Element IX - COASTAL ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002

GOAL STATEMENT A

> The protection of coastal natural resources through the development and implementation of programs and procedures that balance coastal development activities with the preservation of natural resources and provide for mitigation of development impacts.

Objective A1. - Coastal natural resources.

The effects of the proposed public marina on the West Indian Manatee have been studied. Increases in boat traffic are known to have a negative effect on this species. The City intends to mitigate this effect with its continued participation in public education and fair-share support of enforcement. To aid in this enforcement, the City will consult with other public agencies as needed.

To implement this objective the following policies are adopted:

Policy A1.1. The City shall continue the program and set of standards to protect vegetative communities from adverse impacts of urban development. This program will be implemented through this plan, and in particular, objectives and policies in this element, the Conservation Element and the Future Land Use Element as well as the Future Land Use Map.

Policy A1.2. Protection and management of wetland and deepwater habitats shall be in a manner consistent with the adopted policies of the Treasure Coast Regional Planning Council and the South Florida Water Management District, the North Fork of the St. Lucie River and Indian River Lagoon Aquatic Management Plan, and the St. Lucie Estuary Management Plan.

Objective A2. - [St. Lucie River performance standards.]

Through implementation of its Land Development Regulations and stormwater plan, the City will continue to preserve and protect estuarine water quality, coastal wetlands and shorelines, living marine resources and wildlife habitats of that portion of the St. Lucie River which lies within the jurisdiction of the City of Stuart. *Policy A2.1.* Recreational uses allowed within the defined Coastal High Hazard Area shall be those which will be compatible with and preserve the natural character of the area, such as passive recreation, observation areas, boating, fishing, etc. Active recreation uses, such as playing fields, tennis courts, etc., shall be discouraged.

Policy A2.2. Public access to the river shall be available but managed so that the environmental values of the system can be enjoyed but not overburdened by users. This shall include anchorage of live aboard boats defined as: transient or residential sail or power boats with marine sanitary facilities which discharge into the estuary.

(Ord. No. 2196-10, § 1, 12-14-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A3. - Wildlife and fisheries.

To protect riverine wildlife and fisheries populations and habitat through the minimization of negative impacts associated with development and through the preservation of necessary habitat, allow clustering, density bonuses for preservation of vegetative communities and require a minimum of 25-foot upland vegetative buffering along the river outside the Community Redevelopment Area adequate to minimize erosion and sedimentation and minimize stormwater runoff. Fisheries population will be protected through land development regulations for stormwater and floodplain management which protect water quality. The City shall continue supporting marine vegetation planting program where feasible.

To implement this objective the following policies are adopted:

Policy A3.1. Site plan review and evaluation shall consider development impacts on wildlife, fish and habitat. The City shall require safeguards to prevent or significantly reduce the potential adverse impacts of development activities.

Policy A3.2. Sites proposed for development activities within the known range of endangered or threatened species or where such species are expected to occur based upon habitat suitability and species ranges shall be surveyed at the request of local officials by qualified government ecologists prior to approval or commencement of such activities to determine whether or not endangered or threatened plant or animal populations occur.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A4. - Estuarine environmental quality.

To support the efforts of the South Florida Water Management District and the Department of Environmental Regulation to ensure that the quality of estuarine water within the City is maintained at current levels as determined by the South Florida Water Management District and the Department of Environmental Regulation using measurable chemical constituents.

To implement this objective the following policies are adopted:

Policy A4.1. The City shall implement a comprehensive drainage master plan and ordinance. This ordinance is intended to minimize degradation of surface waters through treatment of stormwater runoff. At a minimum, specified treatments shall include maximum feasible on-site retention, establishment of littoral zones in lake management systems and wetland areas and use of grassy swales for filtration. This policy shall apply to new systems. Further details of this plan are contained in the Infrastructure Element.

Policy A4.2. Retrofitting of substandard public drainage systems shall occur during repair, expansion, or redevelopment activities. This policy is intended to address water quality problems resulting from inadequately maintained systems, or those systems constructed previous to a complete understanding of the effects of stormwater runoff on water quality.

Policy A4.3. The City seeks the cooperation and participation of all surrounding local governments in minimizing and eventually eliminating pollutant sources entering estuarine waters. Consistent with this effort the City will maintain active membership on the St. Lucie Estuary Management Committee and the Treasure Coast Regional Planning Council, and will coordinate with the South Florida Water Management District through informal liaison and the permitting process.

Policy A4.4. In all development activity approvals the City shall seek to prevent significant alteration of tidal flushing and circulation patterns which may have a significant negative impact on the natural environment.

Policy A4.5. The City shall prohibit canals as defined in this section. For purposes of this policy a canal is defined as any artificial waterway providing access to waters of the State or to any of the rivers, streams, creeks, canals, or other waters of the State or their tributary systems for the purposes of navigation, aesthetics, recreation, and/or enhancement of property. This definition excludes appropriately designed swales and ditches approved by the Public Works Director as necessary for controlled outflow of surface water.

Policy A4.6. With the exception of single slip residential docks, effective turbidity control mechanisms and procedures shall be used to protect water quality in areas adjacent to construction activities.

Objective A5. - Preservation of marine natural systems.

To protect and preserve the functions and values of marine natural systems, through specific performance standards regulating land use, public access, marina siting and activities, shoreline alteration and seawalls, dredging and filling activity; and providing treatment of stormwater runoff, adequate upland buffering and mangrove protection. These systems serve a multitude of functions,

including, but not limited to wildlife habitat, erosion control and flood control. Further, the City shall continue maintaining and expanding intergovernmental coordination mechanisms with appropriate Federal, State, regional and local agencies for the protection of natural resources, and continue supportive educational programs to increase public awareness of environmental protection throughout the planning timeframe.

To implement this objective the following policies are adopted:

Policy A5.1. The City adopts the objectives and policies and supports the implementation of the St. Lucie Estuary Management Plan.

Policy A5.2. The City adopts the objectives and policies and supports the implementation of the North Fork of the St. Lucie River Lagoon Aquatic Preserve Management Plan.

Policy A5.3. Sloping revetments and interlocking blocks shall be used in high energy areas to more effectively dissipate wave forces, boat wakes and reduce the effects of bottom scouring. Bulkheads and seawalls shall only be used to protect existing development and shall be located landward of riverine wetlands and their ecotones. Permits for replacement of deteriorating seawalls shall be granted only when alternative revetments and interlocking blocks are not feasible.

Policy A5.4. Land development activities that are feasible only through dredging and filling of submerged land and wetland areas shall be prohibited, unless irrefutably in the public interest. If such activity is allowed, mitigation to replace lost wetland acre for acre, by type, form and function, shall be required.

Policy A5.5. Buffer zones of vegetation which are within the existing 25-foot setback from the mean high water line shall be established where possible between any area of urban development and adjacent waterways. This vegetation shall consist of native vegetation adapted to natural conditions.

Policy A5.6. Reserved.

Policy A5.7. All dredging spoil material shall be placed on suitable upland rather than in water or wetland areas. This will help minimize degradation of water quality and adverse impact on sensitive estuarine life and upland habitats.

Policy A5.8. Docks and piers shall not obstruct navigation or public use of waters, and they shall be constructed in a manner that does not restrict water flow nor, where possible and reasonable, block views to the water.

Policy A5.9. The City shall coordinate review of estuarine shoreline development with appropriate Federal, State, regional and local agencies to prevent irreparable or irretrievable loss of natural resources in the coastal zone.

Intergovernmental coordination shall also provide cost effective utilization of experts in marine biology, coastal engineering, and soil conservation. To this end, as appropriate, the City shall coordinate with public agencies, including the U.S. Department of Interior, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, National Oceanic and Atmospheric Administration, U.S. Soil Conservation Service, the Florida Department of Environmental Regulation, Natural Resources, the Florida Game and Freshwater Fish Commission, the South Florida Water Management District, the Treasure Coast Regional Planning Agency, and potentially impacted local governments.

Policy A5.10. The City shall make environmental education and management an integral part of park and recreation policies and programs. In addition, the Planning Department shall provide general information assistance and referral services to citizenry interested in the impacts of Stuart's physical development on natural resources and resource conservation.

Policy A5.11. The City shall implement its adopted mangrove protection ordinance.

Policy A5.12. The City shall prevent the construction of flood barriers which will unnaturally divert flood hazards to other lands through land development regulations and site plan review.

Policy A5.13. The City shall direct development away from areas most vulnerable to the effects of natural and manmade disasters.

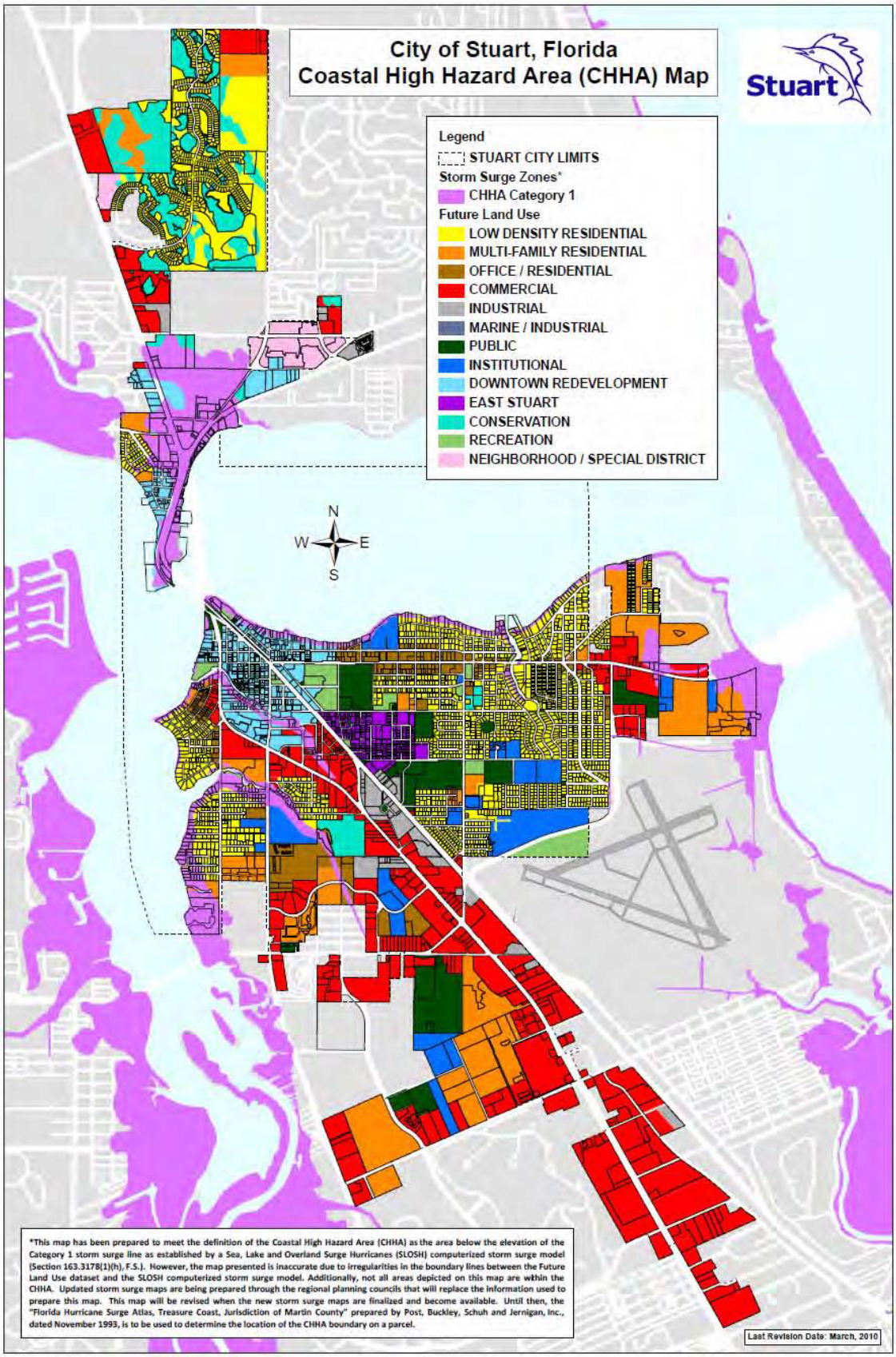
Policy A5.14. The City shall develop strategies which will reduce existing population densities in coastal high hazard and floodplain areas. The City shall encourage the incorporation and enhancement of existing natural systems and open areas within such developed areas to serve as natural storm buffers and post-disaster staging areas.

Policy A5.15. Coastal High Hazard Areas (CHHA) shall be defined as the areas below the elevation of the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

Policy A5.16. The City shall depict and adopt the CHHA on a Coastal High Hazard Area Map in the City's adopted Future Land Use Map series. The City shall amend and readopt the CHHA Map when the new storm surge maps, currently being prepared through the regional planning councils, are finalized and become available.

(Ord. No. 2196-10, § 1, 12-14-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

See CHHA Map Figure A5.17 below:



Objective A6. - Water dependent and water related objective and policies.

In light of Martin County's Manatee Protection and Boat Siting Plan, the City shall provide for ongoing maintenance and implementation of marina siting criteria to give priority to water-dependent and water-related land use activities which promote public access within the coastal area defined in this plan.

To implement this objective the following policies are adopted:

Policy A6.1. Through the implementation of the Land Development Regulations, the City shall encourage water-dependent uses over other uses in marine development.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A7. - Public access.

The City shall continue to provide public access to the river through prioritization of water-dependent and water-related uses along the river, through criteria for marina siting and through provision of incentives to developers to provide public access, including riverwalks.

To implement this objective the following policies are adopted:

Policy A7.1. Necessary access, parking and support facilities shall be developed and maintained for all City owned shoreline recreation areas. Maintenance shall include regular trash collection and shoreline cleanup.

Policy A7.2. Publicly funded projects that improve, change, or in some way support shorefront development shall provide for public access to the shoreline, as well as the necessary support facilities and services, such as boardwalks, parking lots, restrooms and trash collection. Publicly owned access parks which are associated with neighborhood streets that end at the river are intended primarily for neighborhood use and will not require the provision of additional parking facilities.

Policy A7.3. Increase public access to waterfront views and fishing opportunities by developing riverwalks and piers as land and funding become available, and encourage private provision of riverwalks.

Policy A7.4. Locate boat ramps in areas designated as no wake zones, adjacent or in close proximity to existing or planned water dependent or water related land uses, such as marinas, fishing piers, or bridge right-of-ways. Ensure that adequate uplands exist to provide sufficient acreage for vehicle and boat trailer parking.

Policy A7.5. The City shall actively pursue Florida Inland Navigational District funds and other funding to acquire and develop waterfront access points.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Cross reference— Recreation and open space element, Element VI.

Objective A8. - Boat siting.

To ensure the location of boat facilities in a manner consistent with the Boat Facility Siting Plan for Martin County (BFSP).

Policy A8.1: The siting of all boat facilities shall be consistent with the guidelines, methodologies, procedures, and policies established in the Boat Facility Siting Plan for Martin County. This applies to the expansion of existing facilities or the development of new facilities.

Policy A8.2: A specific site plan proposal shall be reviewed to determine if the site is located in an area designated as preferred, conditional, or non-preferred, as defined in the following policies. Limitations on development described in the BFSP shall apply to sites in these locations.

Policy A8.3: Preferred locations for new boat facilities in Martin County are sites that are located in the Manatee Pocket and downtown area of the City of Stuart on the north and south sides of the Roosevelt Bridge and encompassing sites east and west of US, and identified and depicted in the BFSP. The BFSP supports the expansion and redevelopment of marine industries in these defined areas.

Policy A8.4: The City of Stuart will encourage land uses and site plans at preferred locations that enhance access to the coastal waterway and maximize the number of wet slips and dry storage racks at a given facility.

Policy A8.5: The City of Stuart will encourage the FDEP and SFWMD to develop ecosystem-planning initiatives for all preferred locations. A prime focus of these initiatives is to develop a coordinated and comprehensive approach to increasing the number of boat facilities, enhancing

natural resources, and protecting manatees. Special attention should be given to enhancing stormwater management plans, determining adequate levels of enforcement for speed zones, and considering paring alternatives for boat ramps.

Policy A8.6: Conditional locations for boat facilities in the City of Stuart are defined as sites located outside of the preferred locations where existing boat facilities are currently located, or where potential sites have been identified. A waterfront property not identified in Table 6 of the BFSP will be considered as a conditional site on a case-by-case basis if its present or potential land use and zoning designations are in compliance with the City of Stuart Comprehensive Plan. Expansion or development at these sites will be conditional based on two evaluations: the rate of boat-related manatee mortality* in the county or in a specific geographic area under consideration, and impacts to natural resources. Expansion or development of boat facilities at conditional locations will be based on the review and approval by the local government and state and federal permitting agencies. The number of boats at each facility may be limited by site plan constraints. Additional wet slips or dry storage for powerboats at conditional locations will be considered only if the average annual rate of manatee deaths attributed to watercraft for the preceding three years for which manatee mortality data are available is less than or equal to 1.33 or if the average annual rate of manatee deaths attributed to watercraft for the preceding three years for which manatee mortality data is available is less than 1.0 within five miles by water of the location. Also, the development plans must be designed to avoid and minimize the impacts to natural resources to the extent practical. Any impacts to seagrasses, tidal marshes, or mangrove communities must be avoided or minimized. Expansion of boat facilities at conditional locations will be based on the review and approval by the local government and state and federal permitting agencies.

Policy A8.7: Non-preferred locations are defined as sites located in areas that have not been identified as a preferred location or a conditional location in the BFSP. New boating facilities will not be permitted at these locations unless it is determined that the facility will not generate daily powerboat trips. Approval of a development plan at non-preferred locations shall be based on a review by the local government, FDEP, US Army Corps of Engineers, USFWS, and SFWMD. To be approved, the review should indicate that the site is designed to avoid and minimize impacts to natural resources to the extent practical. The only impacts to seagrass bets [beds], tidal marsh, mangrove, and other wetland communities allowed at non-preferred locations are those necessary for access to the site.

Policy A8.8: Single-family residential lots with water frontage are allowed one dock per lot or easement or right-of-way to the water. This applies to the entire coastline of the City of Stuart, regardless of the location of the site. The permitting requirements apply from the local government, FDEP, U.S. Army Corps of Engineers, USFWS, and SFWMD.

Policy A8.9: Private multi-family residential docks designed to accommodate the boats of more than one residence shall be allowed only at preferred and conditional locations. The total number of slips shall be determined by the site plan design, physical space limitations, environmental permitting criteria, and approval by the local government and permitting agencies.

Policy A8.10: As the need arises to increase public access to boat ramps, the City of Stuart shall strive to meet an acceptable level of service by increasing the number of ramp lanes and increasing the number of parking spaces at existing ramps. In order to increase parking at a particular ramp, the City of Stuart will evaluate if additional parking at the site is possible. When this approach is not feasible, the concept of providing an auxiliary parking location will be examined.

Policy A8.11: To accommodate population growth when existing ramp sites have reached their maximum development and traffic capacity, the City of Stuart shall work with Martin County to identify appropriate waterfront properties for developing new county owned/operated boat ramps.

Policy A8.12: The City of Stuart shall work with Martin County and FWC to review speed zones in the areas identified in the BFSP.

Policy A8.13: The City of Stuart shall work with Martin County and FWC to monitor manatee mortality caused by collision with watercraft in the county waterways.

(Ord. No. 1953-03, § 1, 12-15-2003)

GOAL STATEMENT B

> The protection of human life and capital facilities from the destructive effects of hurricanes and natural disasters by limiting public expenditures and development activities in identified hurricane vulnerability zones, providing for safe and effective emergency evacuation and establishing procedures for post-disaster redevelopment.

Objective B1. - Hazard mitigation and evacuation objective and policy.

To minimize the threat to human life and capital facilities from hurricane damage, through limiting population within the Coastal High Hazard Area; intergovernmental coordination mechanisms; maintaining or reducing hurricane evacuation times upon adoption of this plan; and ensuring that hurricane damage is a primary consideration during siting of new capital facilities throughout the planning time frame.

Policy B1.1. The City police and fire departments and City Commission shall cooperate with the Martin County Emergency Management Office and the Treasure Coast Regional Planning Council to design and evaluate evacuation plans that use roadways and all emergency facilities and shelters in the City of Stuart.

Policy B1.2. The City shall cooperate with the Martin County Emergency Management Office and the Treasure Coast Regional Planning Council by providing technical data reports which may be needed for emergency management for hurricanes, floods, nuclear power plant emergencies and other emergencies. The City shall update such information annually as needed to reflect changes in population size and distribution, location of high-risk populations, adequacy of transportation systems and shelters and the latest scientific findings affecting emergency management.

Policy B1.3. The City shall assist the Martin County Emergency Management Office in assuring that public information may continue to be developed and disseminated by this office on who should evacuate, how to evacuate and what services are available for the population in a hurricane.

Policy B1.4. The City shall encourage Martin County to maintain adequate shelter spaces to serve the Stuart area and work closely with the Martin County Emergency Management Office to locate and secure additional shelter spaces.

Policy B1.5. The land development regulations shall enforce local, Federal and State building and sanitation (central and on-site sewage treatment systems) codes for floodplain and velocity zones, and stormwater and flood prevention ordinances, in accordance with Federal Emergency [Management] Agency guidelines.

Policy B1.6. Potential for hurricane damage shall be a primary consideration for locational decisions and facility design for new capital facilities.

Policy B1.7. The recommendations of any interagency hazard report which addresses future flood losses and is prepared in response to a Presidential Disaster Declaration, as well as existing local peacetime emergency plans of the Treasure Coast Planning Council and Martin County Emergency Management Office shall be incorporated into the City's adopted Disaster Plan.

Policy B1.8. The City shall develop new and enhance existing outreach programs to increase the awareness and knowledge of citizens regarding evacuation zones, shelter locations, safe home sheltering and disaster preparedness practices, and evacuation routes.

Policy B1.9. The City shall limit development, redevelopment, and expansion of existing development, or altering land elevations in floodplain areas or flood-prone areas adjacent to emergency evacuation routes. When possible, preserve such lands in their natural state as water retention areas or floodwater pathways.

Policy B1.10. The City shall in conjunction with Martin County maintain or reduce hurricane evacuation clearance times.

Policy B1.11. In order to direct population concentrations away from the coastal high hazard area; maintain or reduce evacuation times; and limit public expenditures that subsidize development permitted in coastal high hazard areas: residential densities shall not exceed 15 dwelling units per acre unless the applicant can demonstrate that:

1. The adopted level of service for out-of-county hurricane evacuation, 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale, is maintained; or
2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
3. Appropriate mitigation is provided that will satisfy the provisions of subparagraph 1. or subparagraph 2 above. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation shall not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan (language extracted from F.S. § 163.3178 (9)(a)1, 2 and 3.

ACLFs shall continue to be prohibited within the Coastal High Hazard Area.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective B2. - Post-disaster redevelopment.

By 2000, the City shall establish and adopt post-disaster procedures for immediate and long-term response to a hurricane or natural disaster including cleanup and redevelopment.

To implement this objective the following policies are adopted:

The City shall continue implementation of the post-disaster procedures for immediate and long-term response to a hurricane or natural disaster including cleanup and redevelopment.

To implement this objective the following policies are adopted:

Policy B2.1. On continuing basis, the City shall review its comprehensive plan and other relevant plans as needed, for post-disaster redevelopment which will include at minimum:

a. Review and approve or deny emergency building permits;
b. Coordinate with Federal and State officials to prepare disaster assistance applications;
c. Analyze and recommend to the City Commission hazard mitigation options including abandonment, reconstruction, or relocation of damaged public facilities;
d. Prepare a redevelopment plan; and
e. Recommend amendments to the Comprehensive Plan, Local Peacetime Emergency Plan and other appropriate plans.

Policy B2.2. Immediate cleanup and repair actions needed to protect the public health and safety shall receive first priority in emergency permitting decisions. These actions include the following:

a. Repairs to potable water, wastewater and power facilities;
b. Removal of debris;
c. Stabilization or removal of any structure which is about to collapse.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective B3. - Coastal infrastructure.

To establish levels of service, service areas and phasing of infrastructure to ensure that adequate public facilities and services are available to existing residents and visitors to the City.

To implement this objective the following policies are adopted:

Policy B3.1. The level of service (LOS) standards adopted elsewhere in this Comprehensive Plan for public facilities and the additional standards under this objective shall be applied by the City Planning Department whenever development orders or permits are requested. The City shall consult and coordinate with Martin County to maintain safe evacuation times for all development permitting activity which falls within the limits of Stuart's CHHA.

Policy B3.2. The City shall ensure that necessary infrastructure funding and infrastructure is phased concurrent with demand generated by development or redevelopment in the coastal zone at the densities proposed by the Future Land Use Plan, consistent with coastal resource protection and emergency evacuation.

Policy B3.3. The City Planning Department shall review developments that occur in areas of potential natural and man-made disasters for such safety factors as adequacy of shelter for residents, ability of surrounding roads to accommodate emergency traffic and ability of internal roads to accommodate emergency traffic. The City shall cooperate with the TCRPC in determining the adequacy of shelters and manpower to accommodate City's residents.

Policy B3.4. The City shall give priority to infrastructure improvements that contribute to the reduction of evacuation clearance times, regional shelter capacities, and critical and health care capacities.

(Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective B4. - Interjurisdictional resource management.

To ensure that resources occurring in or affecting more than one governmental jurisdiction are effectively managed to preserve, protect and enhance coastal natural systems, wildlife, fisheries and habitat through implementation of specific intergovernmental coordination mechanisms commencing upon adoption of this plan, and executed throughout the planning time frame.

To implement this objective the following policies are adopted:

Policy B4.1. The City shall continue to coordinate with the appropriate agencies to further and implement the Treasure Coast Regional Comprehensive Policy Plan, the North Fork of the St. Lucie River Lagoon Aquatic Preserve Management Plan and the St. Lucie Estuary Management Plan and other such plans and programs as require the involvement of the City. Appropriate agencies include, but are not limited to, the Treasure Coast Regional Planning Council, U.S. Army Corps of Engineers, South Florida Water Management District, Department of Natural Resources, Department of Environmental Regulation and Department of Community Affairs.

Policy B4.2. The City shall coordinate with the Martin County Soil and Water Conservation Districts and other related agencies in promoting awareness of new information concerning the St. Lucie River estuary system and the impacts of development on the functions and values of the estuary system.

Policy B4.3. The City will continue to coordinate with, and assist where appropriate, those agencies responsible for protection and management of waterways that occur within or adjacent to the City.

Policy B4.4. The City shall cooperate and coordinate with surrounding local governments as well as State agencies in an effort to protect and preserve existing natural systems.

Cross reference— Intergovernmental coordination element, Element VII.