

**EVALUATION AND APPRAISAL REPORT
OF THE
CITY OF FELLSMERE COMPREHENSIVE PLAN
CHAPTER FOUR – RECOMMENDATIONS FOR POLICY AMENDMENTS TO THE CONSERVATION ELEMENT**

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

Policies	Current 2009 Conditions	Comments
<p>Policy CON A-4.1: Wetland Development Restrictions. Wetlands, as defined in Rule 9J-5.003 (149), <u>FAC</u>, shall be protected from physical or hydrologic alterations in order to maintain natural functions.</p>	Code provisions are in place.	Revise to acknowledge mitigation as an option.
<p>Policy CON A-4.2: Protection of Wetland Transition Areas. Transition areas shall be defined as the area separating wetland and upland areas and in which development activities may be regulated to protect wetlands. The transition zone is an area having a direct groundwater or surface water influence. The transition area provides a buffer between wetlands and upland development or other land alteration activities. This area shall meet the minimum size requirements established by SJRWMD for wetland buffers. The purpose of the transition zone is to ensure the continuing function of respective wetland communities. The City shall retain the right to prohibit development within the wetland transition area. The boundary of a wetland transition area shall be established by field investigation. At a minimum the following uses shall be prohibited within the wetland transition areas:</p> <ul style="list-style-type: none"> • All industrial uses; Above-ground or below-ground pipes for pollutants or contaminants; • Sanitary landfills; Wastewater treatment facilities; Incinerators; Petroleum or pesticide storage facilities; Animal feedlots; Any land use that stores, handles, or generates hazardous material or waste. 	Code provisions are in place.	Revise to acknowledge that uses within the transition zone or area (wetland buffer) shall be consistent with the uses allowed by the SJRWMD permit.

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Policies	Current 2009 Conditions	Comments
<p>Policy CON A-4.5: Administration of Wetland Development Restrictions. The City shall maintain or update the land development code as needed to meet statutory changes that implement the following:</p> <p>3. Coordination with Other Agencies. During the development review process, the City may include the County's urban forester, the County's Soil Conservationist as well as representatives of DEP, the U.S. Army Corps of Engineers, SJRWMD, or the U.S. Fish and Wildlife Service to assist in identifying and delineating wetlands. Applicants shall have an opportunity to demonstrate that any wetland designations within the confines of their property no longer function as wetlands as defined above.</p>	<p>The City relies upon applicant generated assessment from professional environmentalist following the water management district guidelines.</p>	<p>Revise to acknowledge process used by the City consistent with the requirements of the SJRWMD.</p>

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

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

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

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