provide, or require provision of, public or private recreation sites and facilities consistent with the following level of service standards: in subsection (2).

Waterfront Park: 1 acre per 5,000 population.

Community Parks: 1 acre per 1,000 population.

Neighborhood Park: 1 acre per 500 population.

Waterfront parks shall be defined as those parks with access to a water body or land that has direct access to the canal or the Gulf of Mexico. Community parks shall be defined as a park exceeding two acres in size. Neighborhood parks shall be defined as one-half acre to one-acre in size.

NOTE: I removed the facilities service standards as this is often times hard for a small city to provide and maintain. If it is local preference to retain the policy I can include it. Also, with such a small population you are not yet required to provide many of those so I don't recommend including it.

**Policy 7.1.3:** Developers of greater than fifty (50) residential units, whether as a phased development or as one application request, shall be required to provide neighborhood park space within the parent parcel of the development to satisfy the level of service standards outlined in Policy 7.1.2. The park space required shall be based upon the estimated population impact of the planned development.

**Policy 7.1.4:** The new population estimated for the purposes of Policy 7.1.3 shall be based upon the average household size of Mexico Beach at the time of the request, as produced by the U.S. Census.

**Policy 7.1.5:** The neighborhood park space required in Policy 7.1.3 may be public or private space, but must remain in common or public ownership.

**Policy 7.1.6:** No application for development shall be issued a building permit until it has demonstrated that the level of service standard for recreation facilities is met or exceeded. If existing capacity does not exist, then the developer shall be required to provide the park space to meet the impact of the development request.

**Policy 7.1.7:** The use of lands acquired for public works projects shall be analyzed to determine if the lands are appropriate for open space or recreation areas. NOTE: Moved from FLUE.

**Objective 7.2:** ~~The City shall m~~Maintain existing access to identified public recreation sites, including public access to the waterfront and beaches, ~~including proposed improvements or exchanges that enhance or expand water access.~~

**Policy 7.2.1:** Identified public access recreation sites are:

1. Mexico Beach Canal Park and Canal/Canal Slips, boat basin, wetslips and restrooms;
2. Mexico Beach Pier, park and restrooms;
3. Boat Launches - 37th Street, Hwy 98, Miramar;
4. Community Park - Paradise Park, tennis court, horseshoe pit, basketball court, playground, picnic area (restrooms included);
5. Public beach access points - Sea Street to 43<sup>rd</sup> Street;
6. Public beach —8th street to Gulf County line;
7. Community Park — Sunset Park (restrooms included);
8. Community Park - Maryland Park (restrooms included);
9. Community Park/Welcome Center — Canal Park (restrooms included);
10. Boat-Trailer Parking Lot and Courtesy Dock (Hwy 98).

The City shall allow access to the preceding sites during reasonable hours of operation.

~~**Policy 7.2.2:** Identified private recreation sites are:~~

- ~~1. Rustic Sands Campground;~~
- ~~2. El Governor Campgrounds;~~
- ~~3. Marquardt's Marina;~~
- ~~4. Tranquil Harbor Boat Basin and slips;~~
- ~~5. Private pool areas serving residential complexes.~~

~~**Policy 7.2.3:** The City shall preserve public access to the beach as authorized under the provisions of SS. 161.55(6), F.S. **NOTE: See below**~~

~~**Policy 7.2.2:** Mexico Beach shall retain ownership of all public street ends or easements that access the Gulf of Mexico sandy beaches, as provided in §161.55(6), Florida Statutes. **NOTE: this was removed from the Future Land Use Element.**~~

~~**Objective 7.3:** Allow for and encourage a functional mix of both public and private recreation sites and facilities to accommodate recreation demand.~~

~~**Policy 7.3.1:** The City shall consider demand for recreation sites and facilities when considering permit request for those types of facilities, and shall allow private recreation facilities in the "Commercial General" land use districts consistent with provisions set forth in the land development regulations.~~

~~**Policy 7.3.2:** The City shall encourage development of private recreation facilities, which are consistent with the character of the community.~~

**Objective 7.43:** Use an established procedure to ensure that parks and recreation are adequately and efficiently provided.

**Policy 7.43.1:** The City shall coordinate with other levels of government, and the private sector, in providing recreation sites and facilities.

**Policy 7.43.2:** The City shall use local, state or federal grant funds for expansion of the Mexico Beach Canal Park, other parks, and public beach access.

~~Policy 7.4.3: The City shall require that developers of large-scale, residential development projects provide acreage for recreation site(s), or a sum of money sufficient for the City to provide recreation sites.~~ **NOTE: moved to Policy 7.1.3 above.**

**Policy 7.34.4:** The City shall place priority status in the Capital Improvements Schedule on recreation facilities, which improve beach and waterfront access.

**Policy 7.34.5:** The City shall ~~use~~seek state/federal grant funds to construct picnic areas and dune crossover walks at public beachfront parking areas.

**Policy 7.34.6:** The City shall consider the beach, pier and the canal system as its top recreational resources and shall give priority status to these resources when allocating funds for recreational purposes.

~~Policy 7.4.7: The City shall coordinate with other levels of government in meeting recreational needs and shall use available local, state or federal grant funds or appropriations as may be appropriate to meeting this objective.~~

**Policy 7.34.8:** The City shall utilize existing publicly owned property to meet recreation site needs before expending funds on land acquisition.

**Objective 7.54:** Provide recreation needs in conjunction with other land acquisition needs or major development projects.

**Policy 7.54.1:** The City shall evaluate using lands acquired for public works projects (e.g. drainage) for recreation sites.

**Policy 7.54.2:** The City shall require that recreational acreage and facilities be provided by developers of large-scale development projects which decrease the established level of service.

**Objective 7.65:** ~~The City shall include standards for provision of open space in the land development regulations consistent with Policies 7.6.1 and 7.6.2.~~ Improve open space standards.

**Policy 7.65.1:** The City shall require that open space be provided by public and private developers as part of proposed development activities.

**Policy 7.65.2:** Open space shall be defined as any land or water not covered by ~~buildings, parking or traffic circulation paving, including spaces between buildings~~ impervious surface. Open space categories and guidelines shall be as follows:

1. Private Open Space is land adjacent to private residences commonly called yard space. For single-family, low density development on single-family lots open space shall comprise 60% of the total lot area in "Residential Low-Density" and "Residential General" districts and 50% of the total lot area in "Tourist-Residential" districts.
2. Public Open Space includes: parks, ~~state submerged lands, utility easements,~~ recreation areas, ~~grounds for public buildings,~~ dedicated public easements, or other similar areas available for use by the general public.
3. Common Open Space is privately owned land set aside for common use by residents of a development which is usually found in multi-family (i. e. apartments, townhouses) or planned unit developments. For multi-family development in "Tourist Residential" land use districts, open space shall comprise 50% of the total available land or water area.
4. Non-Residential Open Space is land set aside for landscaping, buffer zones, public areas or other similar areas. Non-residential open space shall comprise 50% of the total land are in "Recreation" districts, 20% of the total land area in "Tourist Commercial" districts and 10% of the total land area in "General Commercial" and "Public/Institutional" districts.

NOTE: the above development regulations are better located in the LDRs, but since I could not find open space requirements there, and the plan to update the LDRs is not imminent then I recommend retaining this language until the transfer can be made from this document to the LDRs.

~~**Policy 7.6.3:** The City shall use lands acquired through purchase or easement for public works projects to fulfill recreation and open space needs if site conditions and public safety considerations allow for such use.~~

~~**Policy 7.6.4:** The City shall coordinate with public utilities such as electrical, gas, telephone and state agencies such as FDOT, FDEP and NFWFMD on use of properties or easements for open space purposes.~~

~~(4) Requirements for Capital Improvements Implementation~~

~~Implementation of this element will require an annual review by the City, preferably during the budget review process, of the City's capital recreational needs. Desired improvements may be funded through state and federal grants, the utility tax program and general revenue. Pier and canal dredging improvements should receive high priority, including the appropriate studies to determine the needs for these facilities.~~