Element 5 - CONSERVATION ELEMENT Goals, Objectives, and Policies City of Stuart, Florida Effective April 2002[1]

Footnotes:

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Cross reference— Future land use element, Element I; environmentally sensitive natural resources, Element I, Objective A3; protection of natural groundwater recharge areas and drainage features, Element IV, Objective A10; recreation element, Element VI; implementation, Element VII, Objective A3; coastal element, Element IX.

GOAL STATEMENT 5.A

Where appropriate, promote the use of renewable energy resource efficiency by supporting environmentally acceptable, sustainable energy sources, especially renewable resources such as solar, wind, hydroelectric, geothermal, biomass, cogeneration and heating/cooling.

Where appropriate, promote the use and development of low-carbon-emitting electric power plants.

"Electrical power plant" means any electric generating facility that uses any process or fuel and this is owned and operated by an electric utility, and includes any associated facility that directly supports the operation of the electrical power plant.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A1. - Surface water quality.

The City shall protect the quality of all surface waters within the City Limits and the City's watershed basins, especially the St. Lucie Estuary.

To meet this objective, the City will continue implementing and maintaining the land development code, specific performance standards for regulating land use, public access, marina siting and activities, shoreline alteration and seawalls, dredging and filling activity, and provide treatment of stormwater runoff and mangrove protection. The City shall continue to adhere to its master drainage plan and continue to participate with other agencies having resource management plans throughout the planning time frame.

The following policies support this objective:

Policy 5.A1.1. The City shall ensure effective enforcement and monitoring of its master drainage plan and flood prevention ordinance.

Policy 5.A1.2. The City shall arrange for the removal or retrofitting of existing stormwater outfalls to the St. Lucie Estuary and its tributaries during redevelopment activities, where appropriate and consistent with State, Federal, and regional rules and guidelines.

Policy 5.A1.3. The City shall coordinate with appropriate agencies that are implementing the Indian River Lagoon Aquatic Preserve Protection Plan, the Hutchinson Island Resource Management Plan, the North Fork of the St. Lucie River Aquatic Preserve Protection Plan, the Surface Water Improvement River Management Plan (SWIM) for the Indian River Lagoon, and other such resource management plans and programs as require the involvement of the City.

Policy 5.A1.4. The City shall solicit the South Florida Water Management District (SFWMD) and the Army Corps of Engineers to exercise more careful control of the locks and canals by doing the following:

1. Set performance standards for amounts of water and silt which can be released from the locks and canal control structures.
2. Prior to opening of locks, drain them with surface water and clean debris collection from the locks.

3. Support the development of a "downtown" regional attenuation facility within the CRA.

4. Encourage the implementation of the Indian River Lagoon Restoration Plan and early implementation of water preserve areas and stormwater treatment areas.

Policy 5.A1.5. Because the City of Stuart is located at the convergence point of two rivers, the City shall monitor SWIM and other related water quality improvement programs initiated by SFWMD.

Policy 5.A1.6. Specific SFWMD programs shall be identified for Stuart and should be fully implemented.

Policy 5.A1.7. The City shall analyze and evaluate the City's maintenance program to clean Stuart's rivers, creeks, and other water bodies.

Policy 5.A1.8. The City shall coordinate with SFWMD and other agencies to initiate and complete programs to clean-up water bodies in Stuart and explore measures to address/reduce non-point source pollution (i.e., baffle boxes, weir systems).

Policy 5.A1.9. The City shall coordinate with governmental bodies to analyze and maintain programs that affect Stuart's rivers, creeks, etc.

Policy 5.A1.10. The City shall implement the Watershed Protection Program which includes capital improvements and regulatory mechanisms to protect and improve the environmental features of watershed basins which include any portion of the City limits. These watershed basins are delineated on the City Watersheds Map and include:

- Anchorage Basin.
- Coral Gardens Basin.
- Crescent Basin.
- Crooked Creek Basin.
- Downtown Basin.
- East Airport Basin.
- Fork Road Basin.
- Frazier Creek Basin.
- Haney Creek Basin.
- Hildabrad Basin.
- Krueger Creek.
- Landfill Basin.
- North Airport Basin.
- North Point CRA Basin.
- Poppleton Creek Basin.
- Rio Basin.
- South Fork Basin.
- Warner Creek Basin.
- Willoughby Basin.
- Woods Point Basin.

Policy 5.A1.11. The City shall establish a comprehensive program to eradicate invasive exotic trees and vegetation.

Policy 5.A1.12. The City shall encourage participation and representation from City residents for the St. Lucie River Initiative and other State/local initiatives.

Policy 5.A1.13. The City shall continue to maintain and update its city wide master sewer plan and sewer system connection ordinance and shall continue to prioritize the expansion of City's sewer system into developed areas closest to St. Lucie River and tributaries.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A2. - Groundwater quality and quantity.

The quality and quantity of the City of Stuart's groundwater shall not be degraded. Stormwater management requirements and a wellfield protection ordinance shall be enforced. Additional well protection mechanisms, such as water withdrawal schedules and conservation measures, shall be implemented as part of a total groundwater protection program by 1998.

The following policies support this objective:

Policy 5.A2.1. The City shall, in cooperation with the Department of Environmental Protection, the South Florida Water Management District, and the U.S Geological Survey, continue to monitor groundwater quality and quantity.

Policy 5.A2.2. The City shall continue to protect present and future potable water wellfield locations identified and protected by its SFWMD Upper East Coast Water Supply Plan, and through its continuing application of the Martin County Wellfield Protection Ordinance, to assure that water resources are not negatively impacted by development, excessive drawdown or saltwater intrusion through development, and implementation of a wellfield protection program.

Policy 5.A2.3. Through its participation in the Martin County Wellfield Protection Ordinance, the existing and future potable water wells and wellfields shall continue to be protected from contamination by EPA/DEP regulated materials (i.e., hazardous and toxic materials).

Policy 5.A2.4. The City shall continue to promote land and water management techniques in conjunction with energy conservation measures which will protect water quality, enhance water supplies and minimize potable water demands through the following:

1. Encourage use of drought-tolerant, native vegetation in landscaping by providing an approved list to home-owners and developers seeking building permits.
2. Participate in water conservation programs of the South Florida Water Management District and enforce mandated no-watering policies within the City.
3. Encourage the removal of exotic and invasive vegetation upon development or redevelopment.
4. The land development regulations shall enforce State law requiring low volume plumbing fixtures for new construction.
5. Employ the City's existing potable water leak detection and maintenance program.
6. As resources permit, continue to install weirs in drainage ditches to increase groundwater table elevations to the extent feasible considering flood protection and septic tank drainfield performance requirements.

Policy 5.A2.5. No activity shall be permitted which would adversely affect the quantity or quality of recharge entering the City's aquifers or within the City's watershed basins. Consistent with the intent of this policy:

1. Post-development runoff volumes shall not exceed pre-development runoff volumes for a storm event of three-day duration and 25-year return frequency for parcels greater than one acre. The same criteria shall apply for a storm event of three-day duration and ten-year return frequency for parcels less than one acre.

2. To the maximum extent consistent with the requirements of flood control, stormwater management systems shall be designed to maximize retention capability.

3. Stormwater management systems shall be designed to maximize the quality of water being recharged as well as that being discharged off-site.

4. Wherever suitable soils exist, encourage percolation of stormwater into the groundwater table through dry retention areas, pervious pavement, and other such methods supported by sound engineering practices.

5. Require new development to address off-site watershed issues related to greenways protection, wetlands, and water quality impacts due to on-site stormwater management designs.

6. Where appropriate, encourage Low Impact Development (LID) practices.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective 5.A3. - Water conservation.

By implementing the City's Twenty-Year Water Conservation Initiative, adopted on January 14, 2008, conserve water resources by reducing raw water average daily per capita consumption from the current rate of 193 GPCD to 191 GPCD by 2030, a 1.0 percent decrease in the overall per capita daily consumption rate.

The following policies support this objective:

Policy 5.A3.1. The City shall continue to implement its existing water conservation programs, which include the following components:

1. Minimum water quality standards for non-potable use.

2. Use of wastewater effluent for irrigation purposes wherever economically feasible.

3. Use of water-saving devices, irrigation systems, and plumbing fixtures, such as toilet tank dams, adjustable shower heads and drip irrigation, shall be required for all new construction. Retrofitting of existing systems shall be encouraged.

4. Application of existing leak detection and maintenance program for the City water system.

Policy 5.A3.2. During drought emergencies, implementation of South Florida Water Management District water shortage plans shall be enforced.

Policy 5.A3.3. The City shall continue to cooperate with the South Florida Water Management District and Martin County in the development and implementation of water conservation programs established as part of its Ten-Year Water Supply Facilities Work Plan and Consumptive Use Permit. [The following programs shall be implemented by the City:]

- Interlocal Agreement For The Sale and Purchase Of Supplemental Water and Wastewater Capacity With Martin County;
- Two-day per week year-round landscape irrigation restrictions;
- Additional limitations on landscape irrigation during a water shortage emergency;
- Requirements for the use of Florida-Friendly Landscaping and "rain switches" on irrigation systems;
- Continued use of the Standard Plumbing Code, including implementation of all plumbing fixture requirements;
- A tiered water use rate structure, including periodic rate studies;
- Retrofit rebate programs for residential toilets, residential indoor plumbing exchanges, and landscape irrigation efficiency;

- Customer education on the subject of water conservation via the monthly utility bill;
- Additional public education efforts, including open houses at the water plant and tours of the water plant for school and seniors groups throughout the year.

Policy 5.A3.4. The City shall continue to develop and implement the water reuse program for large users as a means to reduce the City's traditional water source per capita consumption rate.

Policy 5.A3.5. The City shall monitor progress toward achieving the 2030 raw water consumption rate target on an annual basis. If progress is not consistent with interim targets projected in Table 4A of the Ten-Year Water Supply Facilities Work Plan, the City shall consider the need for implementing additional conservation measures.

(Ord. No. 2166-08, § 1, 1-12-2009; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010; Ord. No. 2274-2014, § 1, 3-10-14)

Objective 5.A4. - Floodplain protection.

The City shall protect the natural functions of the 100-year floodplain.

The following policies support this objective:

Policy 5.A4.1. The City has adopted and will continue to implement a mangrove protection ordinance.

Policy 5.A4.2. New development shall preserve a buffer zone of 25 feet from the mean high water line of native vegetation which falls within the existing 25-foot setback area along waterways. This may be reduced to ten feet in the CRA to promote infill, redevelopment, and reduce blight.

Policy 5.A4.3. The City shall assure that all development within the delineated 100-year flood zone abides by Federal flood hazard insurance regulations which limit the type and magnitude of alterations to the natural system that can be made.

Policy 5.A4.4. The City shall promote programs to minimize flood insurance costs where feasible to its residents.

Policy 5.A4.5. Through the effective implementation of the City's master drainage plan and Flood Prevention Ordinance, the magnitude and frequency of damaging flood events shall be reduced.

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

Objective 5.A5. - Natural systems.

Through enforcement of avoidance and minimization standards contained in the City's Land Development Code, including the use of LID systems, the City shall continue to preserve and protect the functions and values of natural areas of vital concern to the environment of the City. Natural areas of vital concern to the City include the St. Lucie estuary, wetlands, coastal wetlands and shorelines, living marine resources (seagrass beds, fisheries, and mangroves), native upland vegetative communities, and wildlife habitats, especially endangered species habitat.

The following policies support this objective:

Policy 5.A5.1. Environmentally sensitive lands are those land areas that warrant the greatest degree of protection from development impacts. Environmentally sensitive lands are designated to be viable and functioning wetlands as determined by the SFWMD and native upland vegetative communities that provide wildlife habitat necessary for the survival of Listed Species as determined by the Florida Fish and Wildlife Conservation Commission (FFWCC) and/or U.S. Fish and Wildlife Service (USFWS).

Policy 5.A5.2. Protection and management of wetland and deep-water habitats shall be in a manner consistent with implementation of the Treasure Coast Regional Comprehensive Policy Plan, the North Fork of the St. Lucie River and Indian River Lagoon Aquatic Preserve Management Plans, the St. Lucie Estuary

Management Plan (SLEMP), and any other appropriate resource management plan that applies to resources within the City limits.

Policy 5.A5.3. For natural areas that are proposed to be retained on site, all nuisance and invasive exotic vegetation (e.g., Brazilian pepper, Australian pine, and melaleuca) shall be removed and replaced with native plant species adapted to existing soil and climatic conditions. Removal shall be in such a manner that avoids seed dispersal by any such species. Planting of pest exotic vegetation shall be prohibited. On privately owned lands, implementation shall occur at the time of development or redevelopment. On publicly owned lands, implementation shall occur at the time of development or as soon as possible. It should be noted that private environmental groups may voluntarily implement this work as an organizational project. In all cases, implementation shall be consistent with the overall objective of protecting the functions and values of native habitats.

Policy 5.A5.4. The City shall compile a list of Florida friendly and native plant species to be available for reference by residents and developers. This list shall be based upon native plant species guidelines commonly applied by the Treasure Coast Regional Planning Council, South Florida Water Management District, and Florida Department of Agriculture and Consumer Services. The city shall encourage native alternatives rather than planting sod.

Policy 5.A5.5. Wetlands shall be protected and conserved by restricting direct and indirect development impacts according to Policies 5.A5.5, 5.A5.6, Conservation land use designations, conservation easements, open space requirements and other goals, objectives and policies of this plan.

A. *General.*

i. Through current avoidance and minimization standards set forth in the City's Land Development Code, including the encouragement of Low Impact Development (LID) practices, the City shall continue to enforce policies which avoid and minimize damage to wetlands and direct development to lands that are not environmentally sensitive; to encourage activities not dependent upon a wetland location be located at upland sites; to allow wetland losses only where all practicable measures have been applied; reduce those losses that are unavoidable and in the public interest; allow for limited mitigation; promote compact urban development and discourage urban sprawl by allowing wetland impacts in excess of minimum requirements under certain limited conditions; encourage wetlands mitigation within the watershed basin containing the impacted wetlands; protect and enhance the environmental qualities of watershed basins; and provide for the protection of wetlands under the City's land development regulations to be adopted and implemented consistent with F.S. § 163.3202.

ii. All development shall, at a minimum, comply with wetland protection requirements of all Federal, State and regional agencies having regulatory authority. This plan provides supplemental conservation and protection measures for wetlands pursuant to the direction of F.S. ch. 163, pt. II [F.S. § 163.2511 et seq.].

iii. Land use planning and site design shall support development patterns that avoid or minimize the impact of development on wetlands.

iv. In order to properly identify and delineate wetlands, the City shall rely on the delineation of wetlands by the SFWMD or FDEP.

v. In no instance shall these wetland policies be construed to allow development that is otherwise prohibited by the Comprehensive Plan.

B. *Land use.*

i. Existing uses in wetlands may continue, but shall not be expanded unless they are specifically allowed or exempted. Silviculture in wetlands shall be consistent with "Silviculture Best Management Practices" published by the Florida Department of Agriculture as it existed on July 1, 1998.

ii. Walking trails or elevated wooden "cat walks" designed to minimize disturbance to the wetland system shall be allowed to provide limited access for purposes of passive recreation or access to other portions of the site or adjacent waters which are otherwise inaccessible.

iii. New development shall not be allowed in wetlands, i.e., development shall occur outside of the wetland (including its upland buffer as specified in C below) except as indicated in v and vi below, or in the exceptions listed in Policy 5.A5.6. When one or more contiguous lots or parcels of record under common ownership or control as of the date of adoption of this Comprehensive Plan are evaluated under these exceptions, the lots or parcels shall be aggregated and evaluated as a single lot or parcel.

iv. New development shall be located on upland portions of a development site, which are not otherwise environmentally sensitive lands. Development densities may be transferred out of the wetland area on a one-for-one basis. However, the development density of the developable portion of the site shall not exceed 150 percent of the maximum density otherwise allowed for the non-environmentally sensitive portion of the site. For each transferred residential unit an additional one-tenth of an acre of on site, non-environmentally sensitive land shall be preserved as upland buffer or native preserve.

v. If new development cannot be clustered outside of the wetland protection area, the uses specified under F.A.C. 40E-4.051 in effect as of July 1, 1998, are allowed, except for any new or expanded agriculture, silviculture, floriculture and horticulture.

vi. If new development cannot be clustered outside of the wetland protection area the uses specified under F.A.C. 40E-400.417—40E-400.500 in effect as of July 1, 1998, are allowed except that new or expanded silviculture operations are not allowed. Additionally, single family homes must be constructed on pilings or stemwalls to minimize the area of isolated wetlands filled for the residence and associated improvements and the dwelling unit must be connected to central water and sewer whenever available.

C. *Buffers.*

i. Upland buffers are considered an integral component of a functioning wetland and shall be afforded the same types and levels of protection as the wetland itself. Buffers shall maintain an average width of 50 feet beyond the perimeter of the wetland. Buffers shall not be developed, cleared or landscaped in any fashion that would decrease their effectiveness in supporting wetland functions. Upland buffers may not be used for wetlands destruction/mitigation credit in the City of Stuart.

ii. The City shall require that upland buffers be extended beyond 50 feet if necessary to connect isolated wetlands with other protected wetlands existing within 200 feet. Greenways will be created when possible. This policy shall apply to protected wetlands within 200 feet on adjacent parcels regardless of ownership.

D. *Mitigation.* The purpose of mitigation is to offset environmental impacts. Mitigation activities approved by a Federal, State or regional agency are supported by the City. However, these mitigation activities do not exempt development activities from the requirements of this plan. The issuance of a permit by any other agency, with or without mitigation, does not exempt the development from the requirements of this plan. Development in wetlands must be consistent with this plan to proceed. Upland buffers and preserve areas otherwise required by the City in a development may not also be used for wetlands destruction/mitigation credit in the City of Stuart. Additional upland preserve area beyond the City's requirements may be used for mitigation credit in the City of Stuart so long as it is within the same watershed basin.

E. *Implementation.*

i. The City shall maintain a generalized wetlands map as part of this Plan.

ii. The city shall maintain a generalized watershed basin map and program as part of this plan.

iii. The City shall consider designating known wetland areas as Conservation on the Future Land Use Map to further enhance their recognition and protection.

iv. If the City has any reason to believe that wetlands exist on a proposed development site, the landowner/developer shall be required to provide to the City a site map showing the formal determination of the extent of surface waters and wetlands by the SFWMD. Additionally, this map must show the delineation of the upland buffer. If there is a reason to believe that wetland buffers may crossover from wetlands on adjacent sites or that on-site wetlands or uplands are integral to off-site watershed protection, those wetlands and associated buffers must also be evaluated. The City shall petition the SFWMD for a formal determination of proximate wetlands on adjacent sites if needed to determine what development is allowed on site.

v. Any development site plan must show:

a. A description (including maps) of all water bodies, watercourses, wetlands and associated buffers on-site and immediately adjacent to the site and within the watershed;

b. A description (including maps) of any other environmentally sensitive land on the site; and

c. A detailed plan that shows all proposed development that may directly or indirectly impact the wetlands, including any proposed disturbance of the wetland and wetland buffers as well as any other environmentally sensitive lands on the site.

vi. The City shall require a wetland special use permit for any development that proposes to impact wetlands. The permit shall be implemented in the City's land development regulations. The permit criteria shall require compliance with Conservation Element Policies 5.A5.5 and 5.A5.6.

vii. The developer shall ensure that site development activities do not degrade on-site or adjacent surface waters or wetlands. Wetlands shall not be used as primary sediment traps during development or for stormwater retention beyond historic hydrologic regime after development. No grading, cutting or filling shall be commenced until erosion and sedimentation control devices have been installed between the disturbed area and the wetlands.

viii. The developer shall ensure that site development activities do not degrade or negatively impact the watershed basin in which the site is located.

ix. Wetland buffer areas may be counted toward any open space requirements of this Plan, however, wetlands themselves shall not count toward open space requirements.

x. Wetlands and their associated buffers may be designated conservation easements unless part of a homestead.

xi. The City shall evaluate the status of wetlands in the City to determine the effectiveness of these policies at the time of each Evaluation and Appraisal Report.

xii. Except for protections afforded certain non-invasive, non-native specimen and flowering trees in the City's Land Development Code, upon development of a site, the developer shall be required to remove exotic vegetation and replace it with native vegetation suitable to the soil conditions.

xiii. Where not precluded by existing site improvements, constructed wetlands and stormwater devices shall be located in such a manner to provide additional buffering for existing wetlands or to create and enhance interconnections between wetlands and natural areas.

Policy 5.A5.6. Exceptions to Policy 5.A5.5 above:

A. Isolated wetlands:

i. Development may incorporate isolated wetlands into stormwater management systems, provided that the stormwater runoff is treated prior to entering any wetland system, so that the wetland is used for nutrient and volume attenuation. The City shall encourage designs

which maintain the existing natural wetlands community, except where permitting agencies agree that the imposition of conditions which favor a different plant community is more desirable for the purpose of providing habitat, improving water quality or enhancing other wetland values.

ii. The City shall request that the SFWMD, Florida Fish and Wildlife Conservation Commission (FWCC) and/or U.S. Fish and Wildlife Service (USFWS) or a professional biologist to comment and render an opinion as to whether the wetland has significant wildlife values based on the following factors:

a. The extent to which the isolated wetland acts in concert with the broader regional landscape to provide both food web support and habitat for wildlife;

b. The potential cumulative impacts to isolated wetland wildlife functions at a regional level;

c. Individual wetland features that are important to wildlife;

d. Whether the isolated wetland is used by endangered or threatened species or species of special concern; and

e. The degree to which adjacent existing or planned development will affect the use of the wetland by wildlife; and

f. The extent to which the wetland presents unique hydrology and vegetation compared to other isolated wetlands within the City.

If the biological evaluation indicates that the isolated wetland has significant and sustainable wildlife values, or unique hydrology and/or vegetation, the wetland shall be afforded the same level of protection as all other wetlands. However, if the report indicates no significant and sustainable values, then the underlying land use category may be applied. This does not preclude the application of any regulatory requirements of other Federal, State or regional agencies.

B. Reserved.

C. If the SFWMD indicates that a wetland (or a portion thereof) is severely degraded and has minimal restoration potential and that beneficial mitigation of other wetlands would be achieved as a result of mitigation that allows some development in this degraded wetland (or portion thereof) then the underlying land use category shall apply. Mitigation shall be permitted in order of priority:

1) On-site mitigation;

2) Mitigation within the same watershed basin in the City of Stuart;

3) Mitigation within a watershed basin identified by this plan;

4) Mitigation within watershed basins in Martin County;

5) Mitigation within a mitigation bank whose service area covers the development site.

D. Road crossings shall be allowed if absolutely necessary to access developable portions of the site or if shown to be in the overriding public interest, such as necessary collector or arterial road linkage. When allowed, road crossings shall occur at the narrowest point and be elevated on a bridge structure or above a culvert and designed so that water flow and wildlife movement are uninterrupted.

E. Public infrastructure may be located in wetlands if there is no other possible location available.

F. Future Land Use Element Policy 1.A7.6 is applicable to the enforcement of all wetland conservation and protection policies.

Policy 5.A5.7. The City shall protect the natural resources associated with recreation facilities, open space and natural reservations identified in the Recreation and Open Space Element through land development regulations providing performance standards for development of natural resources, and

through ensuring through the site plan review process that existing open space and natural reservations are not changed to more intensive uses that would degrade natural resources.

Policy 5.A5.8. The City shall protect native vegetative communities by requiring that existing native vegetation constituting up to 25 percent of a development site be preserved. Land clearing activities require a permit that demonstrates the protection of native vegetative communities consistent with Policy 5.A5.8 and 5.A5.9.

Policy 5.A5.9. Environmentally sensitive lands containing native vegetative communities that provide wildlife habitat necessary for the survival of listed species as determined by the FGFWFC shall be protected and conserved. The Strategic Habitat Conservation Area Map indicates potential locations of such native vegetative communities. Development proposed in these areas must be surveyed to determine existing conditions. If the site contains native vegetative communities that provide wildlife habitat necessary for the survival of listed species as determined by the FGFWFC, the following shall be required:

a. Cluster development away from the habitats of listed species.

b. Avoid the fragmentation of contiguous ecological community associations which extend over adjacent parcels.

c. Allow the transfer of development rights to other parcels in the City if otherwise consistent with this plan.

(Ord. No. 1893-02, § 1, 1-27-2003; Ord. No. 2164-08, § 2, 11-24-2008; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A6. - Wildlife protection.

Endangered, threatened and species of special concern shall be identified through the site plan process. Protection and enhancement of these wildlife populations within the City and in surrounding environs shall be through such provisions as adequate buffering, cluster development and density bonuses for developers that set aside land for wildlife habitat.

The following policies support this objective:

Policy 5.A6.1. All endangered and threatened plant and animal populations shall be protected. Of special concern, are all species listed as endangered, threatened, of special concern or rare by the Federal government, the State of Florida or the Florida Committee on Rare and Endangered Plants and Animals.

Policy 5.A6.2. Sites proposed for development activities within the known range of endangered or threatened species shall be surveyed at the request of local officials by qualified government ecologists prior to approval of or commencement of such activities to determine whether or not endangered or threatened plant and animal populations occur, and the potential impact of the proposed development. This request will originate within the City's site plan review process. If qualified government ecologists are not available for survey, the developer will obtain a City-approved professional consultant at the developer's expense.

Policy 5.A6.3. The City shall maintain its status as a bird sanctuary and develop a program to encourage residents to provide additional backyard habitat to enhance non-game wildlife populations within the City.

Policy 5.A6.4. As noted in the Martin County Manatee and Boat Siting Protection Plan, the City shall coordinate with Martin County and state and federal agencies regarding the following issues:

a. Implementation of speed zones as appropriate in the St. Lucie River.

b. Monitoring of manatee mortality by collisions with watercraft in county waterways.

c. Seagrass restoration to enhance estuarine natural resources, improve water quality, and provide additional foraging habitat for manatees.

d. Participation on the Martin County Manatee Protection Advisory Committee as appropriate.

(Ord. No. 1954-03, § 1, 12-15-2003; Ord. No. 2205-2010, § 1(Exh. I), 9-27-2010)

Objective A7. - Air quality.

The City shall continue to meet or surpass all national ambient air quality standards, as set by the U.S. Environmental Protection Agency, including policies pertaining to greenhouse gases.

The following policies support this objective:

Policy 5.A7.1. Transportation plan development and project reviews shall consider provisions for bicycle lanes, sidewalks, car pooling, mass transit and other transportation methods which reduce air polluting emissions.

Policy 5.A7.2. Construction practices such as seeding, wetting and mulching which minimize airborne dust and particulate emission generated by construction activities shall be undertaken within 30 days of completion of clearing work. Clearing of specific building sites shall not commence without the necessary permit as required under the City's revised land development regulations.

Policy 5.A7.3. All buildings scheduled for renovation or demolition shall be required to receive a Florida Department of Environmental Protection (FDEP) permit and shall be surveyed for the presence of asbestos. Asbestos shall be removed prior to demolition. Any asbestos removal shall be performed by a contractor licensed under the Florida Department of Professional Regulation. Any buildings scheduled for demolition shall apply for a permit from the Department of Environmental Protection.

Policy 5.A7.4. Landscape efforts and ordinances shall consider the use of landscape material, including trees, to mitigate localized air quality problems. Consistent with this policy, the City shall undertake efforts to promote large-scale tree planting programs.

Policy 5.A7.5. Compliance of future development and redevelopment with all appropriate federal, state and local air quality standards shall be assured.

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

Objective 5.A8. - Soil and shoreline erosion prevention.

The City shall conserve soil resources by reducing the rate of soil erosion resulting from land development and other activities.

The following policies support this objective:

Policy 5.A8.1. The City shall consider topographic, hydrologic and vegetative cover factors in the site plan review process of proposed developments. Removal of native vegetation within the buffer zone as defined in Policy A4.2 and on stream banks and on slopes of greater than 3:1 shall be prohibited.

Policy 5.A8.2. Sloping revetments, interlocking bricks and similar designs to reduce the effects of bottom scouring by more effectively dissipating wave forces shall be used in all shoreline construction.

Policy 5.A8.3. Replanting of seagrasses shall be encouraged during redevelopment of coastal areas. Upon determination that existing environmental conditions can support an appropriate species of seagrasses, the City shall seek funding and manpower from public and private organizations, including use of citizen volunteer projects in areas identified as having potential for reestablishment.

Policy 5.A8.4. The City shall cooperate with the Martin County Soil and Water Conservation District and the U.S. Soil Conservation Service to monitor soil erosion rates and develop programs to minimize soil erosion.

Policy 5.A8.5. The City shall prohibit the use of off-road vehicles in all areas other than those that are explicitly permitted.

Objective 5.A9. - Hazardous waste.

The City shall develop a hazardous waste management program for the inventory, storage, recycling, collection and disposal of hazardous waste.

The following policies support this objective:

Policy 5.A9.1. In order to protect the City's natural resources, the City shall manage the generation, handling or storage of hazardous waste as follows: For new development, the City shall consider the impacts of potential hazardous wastes during the site plan review process. For existing development, the City shall require notification of hazardous waste generation, handling or storage as part of the occupational license application procedure. Such development will be permitted by the City only after the applicant provides an emergency response plan addressing accidents involving hazardous waste, and mitigation strategies to protect local natural resources.

Policy 5.A9.2. The City shall cooperate with the County in developing and implementing an emergency hazardous waste response program.

Policy 5.A9.3. The City shall continue to recycle and dispose of its hazardous waste materials in accordance with Florida Administrative Code and State laws.

Policy 5.A9.4. The City shall cooperate with Martin County in sponsoring Amnesty Days to collect household hazardous waste for proper disposal.

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

Objective 5.A10. - [Landscaping and maintenance of open spaces.]

The City shall assure that open spaces are preserved and maintained in properly landscaped and litter free condition.

The following policies support this objective:

Policy 5.A10.1. Public lands shall be landscaped and maintained in keeping with the standards, specifications and intent of the City landscaping requirements of the Land Development Regulations.

Policy 5.A10.2. The City Public Works and Code Enforcement Departments shall be instructed to give greater emphasis to the fullest possible enforcement of both City and State ordinances pertaining to the landscaping of private and commercial properties and pertaining to littering.

Policy 5.A10.3. Through application of existing landscaping requirements and litter provisions set forth in the City's Land Development Code and Code of Ordinances, the City shall continue to assure these standards are applied and in a timely manner.

Policy 5.A10.4. Continue identifying funding sources Open Space landscaping and maintenance. As resources permit, the City may earmark local tax revenues for the landscaping and litter-free maintenance of open spaces and/or continue investigating user fees, impact fees, and volunteer programs as may be needed.

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