



# Taylor County

## Board of County Commissioners'

### Policy Manual

6.05

Policy #:	Title:	Effective Date:
2009-02	<b>The Policy for Public Access Improvements – Made by and Maintained by the Public - to the Steinhatchee River Public Street Right of Ways and Other Appropriate Public Lands of Steinhatchee</b>	03/02/09

### PURPOSE

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The purpose of this policy is to establish a policy to establish a standard procedure for the Taylor County Board of County Commissioners to consider authorizing improvements by members of the public to the public right of ways that provide access to the Steinhatchee River and open green space owned by the County in Steinhatchee. The purpose of authorized improvements is to enhance the public enjoyment and use by the local residents and visitors.

Activities to be enjoyed might include; fishing, wildlife observation, bird watching, picnicking, launching of canoes, kayaks and small boats, or other passive activity such as enjoying the scenic view.

Whereas the establishing of a program to improve the public street right of ways that go to the Steinhatchee River and other county owned open green space will improve the public health, comfort, convenience, welfare, and economic prosperity of the residents of Steinhatchee, Florida, and whereas, the necessity, in the public interest, for the provisions and prohibitions hereinafter contained and enacted is declared to be a matter of legislative determination and public policy, and the provisions and prohibitions hereinafter contained and enacted are for the purpose of securing and promoting the public health, comfort, convenience, economic prosperity, and general welfare of the residents of Steinhatchee, Florida.

### REFERENCE

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This policy known as The Policy for Public Access Improvements – Made By and Maintained By the Public - to the Steinhatchee River Public Street Right of Ways and Other Appropriate Public Lands of Steinhatchee applies only to the unincorporated area of Taylor County known as Steinhatchee and more particularly described as follows:

Commence at the Intersection of the North Boundary line of Section 17, Township 9 South, Range 10 East and the Steinhatchee River for a Point of Beginning; thence run West along the North boundary line of Sections 17 and 18, T9S, R10E, to the Point of Intersection with State Road 51, thence run Southerly along the West boundary line of State Road 51 to a Point of intersection with the North boundary line of McCain Tower Road, continue West along said North boundary line of McCain Tower Road through Section 18, T9S, R10E, and Sections 13, 14, and 15, T9S, R9E to the intersection with County Road 361 (Beach Road), continue West across County Road 361 through Sections 15 and 16, T9S, R9E, to the half section line of Section 16, T9S, R10E, thence run South through Sections 16 and 21, T9S, R9E, to the Gulf of Mexico thence run Southerly, Easterly, and Northerly along the shoreline of the Gulf of Mexico and the Northwesterly boundary of the Steinhatchee River back to the Point of Beginning.

This policy applies to all public street going to the Steinhatchee River, including, but not limited to, the following streets:

- Oak Avenue NE
- Doyle Street NE
- Cypress Street NE
- First Avenue NE
- Central Avenue
- First Avenue South SE
- Second Avenue SE
- Riverside Park SE
- Fourteenth Street SE
- Thirteenth Street SE
- Bridge
- Second Street SE
- Main Street
- First Avenue NW
- Fourth Street NW
- Palm Street SE (Near Riverside Palm)
- Third Street NW

This policy also includes County owned public green space land including (but not limited to):

- Riverside Park
- Stephens Spring
- Highland Springs
- Ninth Street (County owned parcel of land)

## POLICY

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This policy known as The Policy for Public Access Improvements – Made By and Maintained By the Public - to the Steinhatchee River Public Street Right of Ways and Other Appropriate Public Lands of Steinhatchee applies only to the unincorporated area of Taylor County known as Steinhatchee. The policy is as follows.

Application Process for Consideration to Improve Steinhatchee River Public Right of Way or Other Appropriate Public Land - Members of the public desiring to approach the Taylor County Board of County Commissioners with a proposal to make and maintain improvements to street right of way or other appropriate public lands in Steinhatchee shall fill out an application and provide a site plan and scope of work with the office of the County Administrator.

Notice to Adjoining Property Owners of Application Request to Improve Public Property - Once the application is received a notice will be mailed out to affected property owners. Mailing of such notices shall be made to specific real property owners within 500 feet of the property directly affected by the proposed action and whose address is known by reference to the latest approved ad valorem tax rolls.

The notice will provide an overview of the request being considered for approval by the Board and request the adjoining property owners provide input back to the office of the County Administrator within two weeks of the date of the notice as to whether they are for or against the proposed improvements. The notice will also provide a future date for a public hearing should the Board decide the project warrants further consideration.

Consideration by the Board for the Need of a Public Hearing for the Application - At the end of the two weeks the office of the County Administrator will place the item on the agenda (along with the input received from the adjoining land owners) for the next Board of County Commissioners Meeting for the Board to determine in their sole discretion if the specific Application to Improve Steinhatchee River Street Right of Way or Other Appropriate lands in Steinhatchee warrants further consideration.

If the Board determines not to schedule a public hearing then that is the application is denied.

If the Board elects to hold a public hearing, the public hearing will be scheduled for the date that was provided to the adjoining property owners in the notice discussed above.

Public Hearing – If the Board schedules a public hearing the applicant will provide a short presentation at the beginning of the public hearing. The presentation shall include: an overview of the proposed improvements including a site plan and the scope of work, type of improvements, cost of improvements, who will pay for improvements, who will do the work required of improvements, when will work be complete, any permits required, and who will maintain site.

Signage - At each street end by the river which has been approved for public access, a County sign (paid for and erected by the sponsor) shall be erected stating “Public Access to the Steinhatchee River”. Each approved public park/green space area shall also be

signed with "Public Park and/or Green space" with the sites name if so applicable. (Example: Stephens Spring). Applicants will purchase their signs directly from the Taylor County Public Works.

All signs shall be uniform as so designated by the County and paid for and erected by site sponsor. The sponsor's name and contact information shall be included on the sign. Sign shall include standard rules and regulations as per County facility signing for example "No Alcohol Permitted".

Clearing of Right of Ways – Under the direction of the County – No Clearing is authorized until it is determined if an Environmental Resource Permit (ERP) is required for the clearing. If a permit is required, then no clearing is authorized until and ERP is approved. The street right of ways and public green-space park areas shall be cleared of all items that impede or will cause a safety hazard to public access such as; trash, debris, poles, ditches, vegetation, brush, garbage, etc. The vegetation shall be removed under the direction of county staff or their designee. The site shall be kept as "green" as possible.

Levels of Improvements – If the Board votes to allow improvements to a specific area it may or may not approve all requested improvements requested by the sponsor. All improvements will strive to be "green". As little concrete or asphalt as possible shall be incorporated into project site and only be in high use areas such as parking and launch areas. Grass, mulch, sand, rock, gravel, lime rock and other natural materials shall be used as much as possible. Examples of different levels of service considered include.

1. Remove brush and any items that restrict or impede walking access or are a safety hazard on the right of way or site.
2. The addition of a picnic table(s), gazebo, or other structures for fishing picnicking, relaxing or wildlife observation to example 1.
3. Canoe, kayak or small watercraft launching and applicable items in example 2. Example: Canoe/kayak launch with a picnic table.
4. All example 1, and installation of a floating dock (10 to 15 ft. long) example 2 and 3 items when so applicable example: Floating dock, small canoe/kayak launch and picnic table.
5. Examples 1 through 4 should include County approved trash receptacles the project sponsor shall be responsible for purchasing, maintaining and disposal of trash. Any new planting of vegetation shall be approved by the county and maintained be site sponsor. New plants and vegetations shall only be non-invasive native Florida plants or trees.

Cost - The cost of improving public right of ways or park sites shall be paid for by project sponsor, donations, local businesses, neighborhood group, or clubs. If the Board of Commissioners determines site assistance is warranted and resources are available the Board may in its sole discretion consider authorizing the County Administrator to use County workers, inmate labor, or grants may be used for site improvements as time and resources permit.

Hold Harmless - Project sponsors, volunteers, or other persons directly involved with the project shall sign a "County Hold Harmless" agreement prior to any site work.

Project Approval – All projects must be approved by a majority vote of the Board of County Commissioners. All projects shall be reviewed and approved by the Taylor County Tech Review Committee prior to any construction occurring.

Playgrounds or Playground Equipment - No playgrounds or playground equipment will be constructed on right of ways. The Board of Commissions must approve in advance any playground equipment on public green space areas. Projects must meet all National and State playground standards, and ADA handicap accessibility standards.

Maintenance Agreement – As part of the application the project sponsor shall agree in writing that they are willing to maintain site for public use for a minimum of five years.

Public Use Agreement – The resulting project approved under this policy must provide public access or public green space areas must developed to benefit the entire community and improvements will be made available for use by all members of the public.

Sole Control of Right of Way Use - If a group doesn't fulfill its requirements or if the County determines that the use of the right of right needs to be altered, modified or discontinued as determined in the sole discretion of the County, then County has the right to do so regardless of any existing agreement unilaterally without penalty.

## RESPONSIBLE DEPARTMENT

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Office of the County Administrator

## DATE ISSUED/SUNSET DATE

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**Sunset Date: 3/2/14**

Form Last Updated: 09/05/08