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## Exhibit A

Text proposed for deletion is shown ~~stricken~~ and text proposed for addition is shown underlined.  
Supplement 55 provided by MuniCode is the base document for the EAR based changes shown.

### Chapter 2 OVERALL GOALS AND DEFINITIONS

Adopted:	February 20, 1990	By Ordinance No. 373
Adopted:	December 16, 2009	By Ordinance No. 843
Amended:	December 16, 2014	By Ordinance No. 965
Amended:	August 13, 2013	By Ordinance No. 938
Amended:	December 10, 2013	By Ordinance No. 946
Amended:	July 8, 2014	By Ordinance No. 957
Amended:	August 22, 2017	By Ordinance No. 1032
Amended:	February 27, 2018	By Ordinance No. 1048
Amended:	August 21, 2018	By Ordinance No. 1080
Amended:	September 10, 2019	By Ordinance No. 1110
Amended:	May 11, 2021	By Ordinance No. 1158
Amended:	November 16, 2021	By Ordinance No. 1171
Amended:		<u>By Ordinance No.</u>

#### Section 2.1. Overall Goals for Martin County's Comprehensive Growth Management Plan

Martin County has endeavored to establish a Comprehensive Growth Management Plan which broadens, enhances, and protects the quality of life for its residents. The overall goals for the Comprehensive Growth Management Plan are keyed to maintaining quality residential and nonresidential uses, natural resource conservation and preservation of beneficial and protective natural systems, enhanced economic development, and fiscal conservancy. The Overall Goals, Objectives and Policies contained in this chapter summarize Goals, Objectives and Policies in other parts of the Plan.

Martin County has been proclaimed a 'Sustainable County' by the state land planning agency. Sustainable means meeting the needs of the present without compromising the ability of future generations to meet their needs. All planning decisions made by the County shall be based upon a consideration of impacts on the ecology, quality of life and fiscal sustainability of such actions, including the long term cumulative impacts. Additionally, Martin County shall ensure that private property rights are considered in local decision making, consistent with Chapter 19, Private Property Rights.

#### Section 2.2. Overall Goals, Objectives and Policies

**Goal 2.1** Martin County shall broaden, enhance, and protect the quality of life of Martin County residents.

*Objective 2.1A.* Text amendments to the CGMP and amendments to the FLUM shall allocate land use so as to provide for compatibility with existing development and long term planning goals.

*Policy 2.1A.1: No land uses or development shall:*

- (1) Exceed 15 residential units per acre. This policy shall not be applicable to densities described in the Mixed-Use Village (MUV) future land use designation.
- (2) Have more than four stories. Rebuilding of oceanfront structures on Hutchinson Island to the original building configuration shall not be considered inconsistent with this policy.

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- (3) Be more than 40 feet high. Building height shall be measured as described in the Land Development Regulations.

*Policy 2.1A.2.* Existing and future residential areas shall be protected from encroachment by commercial or industrial development or other non-residential uses, which would be incompatible with such residential uses. All plan amendments and development approvals shall protect residential neighborhoods from the negative impacts of more intense development. This is not intended to preclude necessary community facilities within the residential areas where residents are protected from negative impacts. This policy shall not apply to the MUV future land use designation.

*Policy 2.1A.3.* In areas of residential development, project design shall ensure that comparable density and dwelling unit types are planned for the area of the project abutting existing residential development. For purposes of this policy, abutting property is the same as "adjacent," "immediately adjacent" or "adjoining" property and shall refer to property with a shared property line or to properties separated only by right of ways or easements. Properties separated by an existing road with a minimum 30 foot right of way shall not be considered abutting.

- (1) Projects directly adjacent to lands used or designated for higher density may be given maximum density.
- (2) Projects immediately adjacent to lands used or designated for lower density use should be given less than maximum density and shall provide for reduced density next to the existing lower density residential area.
- (3) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply: For projects abutting a residential development of lesser density, a density transition zone of comparable density and compatible dwelling unit types, shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development's lower density. (Ex. - the depth of the first block of single family lots.)
- (4) Where the tiering Policy 4.1 F.2.(1) and (2) applies, there shall be no requirement to construct residential units within the applicable area of the proposed development. However, if the area is left vacant, no other construction shall be allowed except for underground utilities, sidewalks, swales, stormwater ponds, and dry retention areas.
- (5) Buffers and transitions in the CRAs shall be governed by Chapter 18, CGMP.
- (6) Policy 2.1A.3. shall not apply to development within the Mixed-Use Village future land use designation.

*Policy 2.1A.4.* The Growth Management Department shall coordinate with the Building Department and the Property Appraiser's Office to provide an ongoing accurate inventory of land use.

Measure: The Growth Management Department shall provide an annual report on changes in the FLUM and on text changes that amended allowable land uses or development intensities or densities. The report shall include a summary of all development that has occurred in the preceding year in terms of acreage, residential units, non-residential upland acreage and land use designation. This information shall be used to update available acreage in each FLUM category and maximum allowable use on vacant residential acreage.

*Objective 2.1B.* Martin County shall create and maintain objective measures of quality of life for Martin Country residents.

*Policy 2.1B.1.* The Growth Management Department in conjunction with the Parks Department shall update data annually on the number of acres of active parks, miles of public beach, and acres of public open space.

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*Policy 2.1B.2.* The ~~Engineering~~ Public Works Department shall report annually on sections of roadways that have deficient levels of service including an explanation of how these deficiencies will be addressed.

*Policy: 2.1B.3.* The ~~Engineering~~ Public Works Department shall coordinate with the Sheriff's Department to provide an annual analysis of traffic accidents and fatalities including proposals for improving roadways and intersections to avoid accidents.

Measure: At the time of the Evaluation and Appraisal Report (EAR) the county shall use the data collected under Policies 2.1 B., 1., 2., and 3. above to compare Martin County to adjacent counties and to counties of similar size in Florida.

**Goal 2.2** Martin County shall ensure natural resource conservation and conservation of the area's natural communities.

*Objective 2.2A.* Martin County shall preserve all wetlands regardless of size unless prohibited by state law.

*Policy 2.2A.1.* All wetlands shall be preserved except as set out in the exceptions listed below. "Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. The delineation of the landward boundary of wetlands must be as required by state law.

The intent of this policy is to protect natural wetland systems even when they are affected by manmade excavations. This policy is not intended to protect manmade excavations in uplands. Though manmade wetlands are exempt from this policy and are not protected as natural wetlands, development review shall assure that impacts to them do not adversely affect drainage or natural systems.

*Policy 2.2A.2.* Exceptions to allow wetland alteration are limited to those outlined in Policy 9.1G.2(7) and are summarized below:

- (1) providing access for utilities, stormwater facilities, roads and bridges, removal of exotic vegetation, docks, boat entry, and elevated boardwalks\_
- (2) lots of record as of 1982 to provide reasonable use\_
- (3) CERP projects as outlined in Policy 9.1G.2.(7)(f).
- (4) Where the applicant demonstrates that encroachment of the wetlands or wetland buffers is necessary for access, and no reasonable upland alternative exists. In such cases, an exemption will be granted only when appropriate environmental agencies or the Martin County Growth Management Department certify in writing that it is the least damaging alternative, and that the applicant has submitted a mitigation proposal that will minimize damage to the extent technically feasible.

*Policy 2.2A.3.* In all cases where wetlands alterations are allowed the least damaging alternative shall be chosen and mitigation shall replace the functions and values and the spatial extent of the altered

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wetlands. Exceptions shall not result in adverse impacts on plants and animals that are designated by the federal government or the state of Florida as "Endangered" or "Threatened".

*Policy 2.2A.4.* Development plans shall provide restoration of the natural hydroperiod to the maximum extent technically feasible, and shall provide for buffers, exotic vegetation removal, long term maintenance guarantees, and any other actions necessary to assure the continuing values and functions of the wetland area.

*Policy 2.2A.5.* Where evidence indicates that drainage, clearing or other development or manmade impacts has taken place since April 1, 1982, in violation of applicable wetland development restrictions in effect at the time the violation occurred, restoration shall be required before any development permits or orders are issued, or within 90 days after receiving a notice of violation. A minimum two-year letter of credit or other acceptable financial alternative must be submitted to assure the successful restoration of the violation. This policy shall apply regardless of whether or not the wetlands in question have ever been delineated through either a binding or nonbinding boundary determination. However, where there has been a binding determination by a state agency or the SFWMD, that determination will control as required by law.

*Policy 2.2A.6.* The Growth Management Department, in coordination with Code Enforcement shall establish and maintain a procedure to effectively ensure compliance with Preserve Area Management Plans (PAMPS).

*Policy 2.2A.7. Exceptions to wetland buffer zone provisions are allowed as established in Policy 9.1G.4.*

*Objective 2.2B.* Martin County shall preserve native upland habitat that may be utilized by threatened and endangered plant and animal species.

*Policy 2.2B.1.* Except as set forth in Policy 9.1G.11, Martin County shall ~~assure~~ ensure that a minimum of 25% of existing upland native habitat will be preserved in all development where such habitat exists. Within Community Redevelopment Areas, off-site preservation can substitute for on-site preservation, as provided in Chapter 18. Additional requirements for native upland habitat that is endangered or threatened and for unique oak/cabbage palm hammocks are outlined in Chapter 9.

*Policy 2.2B.2.* Upland preservation areas and PAMPs approved by the county to protect them shall be designed and maintained to ensure sustainability.

*Policy 2.2B.3.* Martin County shall protect native habitats utilized by species that are designated by the federal government and the State of Florida as "Endangered" or "Threatened."

*Objective 2.2C.* Martin County shall ensure that all official actions of the County support and further a safe, healthy and ecologically balanced St. Lucie River Estuary and Indian River Lagoon, which are natural resources that are vital to the economy and quality of life of Martin County and the Treasure Coast. This objective will not be applicable where official actions do not impact the St. Lucie River Estuary and Indian River Lagoon, or where development activities comply with the comprehensive plan and land development regulations.

*Policy 2.2C.1.* Martin County shall continue to work with the SFWMD, the state legislature, the Corps of Engineers and Congress to provide continuing implementation of Comprehensive Everglades Restoration Plan (CERP) and the Indian River Lagoon-South CERP component.

*Policy 2.2C.2.* Martin County shall lobby vigorously at the state and federal level for implementation of the CERP and the Indian River Lagoon South component.

*Policy 2.2C.3.* Martin County shall support the Corp's Central Everglades Planning Project (CEPP) and other initiatives which will move more water south from Lake Okeechobee to Everglades National Park and provide storage and treatment in order to reduce fresh water, nutrient laden discharges into the St Lucie River from the C-23, C-24 and C-44 canals and Lake Okeechobee.

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*Policy 2.2C.4.* Martin County shall encourage agency rule changes that move more water south within the current infrastructure limitations.

*Policy 2.2C.5.* Changes to the FLUM or the text of the Comprehensive Plan that would negatively affect implementation of CERP or the Indian River Lagoon South component by compromising their success or increasing cost, shall not be allowed unless the applicant clearly demonstrates with supporting evidence, that the denial of such request would result in a violation of its constitutional or statutory property rights.

*Policy 2.2C.6.* Surface and stormwater management regulations. The County shall continue to actively enforce established surface and stormwater management regulations so as to eliminate inadequately maintained or designed systems that are degrading water ~~quality~~ quality, in accordance with Chapter 13. Martin County shall ensure that proposed developments are designed and constructed so that stormwater system improvements meet County and SFWMD criteria. This includes both on-site and off-site improvements of public and private facilities.

*Policy 2.2C.7.* Martin County shall protect shorelines, mangroves, seagrasses, and oyster bars in the estuaries.

*Policy 2.2C.8.* Martin County shall work with residents to implement local programs to help lessen pollution in runoff from residential neighborhoods.

*Policy 2.2C.9.* All new development shall provide a 75 foot shoreline protection zone, extending landward from mean high water, within which there shall be no construction within or reductions to the shoreline protection zone, except as set forth below. The shoreline protection zone shall be defined as all estuarine waters within Martin County and all surface waters of the State that are both hydrologically connected to the estuarine waters and navigable. The shoreline protection zone shall extend 75 feet laterally upland from the mean high water. Within the waters described above, "wetlands" shall be protected as described in Chapters 2 and 9.

As used in this Policy, "navigable" shall include the following estuarine river systems in Martin County; St. Lucie River, Indian River and Loxahatchee River, including canals, tributaries and sovereign submerged lands regardless of the existence of a lease, easement or license.

For purposes of applying a shoreline protection zone, the term "navigable" shall not include: surface waters of the state that are connected to estuarine waters by a weir or other manmade structure, such as the S-80 lock; and ditches, swales and other constructed conveyances that are connected to the estuary by a pipe.

- (1) There shall be no reductions to the size of the shoreline protection zone except as stated in Policy 8.1C.1 and summarized below:
  - (a) For lots of record (as of April 1, 1982) with an upland area of one acre or less, the landward extent of the shoreline protection zone shall be reduced to 25 feet. The shoreline protection zone shall not require additional "construction setbacks" from the shoreline protection zone. However, required zoning setbacks from property boundaries shall remain applicable. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the shoreline protection zone. The shoreline protection zone shall not be subject to a preserve area management plan (PAMP) unless a PAMP has already been established pursuant to a development order, prior to August 13, 2013. If no native vegetation exists within this zone, there is no requirement to replant with this material.
  - (b) Replacement of existing structures within the shoreline protection zone shall not be subject to a 75 foot shoreline protection zone.

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- (c) Nonresidential lots of record (April 1, 1982) more than one acre in size with hardened shorelines may reduce the shoreline protection zone from the mean high water line to 50 feet.
  - (d) Development within the shoreline protection zone may provide reasonable access to the water, such as bridges, docks, elevated walkways and boat entry facilities. Access shall be allowed when a plan for the proposed development demonstrates the need for access and alteration of the shoreline protection zone is minimized. Water access shall be perpendicular to the shoreline and shall generally not be wider than 60 feet for Marine Waterfront Commercial Future Land Use, 150 feet for Institutional Future Land Use, and 12 feet for other development.
  - (e) Existing facilities within the shoreline protection zone may be maintained, rebuilt or reconstructed within the existing footprint.
  - (f) Removal of exotic vegetation or planting of appropriate native vegetation shall be allowed.
  - (g) Where an existing master site plan which is in compliance with its original timetable and has been found to be in compliance with policies in effect at the time of approval, specifies a shoreline protection zone which differs from policies in effect at the time of final site plan approval, the shoreline protection zone specified in the approved master site plan shall be deemed consistent with this policy.
  - (h) Single-family residential lots of record on plats approved after April 1, 1982 may be developed in accordance with the regulations (buffer, transition zone, setback, shoreline protection zone and performance criteria) in effect at the time that the plat was approved.
  - (i) For residential lots of record (as of April 1, 1982) with an upland area of more than one acre but not more than two acres, the landward extent of the shoreline protection zone may be reduced to less than 75 feet but shall not be reduced to less than 25 feet for either primary or accessory structures. New principal structures on lots shall maintain a shoreline protection zone from mean high water equal to or greater than the average shoreline protection zone of the nearest principal residences on adjacent lots. The average shoreline protection zone of the nearest principal residences on adjacent lots shall be determined by measuring from the point of each of the existing principal residences nearest to mean high water.
  - (j) As provided in Chapter 18 for land within a CRA with the Marine Waterfront Commercial future land use designation or the CRA Center future land use designation.
- (2) Commercial marinas are water-dependent uses requiring proximity to the water.

Commercial marinas that exist as of August 13, 2013 may be reconfigured and redeveloped, as provided below:

- (a) Impervious surfaces and other encroachments ~~in to~~ into the shoreline protection zone may be relocated within the shoreline protection zone provided, there is no net increase in the square footage of impervious surfaces.
  - (b) Planting of native vegetation shall not be required landward of vertical seawalls where no such vegetation exists.
  - (c) Existing commercial marinas shall maintain existing access through the shoreline protection zone for water-dependent uses and this area shall not be limited to the 60 foot wide access provided for properties designated for marine waterfront commercial use, Policy 8.1C. 1.(3) (c) 2).
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- 1) Where redevelopment of existing commercial marina developments requires relocation of boat entry facilities, access through the shoreline protection zone may be expanded beyond existing access where clear need is demonstrated.
  - 2) Where redevelopment of existing commercial marina developments is proposed, existing pedestrian access and access for loading between vehicles and vessels within the shoreline protection zone may be maintained.
- (d) Commercial marinas with existing manmade boat basins or boat "cut-outs" may be allowed to reduce or eliminate the manmade basin provided, there is no impact to wetlands, seagrass or oyster beds. Elimination of a basin shall not permit the creation of upland area waterward of the natural shoreline, prior to man-made impacts.
  - (e) Any redevelopment, as authorized in this section, shall demonstrate that impact to the estuary from stormwater run-off will meet the minimum storm water requirements (in place at the time of the proposed redevelopment) for rate, quantity, quality, and timing of the discharge. Stormwater design shall include consideration of tidal inundation and sea level rise impacts including the continued functionality of that system over its design life.
  - (f) The shoreline protection zone shall not require additional "construction setbacks" from the shoreline protection zone. However, required zoning setbacks from property boundaries shall remain applicable. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the shoreline protection zone. The shoreline protection zone shall not be subject to a preserve area management plan (PAMP) unless a PAMP has already been established pursuant to a development order, prior to August 13, 2013. If no native vegetation exists within this zone, there is no requirement to replant with this material.
- (3) The construction of state required public access facilities on Martin County conservation lands shall be allowed. Each project shall be reviewed to ensure that environmental impacts are kept to a minimum.

*Policy 2.2C.10.* Shoreline hardening shall only be allowed pursuant to Chapter 8, Coastal Management and Chapter 9, Conservation and Open Space.

Measure: The county shall request an annual report from the Corps of Engineers and the SFWMD on progress in implementing the Indian River Lagoon Plan and other components of CERP which affect Martin County.

Measure: Martin County's state legislative delegation and Congressmen and Senators shall be asked to provide the County with an annual Report on the progress of CERP and the Indian River Lagoon South component.

Measure: Martin County shall work with state and federal agencies to monitor discharges to major canals leading to the St. Lucie River. The goal of said monitoring shall be to identify problem areas and create strategies to reduce those problems.

*Objective 2.2D.* Martin County shall protect and restore the Loxahatchee River, Florida's first National Wild and Scenic River.

*Policy 2.2D.1.* Martin County shall support implementation of the Loxahatchee River Watershed Restoration Project which is a component of the Comprehensive Everglades Restoration Plan.

*Policy 2.2D.2.* In considering amendments to the CGMP in the watershed of the Loxahatchee River which increase the intensity of use, the Board shall consider whether the more intense land use will negatively impact the ability to restore natural timing, volume, and water quality to the Loxahatchee River. Figure 5. From the 2010 Loxahatchee River National Wild and Scenic River Management Plan

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shall be used to identify the boundary of the Loxahatchee River Watershed in unincorporated Martin County. The 2010 Loxahatchee River National Wild and Scenic River Management Plan is a public record available from the ~~PEP~~ FDEP and SFWMD.

*Policy 2.2D.3.* Through its land use authority, under Chapter 163, to the maximum extent reasonably achievable, that the impacts of development approvals do not diminish the water supply during the dry season for the Loxahatchee River and its associated wetlands.

*Objective 2.2E.* Within the limits of state law, Martin County shall use its land use authority to protect the freshwater aquifer.

*Policy 2.2E.1.* Storage and recharge potential of properties shall be maintained and, where possible, increased or enhanced through the use of retention/detention areas, existing wetland, open space and other means. The County shall use its land use authority under FS 163 to ensure that land use decisions shall not result in the reduction of the normal seasonal wetland water levels. Implementation of this policy shall include the CGMP and the Land Development Regulations and shall not transgress the SFWMD's authority under state law to regulate consumptive use permitting.

*Policy 2.2E.2.* The aquifer shall be protected from pollution and ~~salt water~~ saltwater intrusion.

Measure: The County shall work with the United States Geological Survey and the South Florida Water Management District to obtain information for use in the Evaluation and Appraisal Report (EAR) which tracks trends in water levels, pollutant levels and saltwater intrusion in the surficial aquifer.

*Objective 2.2F.* Martin County shall engage in resiliency planning to protect property, cultural, and natural resources from natural vulnerabilities as outlined in Chapter 8, Coastal Management Element.

**Goal 2.3** Martin County shall promote orderly and balanced economic growth while protecting natural resources, enhancing the quality of life in Martin County, and providing prudent fiscal management.

*Objective 2.3A.* Martin County shall adopt land use regulations that will encourage economic development to the extent consistent with the goals, objectives and policies of the CGMP.

*Policy 2.3A.1.* Martin County shall establish reasonable, clear, and objective standards for issuing permits for non-residential uses.

*Policy 2.3A.2.* Application requirements shall be simplified in industrial parks for where property has been subdivided and facilities are available.

Measure: The Growth Management Department shall maintain a list of industrial subdivisions that have all facilities available. A list shall be maintained of areas of vacant Industrial land use that are not available for immediate use along with a report on how their deficiencies can be remedied.

*Objective 2.3B.* Martin County, in conjunction with the developer, shall provide public facilities necessary for development concurrent with the need for those facilities.

*Policy 2.3B.1.* Martin County shall enforce the concurrency standards for sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities (including mass transit where applicable) as detailed in Chapter 14, Capital Improvements, as critical components of maintaining the quality of life for existing and new residents as well as providing balanced economic growth. Standards shall be updated as needed to ensure that an acceptable level of service is maintained for public facilities.

*Policy 2.3B.2.* Martin County concurrency standards shall:

- (1) Provide adequate facilities for businesses to function efficiently according to adopted levels of service;
- (2) Ensure a quality of life acceptable to county residents; and

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(3) Ensure that growth will pay for itself.

*Policy 2.3B.3.* All development must meet the concurrency requirements of this Plan.

*Policy 2.3B.4.* No FLUM amendment or text amendments shall lessen the requirements of this Plan to provide an acceptable level of public services for the people of Martin County unless mandated by state law.

*Objective 2.3C.* Martin County shall use objective indicators to measure economic health.

*Policy 2.3C.1.* The county shall obtain information from EDR and other sources on the economy, identified in Chapter 15, Economic Element.

*Objective 2.3D.* Martin County shall coordinate with and support the county's public schools as an incentive to business creation, expansion, and relocation.

*Policy 2.3D.1.* The county shall work with the Martin County School District and Indian River State College to showcase the high caliber of county schools.

*Policy 2.3D.2.* Martin County schools shall be used as an incentive to business creation, expansion, and relocation.

*Policy 2.3D.3.* Impact fees shall be kept current to avoid school overcrowding.

**Goal 2.4** Prudent fiscal management shall be a primary goal in all County actions and in all development approvals.

*Objective 2.4A.* Martin County shall limit local tax burdens while funding facilities and services needed to maintain the quality of life and support services necessary for growth.

*Policy 2.4A.1.* New development shall pay the cost of the facilities it requires. Impact fees, enterprise fund user charges, connection fees, and other user fees paid by new development shall be reviewed every two years to ensure that provision of capital improvements needed to address the impact of future development will not increase ad valorem tax rates.

*Policy 2.4A.2.* Impact fees shall be designed to make sure that there is a rational nexus between the fees collected and the impact of the project ~~paving~~ paying the fees. Fees collected for a category of public facilities must be expended for those kinds of facilities.

*Policy 2.4A.3.* The County shall ensure honesty and efficiency in all departments and agencies receiving county funds by requiring open meetings and transparency in decision making; by requiring strict conflict of interest and disclosure policies; and by requiring objective accountability for results.

*Policy 2.4A.4.* The County shall not waive impact fees for any project. Where a super-majority of the county commission determines that a public purpose is being served, the commission may pay impact fees with other county revenues.

*Policy 2.4A.5.* Property with an agricultural tax classification may be granted a land use change which allows urban development provided any existing agricultural classification is removed at the first opportunity after approval of a final development order. This policy only applies to the land area subject to the final development order. If a land area maintains an agricultural tax classification for the years following approval of a final development order, it shall be subject to a County initiated process to rescind the final development order. This is in no way intended to prevent any landowner from taking advantage of state law in regard to the agricultural tax classification. This policy shall not apply to any property that received a FLUM or text amendment allowing urban uses that was adopted prior to the effective date of Ordinance Nos. 938, 945, 946 and Ordinance No. 957.

*Objective 2.4B.* Martin County shall use the Capital Improvement Plan to ensure that concurrency management strategies are fiscally feasible and expenditures are properly prioritized to meet critical needs.

*Policy 2.4B.1.* All revenues in the CIP shall be from dedicated sources.

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*Policy 2.4B.2.* Expenditures in the CIP shall be prioritized as follows:

- (1) New public facilities and improvements to existing public facilities that eliminate public hazards;
- (2) Repair, remodeling, renovation or replacement of obsolete or worn-out facilities that contribute to achieving or maintaining standards for levels of service adopted in this Comprehensive Growth Management Plan in accordance with standards;
- (3) New or expanded facilities that reduce or eliminate deficiencies in levels of service for existing demand;
- (4) Improvements to existing and new facilities that significantly reduce the operating cost of providing a service or facility or otherwise mitigate impacts of public facilities on future operating budgets;
- (5) New or expanded facilities that provide the adopted levels of service for new development and redevelopment during the next 10 fiscal years, pursuant to Policy 14.1A.10, CGMP;
- (6) New or expanded public facilities that are contained in a Community Redevelopment Plan and scheduled in the next five years;
- (7) New facilities that exceed the adopted levels of service for new growth during the next five fiscal years pursuant to Policy 14.1A.10, CGMP.

Measure: The administrator shall report failures of the CIP to cover prioritized needs and shall propose solutions to prevent a recurrence of the problem.

*Objective 2.4C.* Martin County shall coordinate the timetables of developments with expected population projections so that development approvals are consistent with a fiscally feasible strategy for planning and construction of public facilities.

*Policy 2.4C.1.* Because excessive development approvals require capital expenditures on facilities that will not be needed, the county shall adopt a planning system to track residential development approvals and limit final residential development approvals scheduled for the first five years of the ~~15~~ 20-year planning period, to 125% of the projected need for residential units for that period.

*Policy 2.4C.2.* Appropriate action shall be taken in a timely fashion to remove projects from the tracking list that are no longer active. An active residential development is a residential development that has final site plan approval and is meeting all requirements of the development order, including the timetable.

*Policy 2.4C.3.* Except for platted single family and duplex lots, no development order shall grant vested rights to any project beyond the last year of the CIP, unless executive orders by the Governor require timetable extensions to be granted.

## **Section 2.3. Rules of Interpretation**

*Generally.* The Comprehensive Growth Management Plan shall be interpreted and administered to achieve consistency throughout the Plan as interpreted by the Board of County Commissioners. Where provisions conflict, the more restrictive requirements shall govern.

1. Words used or defined in one tense or form shall include other tenses or derivative forms.
2. Words in the singular shall include the plural and words in the plural shall include the singular.
3. The masculine gender shall include the feminine and the feminine shall include the masculine.
4. The particular shall control the general.
5. The words "must" or "shall" or "will" are mandatory.

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6. The word "may" and "should" are permissive.
  7. In the event of a conflict between the text of the Comprehensive Growth Management Plan and any caption, illustration, table, map, graph or chart, the text shall control.
  8. The word "includes" shall not limit a term to the specified examples but is intended to extend its meaning to all other instances or circumstances of like kind or character.
  9. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and", "or" or "either or," the conjunction shall be interpreted as follows:
    - a. "And" indicates that all the connected terms, conditions, provisions or events shall apply.
    - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
    - c. "Either ... or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
  10. Words or phrases shall be construed according to their customary meaning unless defined in the Comprehensive Growth Management Plan.
  11. The terms "written" or "in writing" shall be construed to include any representation of words, letters, diagrams or figures, whether by printing or otherwise.
  12. Any reference to laws, ordinances, codes, or other regulations shall include any future amendment to such laws, ordinances or regulations.
  13. Unless specified otherwise, a "day" shall be a calendar day.
  14. The word "person" includes individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.
  15. The word "erected" also includes constructed, reconstructed, altered, placed, or relocated.
  16. Quality of Life. Where the comprehensive plan contains requirements to maintain, protect, or enhance quality of life, it is referring to goals, objectives and policies within the plan that make Martin County people friendly, environmentally friendly, business friendly, and fiscally prudent.
  17. Prospective application. All comprehensive plan amendments shall be applied prospectively unless the amendment specifically provides for retroactive application.
  18. Status of agricultural activities. Amendments to the CGMP adopted in August or December 2013 and July 8, 2014 do not change the manner or scope of the county's regulation of agricultural uses.

## **Section 2.4. Definitions**

*Accessory dwelling units (ADUs):* Also referred to as accessory apartments, second units, or granny flats — are additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities and can be either attached or detached from the main residence.

*Active developments:* Projects with current development orders issued pursuant to F.S. chapter 380 (Developments of Regional Impacts), projects vested under section 1.12 of this Plan, and projects granted to a local development order where the development process has commenced and is continuing in good faith.

*Active residential development:* A residential development that has final site plan approval and is meeting all requirements of the development order, including the timetable.

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*Active parkland:* Parks where improvements to the land are the major attractor.

*Advanced treatment plant:* A treatment facility using processes that treat water to a higher level than conventional treatment. In addition to conventional surface water treatment processes (coagulation, flocculation, sedimentation and filtration), an advanced treatment plant may use ozonation, granular activated carbon adsorption treatment, or both.

*Aeration:* Induction of air into the water to achieve oxidation (removal) of certain constituents such as iron and certain gases such as hydrogen sulfide.

*Affordable housing:* Affordable housing is defined by housing programs of the federal government, the Florida Affordable Housing Act of 1986, the Florida Housing Finance Corporation and local housing agencies. Affordable housing is defined as housing for which monthly rents or mortgage payments, including taxes, insurance and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households or persons indicated in Section 420.004, Florida Statutes. For renter-occupied housing, this percentage would include monthly contract rent and utilities.

The five categories used to define affordable housing are: extremely low income, very low income, low income, moderate income, and workforce housing. Each is defined below. The income ranges are based on the median household income for an area.

- *Extremely low income households:* Households whose annual gross income, adjusted for family size, does not exceed 30 percent of the median annual income in Martin County;
- *Very low income households:* Households whose annual gross income, adjusted for family size, does not exceed 50 percent of the median annual income in Martin County;
- *Low income households:* Households whose annual gross income, adjusted for family size, does not exceed 80 percent of the median annual income in Martin County;
- *Moderate income households:* Households whose annual gross income, adjusted for family size, does not exceed 120 percent of the median annual income in Martin County;
- *Workforce housing:* Housing that is affordable to persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.

*Alternative water supplies:* Water sources designated as nontraditional for a water supply planning region. These include salt water; brackish surface and groundwater; surface water captured predominantly during wet-weather flows; sources made available through the addition of new storage capacity for surface or groundwater; water reclaimed after one or more public supply, municipal, industrial, commercial or agricultural uses, downstream augmentation of water bodies with reclaimed water, and stormwater. (Source: Florida Statutes section 373.019)

*Aquifer:* A groundwater-bearing geologic formation that contains enough saturated permeable material to yield significant quantities of water.

*Archaeological site:* A site where relics or remnants of past human activity are preserved.

*Architectural enhancements:* Design components of a building that significantly increase the aesthetic appeal or that provide an opportunity for arts display and/or performances. Aesthetic features include fountains, arches, sculpture and stained glass. Opportunities for arts display include display areas, stage, amphitheaters, lighting, sculpture and stained glass.

*Arterial road:* A roadway primarily used by through traffic, usually on a continuous route, or a roadway designated as part of a principal roadway system.

*Art in public places:* A program that supports exhibits and performances of cultural or artistic merit in public buildings or areas of significant public use.

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*Arts facility:* A structure that houses any artistic discipline, including music, dance, theater, creative writing, literature, architecture, painting, sculpture, folk arts, environmental art, photography or crafts, and the teaching and exhibition of these artistic disciplines.

*Artesian well:* A human-made connection from the surface to a water-bearing formation (Floridan aquifer) that allows for extraction of water. An artesian well has sufficient pressure to force water upwards.

*Artworks:* Tangible objects produced according to aesthetic principles, including paintings, sculpture, engravings, carvings, frescos, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs and drawings. Additionally, it includes ecological/environmental art, architectural enhancements and other artistic expressions that are aesthetically pleasing.

*Average annual daily traffic (AADT):* Denotes the daily traffic averaged over one calendar year.

*Beach access area:* A public beach access site developed to a lesser degree than a beach park and intended for less intensive use, having improved parking and public beach access, but few other amenities.

*Best available data:* means data that derives from a source that is generally recognized as authoritative, methodologically sound, and currently valid in the profession or professions relevant to the planning issue. Where accurate and timely information exists based on data from Martin County, it shall be considered the best available data.

*Biosolid disposal:* Treatment techniques allowing proper disposal of biosolids to prevent adverse environmental impacts. These techniques can include use as a land fertilizer or dewatering for disposal at a solid waste landfill.

*Buffer:* A strip of land, fence, or border of trees, etc., between one use and another, which may or may not have trees and shrubs planted for screening purposes, designed to set apart one use area from another. It can be a physical and/or spatial separation. An appropriate buffer may vary depending on the purpose of the buffer and shall be determined by the appropriate Land Development Regulation.

*Canal:* An artificial waterway providing access to surface waters of the State or their tributary systems for the purposes of navigation, aesthetics, recreation and/or enhancement of property value. This definition expressly excludes nonresidential canals required for agricultural irrigation and drainage purposes with a legal spillway, pump station or control structure that does not provide ingress and egress for navigation. This definition excludes appropriately designed swales and ditches approved by Martin County as necessary for controlled discharge of surface water.

*Capacity:* The limiting (maximum) number of vehicles that can be expected to traverse a unit of distance on a roadway under ideal flow conditions. For the purpose of this Plan, road capacity is established by the methodology adopted by the Florida Department of Transportation latest Quality/Level of Service.

*Capital improvement:* Land, improvements to land, structures (including design, permitting and construction), initial furnishings and selected equipment (including ambulances, fire apparatus and library collection materials). Capital improvements have an expected useful life of at least three years. Other capital costs - such as motor vehicles and motorized equipment, computers and office equipment, office furnishings and small tools - are considered in the County's annual budget. However, such items are not capital improvements for the purposes of the Comprehensive Growth Management Plan, or the issuance of development orders.

*Category of public facilities:* A specific group of public facilities, as follows:

- *Category A:* arterial and collector roads, active parkland, water management, potable water, sanitary sewer, solid waste, public school and fire rescue facilities.
- *Category B:* libraries, correctional institutions and other government facilities owned or operated by the County.

- *Category C:* arterial and collector roads owned or operated by Federal or State governments, and potable water and sanitary sewer facilities owned or operated by independent districts or private organizations.
- *Category D:* public health facilities owned or operated by Federal, State and municipal governments, independent districts and private organizations; and arterial and collector roads (municipal streets), water management, potable water, sanitary sewer, and parks and recreation facilities, and solid waste facilities owned or operated by municipal governments; water management and park and recreation facilities owned and operated by Federal and State governments; and park and recreation facilities, and solid waste facilities owned or operated by private organizations.
- *Category E:* public facilities for which level of service standards are not applied. These facilities include the airport and golf courses.

*Chlorination:* The addition of chlorine to treated water as a disinfectant to control bacteria.

*CIE/CIP:* Capital Improvements Element/Capital Improvements Plan.

*Class I Waters:* Fourteen general areas throughout the state used as a drinking water supply, including: impoundments and associated tributaries and certain lakes, rivers, or portions of rivers.

*Class II Waters:* Coastal waters where shellfish are harvested.

*Class III Waters:* The surface waters of the State, unless described in rule 62-302.400 F.A.C.

*Coastal High Hazard Area: (State Statute)* The coastal high-hazard area is the area 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. §163.3178(2)(h), Fla. Stat. (2017)

*Coastal High Hazard Area: (Code of Federal Regulations)* A Special Flood Hazard Area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V. 44 C.F.R. §59.1 (2006)

*Collector road:* In rural areas, a roadway that connects small towns and local roadways to arterial roadways; in urban areas, a roadway that provides land access and traffic circulation within residential, commercial, and business areas and connects local roadways to arterial roadways.

*Commercial core areas (CCA):* Historical community centers where retail and service businesses have agglomerated and the existing and planned principal arterial intersections where community-sized and larger shopping centers are being established.

*Commercial marina:* A facility for the commercial docking, launching, mooring or storage of vessels and which may include accessory retail and service uses, such as the sale, lease, or rental of boats, bait and tackle shops, off-loading and processing of commercial seafood products, and marine equipment sales.

*Community park:* A County-owned and County-managed recreation site with facilities for active recreation, including ball fields and courts, serving a population within a 3-mile radius.

*Community Redevelopment Area (CRA):* A slum or blighted area, or an area with a shortage of housing that is affordable to residents of low or moderate income, including the elderly; or a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout; or a combination thereof; and designated by the Board of County Commissioners as appropriate for community redevelopment. Community Redevelopment Areas shall be designated on the Future Land Use Map.

*Complete street:* A roadway that accommodates all travelers, particularly public transit users, bicyclists, pedestrians, and motorists, to enable all travelers to use the roadway safely and efficiently.

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*Concurrency:* Provision of public facilities and services needed to support development at the time the impacts of such development occur.

*Concurrency management:* The coordination of land use decisions and available or projected fiscal resources with a schedule of capital improvements that maintains adopted level of service standards and meets the existing and future facility needs.

*Cone of depression:* A conical area of reduced water levels resulting from withdrawal of groundwater from a point source, such as a well. The extent and depth of the depression is a function of the hydraulic properties of the aquifer, pumpage rates and recharge rates.

*Consistent:* Developments approved or undertaken by Martin County shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of the development are compatible with and further the objectives, policies, criteria, land uses, and densities or intensities in the Comprehensive Plan.

*Cultural and performing arts center:* A building with the acoustics, space, lighting, stages and other relevant design items needed for the performance of theater, music and dance; visual exhibits; and lectures and meetings.

*Deep well:* An injection well constructed to dispose of wastewater effluent into the injection zone. The injection zone used in Martin County is approximately 3,000 feet below ground surface. It consists of limestone boulders topped by an impervious confining zone that restricts fluid movement above the boulder zone.

*Demolition:* The intended destruction of a building, in whole or in part, and removal from its site.

*Development:* For the purposes of the CGMP, the term "development" shall mean the carrying out of any building activity or mining operation, the making of any material change in the redevelopment or modification of an existing use or appearance of any structure or land which creates additional impacts, and the dividing of land into three or more lots, tracts or parcels (including planned unit developments).

*Development order:* Any order granting, denying, or granting with conditions, an application for a building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance or any other official action of the County having the effect of permitting the development of land.

*Development order, final:* A building permit, final plat approval (except for boundary plats), final development plan approval, excavation and fill permit approval, landscape approval, mining permit or any other development order which results in an immediate and continuing impact upon public facilities.

*Development order, preliminary:* Means a ~~DRI development approval~~, zoning approval, preliminary plat approval, a boundary plat for which additional final development plans would be required, preliminary development plan approval, master plan approval, Board of Adjustment approval and any other development order, other than a final development order.

*Domestic self-supply:* Water used by households whose primary sources are private wells or water treatment facilities (also referred to as package water treatment plants) with pumpages of less than 0.1 million gallons per day (Source: SFWMD, Consolidated Water Supply Plan Support Document).

*Domestic wastewater residuals (sludge or biosolids):* Solid, semisolid or liquid residue generated during the treatment of domestic wastewater in a treatment facility.

*Drainage basin:* An area that contributes stormwater to a drainage system, estuarine waters or oceanic waters, including all areas artificially added to the basin.

*Drainage facilities:* A system of structures designed to collect, convey, hold, divert or discharge stormwater, including sewers, canals, culverts, weirs (dams), control structures and detention and retention facilities.

*Drawdown:* Lowering of existing groundwater level caused by the withdrawal of water from the aquifer.

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*Dune Preservation Zone:* The mean high water line of the Atlantic Ocean to a point 50 feet westerly of the coastal construction control line, as in force and in effect on June 1, 1985. It is prohibited to clear or excavate the beach or dune in the dune preservation zone for any reason, other than approved shore protection, beach restoration, dune crossovers or activities related to beach safety.

*Economic leakage:* The process by which funds earned in an area leave the area. When savings, taxes and imports "leak" out of the local economy, it reduces the total funds available in the economy. The presence of leakage suggests there is an opportunity to grow the local economy by capturing leaked dollars.

*Effluent:* Wastewater that has received secondary treatment from a wastewater treatment plant.

*Effluent reuse:* An environmentally sound practice using effluent for purposes such as irrigation. Effluent to be reused requires advanced treatment, including filtration and additional disinfection.

*Enhanced nutrient-reducing onsite sewage treatment and disposal system:* An onsite sewage treatment and disposal system approved by the Department of Environmental Protection as capable of meeting or exceeding a 50 percent total nitrogen reduction before disposal of wastewater in the drainfield, or at least 65 percent total nitrogen reduction combined from the onsite sewage tank or tanks and drainfield. (see definition below for *onsite sewage treatment and disposal system*)

*Environmental art:* A model of art that investigates climate change and ecological/environmental sustainability by bringing together science and the arts in a variety of events such as performances, exhibits, talks, tours, films and fairs.

*Estuarine waters:* Region of interaction between rivers and near-shore ocean waters where tidal action and river flow mix fresh and salt water. Such areas include bays, mouths of rivers, salt marshes and lagoons. These brackish water ecosystems shelter and feed marine life, birds and wildlife.

*Federal Aviation Regulation (FAR):* All FARs are contained in Title 14, Code of Federal Regulations. The "Part" number identifies the specific subject area. For example: Part 77—Title: Objects Affecting Navigable Airspace).

*Federal Transit Administration (FTA):* The agency within the U.S. Department of Transportation charged with overseeing transit-related policies and programs.

*Fishing access:* Undeveloped or developed land that provides public access for fishing. It is measured in footage of shoreline or pier length.

*Fixed base operator (FBO):* Airport service business related to repair, refueling, charter, flight instruction, etc. as defined by the statute for fixed base operators.

*Floridan Aquifer:* The major confined limestone aquifer underlying the entire Florida peninsula, extending from 600 to 1,500 feet below the land surface. Its water quality is generally lower than the Surficial aquifer. The water contains moderate to high concentrations of dissolved solids (chlorides), thereby requiring advanced treatment methods for use as potable water.

*Florida intrastate highway system (FIHS):* A statewide network of limited-access and controlled-access highways designed with general-use and exclusive-use lanes to accommodate Florida's high speed and high volume highway traffic.

*Force main:* A pressure transmission pipe that transports wastewater from a lift station to the wastewater treatment plant.

*Foster care facility:* A facility that houses foster residents and provides a family living environment, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents, and serving either children or adult residents.

*Full service beach park:* A fully developed public beach access site with lifeguards, restrooms, showers, picnic areas, improved parking and other amenities for the management and use of large crowds.

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*Functional classification:* A classification system for the roadway network denoting what function particular roads serve. Due to different planning perspectives, the State and County maintain different functional classification systems. The adopted Florida Department of Transportation (FDOT) Functional Classification map is on file with the Martin County ~~Engineering~~ Public Works Department.

*General aviation:* That portion of civil aviation that encompasses all facets of aviation except air carriers holding a certificate of public convenience and necessity from the Federal Aviation Administration.

*Green building practices:* The application of development standards aimed at utilizing sustainable site development practices, saving energy, utilizing renewable energy sources, reusing existing materials, improving water efficiency, reducing carbon dioxide emissions, improving environmental quality, improving air quality and conserving resources.

*Groundwater:* Water that fills all unblocked voids of underlying material below the natural ground surface, which is the upper limit of saturation, or water held in the unsaturated zone by capillarity.

*Groundwater basin:* An area that holds water beneath the land surface. It is defined by groundwater recharge divides (areas with a high water table that usually coincide with topographic elevation) and groundwater discharge divides (usually streams into which groundwater discharges). Groundwater basins often coincide with surface water drainage basins.

*Group home:* A facility that provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. This definition includes adult congregate living facilities comparable in size to group homes. This definition does not include rooming houses or boarding houses, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes or emergency shelters.

*Guidelines for preservation:* Criteria published in the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

*Heliport:* An area of land, water, or structure used or intended to be used for the landing and takeoff of helicopters and includes its buildings and facilities, if any.

*Historic district:* A collection of archaeological sites, buildings, structures, landscape features or other improvements concentrated in the same area and designated as a district.

*Historic marker:* An official marker designating a site of historic significance.

*Historic Preservation Board:* A board of citizens established by the Martin County Board of County Commissioners for the purpose of assisting in the implementation of historic preservation activities.

*Historic resource:* A prehistoric or historic district, site, building, structure, object or other real or personal property of historical, architectural or archaeological value. The properties or resources may include monuments, memorials, Native American habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts or other objects with intrinsic historical or archaeological value relating to the history, government or culture of Martin County or the United States of America.

*Historic sites survey:* A comprehensive survey compiled for Martin County involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archaeological or architectural importance in Martin County.

*Housing trust fund:* A dedicated source of revenue available to assist people, who qualify based on income, to attain housing that is affordable.

*Housing units in actual use:* Means the number of residential housing units occupied by permanent residents as classified by the US Census, plus the number of vacant seasonal housing units. Housing units in actual use equals the occupied housing units plus vacant seasonal housing units.

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*Incentive:* The addition of a positive measure and/or the elimination or reduction of a negative measure to encourage activities, programs, or projects to obtain a specific goal.

*Individual potable water treatment system:* A potable water well, treatment and supply system which serves nonresidential uses with a flow rate of less than or equal to 2,000 gallons per day, and where treatment is mandated by governing agencies.

*Industrial, hazardous or toxic sewage waste* — From 64E-6.002(29) FAC. — Wastewater not otherwise defined as domestic sewage waste or commercial sewage waste. Wastewater carried off by floor drains, utility sinks and equipment drains located in buildings in industrial or manufacturing areas, estimated volumes of commercial sewage wastes exceeding 5,000 gallons per day, wastewater from commercial laundry facilities with more than four self-service machines, and wastewater from car and truck washes are included in this definition.

*Infill development:* Development occurring in vacant areas in the urbanized parts of the County.

*Influent:* Untreated or raw wastewater delivered by a combination of gravity sewers and force mains to the head end (front end) of a wastewater treatment facility.

*Injection well/zone:* A well in which fluid is transmitted to a subterranean formation.

*Interim level of service:* A temporary level of service designation for a roadway link that expires after limited time or when a specified traffic volume threshold is reached, whichever occurs first. The interim level is usually below the adopted level of service for the road network and is linked to a specific programmed improvement designed to bring the operation of the facility up to the adopted level.

*Interim package plant:* A temporary package plant or septic system in service until a regional system is available in close enough proximity and with adequate capacity.

*Interim water systems:* Any temporary potable water treatment and supply system, other than an individual potable water well, in service until a regional system is available in close enough proximity and with adequate capacity.

*Interlocal Agreement for School Facilities Planning and Siting:* The interlocal agreement detailing the responsibilities and coordination processes necessary to implement joint planning, school siting procedures, and school concurrency between Martin County, City of Stuart and the School Board of Martin County. It was signed by the School Board on February 19, 2008, and made effective by Martin County on March 11, 2008.

*Investor-owned public sewage system:* A wastewater treatment facility that is not owned by the government but is regulated by the Florida Public Service Commission.

*Ion exchange:* A reversible chemical process in which ions from an insoluble permanent solid medium (the ion exchanger - usually a resin) are exchanged for ions in a solution or fluid mixture surrounding the insoluble medium. The superficial physical structure of the solid is not affected. Both cation and anion exchange are used for water conditioning. Cation exchange is commonly used for water softening.

*Large multislip docking facility:* A boat facility constructed and used as a private docking area within residential areas. The facility is for the exclusive use of the residents and is not for use by the general public.

*Leap-frog development:* Developments located beyond the fringe of urban development where the planned provision of urban services cannot be assured in a cost-effective manner and where community planning goals would be adversely affected.

*Level of service (LOS):* An indicator of the extent or degree of service provided by, or proposed to be provided by a facility, based on and related to the facility's operational characteristics. Level of service indicates the capacity per unit of demand for a public facility.

*Lime softening:* The use of lime in a chemical precipitation process to remove compounds that contribute to hardness in water. Lime softening enhances the aesthetic quality of potable water.

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*Limited access highway:* An expressway; a highway especially planned for high-speed traffic, usually having few if any intersections, limited points of access or exit, and a divider between lanes for traffic moving in opposite directions.

*Linkage fees:* Fees collected from nonresidential and market-rate residential development and placed in a trust fund to be used in building affordable homes for low-wage workers.

*Live-work units:* Buildings or structures used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary place of work.

*Living shorelines:* An environmentally sound practice that uses materials and methods of construction intended to stabilize shorelines and reduce erosion while simultaneously enhancing environmental function by providing habitat for marine organisms, grasses native vegetation, fish and wildlife.

*Local street:* A street intended to provide access to abutting properties, which tends to accommodate lower traffic volumes and serves to provide mobility within that neighborhood (see also Residential road).

*Local register of historic places:* A listing maintained by the Martin County Historic Preservation Board, of various sites, buildings, structures, objects and districts that are historically significant, as determined by criteria established by local ordinance.

*Material Change:* Any change to the allowable uses, densities or intensities, development standards, extent of development allowances or infrastructure or preservation requirements. deadlines for payment of fees, completion of work or similar substantive matters, or other substantive aspect of development that may increase the impact of the amendment, including those related to financial obligations.

*Mean high water line:* the intersection of the tidal plane of mean high water with the shore as determined in accordance with Chapter 177, Part II, Florida Statutes.

*Metropolitan Planning Organization (MPO):* Mandated by the 1973 Federal Aid Highway Act, the MPO serves as the planning/decision-making body for the Metropolitan Planning Area (MPA) in Martin County. The policy-making board consists of elected officials from Martin County, the City of Stuart, ~~and~~ the Town of Sewall's Point, and the Village of Indiantown.

*Mixed-use development:* A mix of residential and commercial, institutional, or limited impact industrial uses, in the form of a mixed-used pattern or a mixed-use project.

*Mixed-use pattern:* A dynamic mix of residential, commercial, institutional and/or limited impact industrial uses located within walking distance that develops incrementally over time, and may, but need not, involve more than one type of land use on any individual lot.

*Mixed-use project:* One or more buildings containing a residential use and one or more complementary commercial, institutional, and limited impact industrial uses, in close proximity and planned and approved as a single, unified project.

*Mobile home:* A structure that is transportable in one or more sections, built on a permanent chassis and designed for use as a single-family residential dwelling when connected to the required utilities. If fabricated after June 15, 1976, each section should bear a U.S. Department of Housing and Urban Development (HUD) label certifying its compliance with the Federal Manufactured Home Construction and Safety Standards, 42 USC 5401 and 24 CFR 3282 and 3283.

*National Register of Historic Places:* A federal listing maintained by the National Park Service of buildings, sites, structures, objects and districts that are historically significant, as defined by the Historic Preservation Act of 1966 (amended).

*Native Upland Habitat:* Native plant community associations, including canopy, understory and groundcover, or any combination of them that are generally undisturbed and unimproved.

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*Natural conditions:* Those wetlands and native upland habitat, in place on a property prior to any man-made alteration to the property, as indicated by generally accepted data sources including, but not limited to, the Soil Survey of Martin County Area (Martin Soil and Water Conservation District: U.S.D.A. Soil Conservation Service, 1981; Florida Division of Forestry, 1981) and aerial photographs.

*Neighborhood Advisory Committee or NAC:* Committee of residents, property owners, business owners or their agents appointed by the Board of County Commissioners to act in an advisory capacity to the Community Redevelopment Agency for a particular community redevelopment area.

*Neighborhood park:* A park servicing an area within a one-mile radius that provides open space and/or organized play structures.

*Nonpublic wastewater systems:* A regional wastewater treatment and disposal plant that serves the public but has less than 15 service connections and regularly serves less than 25 individuals daily on at least 305 days of the year.

*Objective:* A specific, measurable, intermediate end that is achievable and marks progress toward a goal.

*Onsite Sewage Treatment and Disposal Systems (OSTDS):* A system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes any item placed within, or intended to be used as a part of or in conjunction with, the system. The term does not include package sewage treatment facilities and other treatment works regulated under Florida Statute. (see definition for enhanced nutrient-reducing onsite sewage treatment and disposal system) A sewage treatment and disposal facility which contains a drainfield system and an anaerobic or aerobic treatment systems.

*Open space:* The portion of a development that is permeable and remains open and unobstructed from the ground to the sky, specifically excluding parking areas and sidewalks, whether permeable or impermeable.

*Overlay zoning districts:* Zoning districts in which additional regulations are imposed as performance standards over and above the standard development regulations of the underlying district.

*Package wastewater treatment plant:* A wastewater treatment plant which accommodates flows greater than 2,000 gallons per day, but less than 500,000 gallons per day, and is not certified as a regional wastewater system.

*Package water treatment plant* means a water treatment plant which accommodates flows greater than 2,000 gallons per day, but less than 500,000 gallons per day, and is not certified as a regional potable water system.

*Passive parkland:* Parks where the natural features of the land are the major attractor.

*Peak hour:* The 60 minutes within a 24-hour period with the highest traffic volume. A peak hour is generally designated for both morning and afternoon traffic conditions.

*Peak population (facility):* The number of permanent residents and seasonal visitors. It is calculated by adding permanent population to seasonal population (facility) to calculate the peak population for level of service planning. This definition includes tourists, migrant farmworkers, prisoners, group home residents, and other short-term and long-term visitors.

*Peak population (housing):* The number of residents living in residential housing units for more than six months of the year, and the number of occupants of residential housing who spend less than six months in Martin County equals peak population (housing). It is calculated by adding permanent population (housing) and the seasonal population (housing) to determine the total demand for residential housing units.

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*Percent for Art Ordinance:* An ordinance designed to authorize commitment of a given percentage of public funds from certain public construction and remodeling projects (based on the project size and type) to place art in public places.

*Percolation pond:* An earthen impoundment designed and operated to provide for fluid losses by percolation/seepage in addition to evaporative losses. A percolation pond does not have an impervious liner.

*Permanent population:* The number of residents living in the unincorporated area for more than six months of the year. This includes permanent residents in households as well as prisoners and group homes.

*Permanent population (housing):* The number of residents living in the unincorporated area in residential housing units for more than six months of the year.

*Permanent resident:* A person who resides in Martin County for six months or more of the year (U.S. Census Bureau).

*Permit Ready Industrial Development:* Projects located on lands with an Industrial land use designation or are located within a targeted business zoning district that have satisfied all requirements to be designated a permit ready project as specified in the Land Development Regulations.

*Persons per household (unincorporated Martin County):* The number of permanent residents living in residential housing units (classified by the Census as population in occupied housing) divided by the number of occupied housing units (provided by the US Census or EDR in a given year) to arrive at the persons per household for unincorporated Martin County.

*Planned unit development:* A unified development that is planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and approved at public hearing.

*Policy:* The way in which programs and activities are conducted to achieve an identified goal.

*Potable water facilities:* A system of wells, raw (untreated) water mains, treatment plants and water distribution mains that provide a continuous, safe source of high-quality drinking water.

*Prime groundwater recharge areas:* Land or water areas through which groundwater is replenished that are critical to maintaining the water table elevation of the groundwater basin. Such areas are determined by soil conditions that are conducive to the percolation of water from the surface to the water table. The recharge function cannot be preserved with development as an urban use.

*Prime agricultural areas:* Areas having soil and/or water conditions defined in the Federal Register, Volume 49, No. 130, July 1984, providing the Soil Conservation Service, U.S. Department of Agriculture Land Use Policy in Appendix A, Section 401.10.

*Private water systems:* Water systems not under governmental ownership and operation. These systems fall under the rules and regulations of the Florida Public Service Commission.

*Public art:* Any visual work of art displayed for two weeks or more in an open public-owned area, on the exterior of any public-owned facility, within any public-owned facility in areas designated as public area, such as lobbies, or public assembly areas, or on nonpublic property if the work of art is installed or financed either whole or in part with public funds or grants procured by the public.

*Public facility:* The capital improvements and systems of each of the following: airport, coastal, corrections, police and law enforcement, fire rescue, emergency shelters, golf courses, libraries, mass transit, miscellaneous, open space/conservation lands, parks and recreation, pedestrian/bicycle and other multimodal pathways, public buildings, public health, roads, schools, solid waste, water management and utilities. ~~Mandatory public facilities are listed as category A and category C. Nonmandatory public facilities are those facilities listed as category B and category D. Level of service standards are not applied to category E facilities (see also *Category of public facilities*).~~

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*Public open space:* The term "public open space" shall be used to describe lands purchased for public access and public benefit. It shall include resource-based parks and land preserved for conservation or aesthetic reasons. It shall not be confused with the definition of "open space" as permeable, unobstructed portions of a site, as used in the County Land Development Regulations and in Chapter 4, Future Land Use.

*Public urban facilities and services:* Regional water supply and wastewater treatment/disposal systems, solid waste collection services, acceptable response times for sheriff and emergency services, reasonably accessible community park and related recreational facilities, schools and the transportation network.

*Public use airport:* A publicly owned or privately owned airport that is open to the public without advance permission.

*Public water supply:* Water that is withdrawn, treated, transmitted and distributed as potable or reclaimed water.

*Pump station or lift station:* A wet well (holding tank) with pumps from which sewage is pumped into a force main or gravity system for transport to a wastewater treatment plant.

*Recharge:* The addition of water, typically by rainfall, to the Surficial aquifer, thereby replenishing the supply of water.

*Reclaimed water:* Water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility (Source: Rule 62-610.200 Florida Administrative Code).

*Recreational airport:* A general aviation airport handling smaller aircraft that provides access to recreational facilities that are either on-site or in the immediate area. The recreational facilities may or may not be aviation related.

*Redevelopment:* The replacement, rehabilitation or repurposing of existing improvements on a previously developed site.

*Regional Long Range Transportation Plan (RLRTP):* A long-range transportation plan developed by the Metropolitan Planning Organization that identifies critical transportation needs and recommended roadway improvements. The RLRTP, on file with the Martin MPO, includes a Needs Plan and a Cost Feasible Plan.

*Regional park:* A park servicing a countywide area that may have the following: athletic facilities, open space, and passive features.

*Regional sewage systems:* A government-owned or investor-owned public sewage system that treats wastewater for a fee for specific geographic regions. Such a system has a capacity of at least 0.5 million gallons per day as rated by the Florida Department of Environmental Protection (FDEP). It is designed and located to offer service to a relatively large area. This term is not intended to designate a single, county-wide wastewater system.

*Regional water systems:* Either government-owned or investor-owned potable water facilities that provide water, for a fee, to specific geographic areas in Martin County. These systems have a capacity equal to or greater than 0.1 million gallons per day, as rated by the Florida Department of Environmental Protection (FDEP). These systems are designed and located to serve a relatively large area.

*Residential development tracking system:* The system which tracks all residential development with master plan approval or with final site plan or final plat approval through the approval and construction process.

*Residential road:* A street intended to provide access to abutting properties. It tends to accommodate lower traffic volumes and provides mobility within that neighborhood (see also Local street).

*Resilience:* the capacity of a community, business, or natural environment to prevent, withstand, respond to, and recover from a disruption.

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*Resource airport:* A publicly owned airport identified by the State of Florida as an important aviation asset that must be preserved to handle future needs. Resource airports typically provide aviation access to areas of the State where scheduled air service does not exist.

*Resource-based park:* A recreation site that primarily provides public access to a natural resource (i.e., beach) or to a recreational facility that depends on a specific natural resource (i.e., boat ramp, fishing access).

*Reverse osmosis:* A membrane process for desalting water using applied pressure to drive the feed water (source water) through a semipermeable membrane (Source: SFWMD, Consolidated Water Supply Plan Support Document).

*Roadway functional classification:* The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories (see definition of "collector road").

*Roadway link/segment:* A length of roadway being evaluated, usually the distance from one signalized intersection to the next.

*Rural area:* Areas of sparse population (less than 1,000 persons per square mile) generally located in the western portion of the County beyond the turnpike in the north, and I-95 in the central and south County.

*Saltwater intrusion:* The inland encroachment of saltwater into an aquifer in coastal areas due to lowering of the freshwater head in the aquifer.

*School Concurrency Review Report:* A report providing the County with a determination on whether there is school capacity sufficient to accommodate a new development. It is produced by the School District staff and submitted to the County.

*Schools Technical Advisory Committee (TAC):* A five-member committee appointed by the County, School Board, and City of Stuart whose main purpose is to evaluate school siting needs. The Interlocal Agreement for School Facilities Planning and Siting provides details on the TAC.

*Scrivener's error:* A mistake in an ordinance or other document adopted by the Board that is the result of a clerical error and which is not a reflection of the Board's actual intent.

*Seagrass beds:* Long-term, persistent, viable habitat characterized by rhizome development and growth.

*Seasonal population (facility):* The number of people in the unincorporated area defined as seasonal population (housing) plus part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents. This includes tourists, migrant farmworkers, and other short-term and long-term visitors, (adapted from Section 163.3164(41) F.S.)

*Seasonal population (housing):* The number of residents living in residential housing units who spend less than six months in Martin County. ~~The seasonal population in terms of the demand for residential housing units is calculated by multiplying the persons per household, unincorporated area, by the "vacant seasonal housing units" as classified by the US Census and defined in this chapter.~~

*Secondary treatment:* Advanced treatment using aeration and biological decomposition of waste materials. This process, regulated by the Florida Department of Environmental Protection, is widely used for safe wastewater treatment.

*Septage mixture of biosolids:* Fatty materials, human feces and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.

*Site-related improvements:* Road improvements generally defined as direct site access, driveways and turn lanes for traffic entering and exiting the site, project signalization or other improvements directly required for and benefiting the proposed development.

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*Standard housing:* Housing that is in satisfactory condition, provides safe and adequate shelter, is not in need of any obvious structural repairs and has been adequately maintained.

*Stormwater:* The flow of water resulting from rainfall.

*Stormwater management system:* A system that collects, channels, or diverts the movement of stormwater.

*Substandard housing:* As defined by Section 420.0004(15), Florida Statutes:

- A unit lacking complete plumbing or sanitary facilities for the exclusive use of the occupants;
- A unit in violation of one or more major sections of an applicable housing code and where such violation poses a serious threat to the health of the occupant; or
- A unit that has been declared unfit for human habitation but could be rehabilitated for less than 50 percent of the property value.

*Surficial Aquifer:* A relatively shallow, unconfined aquifer, one of two sources of potable water in Martin County.

*Targeted businesses:* Uses identified on the State of Florida Targeted Industries List as produced and as updated by Enterprise Florida, Inc., and/or other entities designated by the State of Florida for economic development (which may be amended periodically). Targeted businesses typically include manufacturing facilities; finance and insurance services; wholesale trade; information industries; professional, scientific and technical services; management services; and administrative and support services.

*TND (Traditional Neighborhood Development):* New neighborhood planning guided by the sensible and desirable attributes of "traditional neighborhoods," providing a full range of housing types, commercial and office opportunities.

*Traffic analysis zones:* The basic geographical entity or area delineated for transportation analysis, generally corresponding with one or more units designated by the Census Bureau for data collection (i.e., block group, enumeration district or census tract).

*Traffic Congestion Mitigation Program (TCMP):* A program of actions designed to maintain and improve the capacity of roadway links in heavily congested areas. A TCMP may be developed by government and/or private sector interests to address link/intersection deficiencies and improve overall traffic flows. The TCMP may also include:

- Parallel roadway improvements in the corridor or area;
- Improved traffic flow through implementation of road marking and signing, access control measures, intersection redesigns, connectivity, or turn lane additions;
- Ride sharing program;
- Preferential treatment for high-occupancy vehicles on congested links; and
- Staggered or flexible work hours.

The TCMP must describe in detail a program of improvements to the transportation system and/or trip reduction measures that provide additional capacity on congested links and at problem intersections. Professionally prepared traffic engineering studies acceptable to the County must be provided in advance of approval to demonstrate the anticipated impacts of the program. The TCMP must specify a secure and dedicated source of funding for the proposed improvements and must include a monitoring component to ensure that the program achieves the anticipated effects.

*Transportation concurrency exception area (TCEA):* Delineated urban area where infill and redevelopment are encouraged and exceptions to the transportation concurrency requirement are made, providing that alternative modes of transportation, land uses, mixes, urban design, connectivity, and funding are addressed.

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*Transportation Concurrency Management Area:* A designated geographically compact area with an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. The designated area may have an established area-wide level of service standard based on analysis that justifies the area-wide level of service, identifies how urban infill development or redevelopment will be promoted, and describes how mobility will be accomplished.

*Transportation disadvantaged:* Individuals who - because of physical or mental disability, income status or age - are unable to transport themselves or to purchase transportation and must depend on others for access to services.

*Transportation Improvement Program (TIP):* A compilation of the five-year schedule of capital transportation projects within the Metropolitan Planning Area, including projects proposed by the State, the County and all municipalities. The program begins with year one, the existing fiscal year, and includes five additional years of projected costs beginning with the upcoming fiscal year.

*Undeveloped beachfront:* A publicly owned beach access site with no improvements.

*Unhardened shoreline:* A shoreline that has not been hardened by legally permitted riprap or seawalls.

*Urbanized/urban area:* An area containing a city (or twin cities) of 50,000 or more population, with a density of 1,000 persons per square mile. The boundary of this area is described and adopted by the Martin County Metropolitan Planning Organization (MPO) and approved by the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA).

*Urban sprawl:* A development pattern requiring the extension of public facilities and services in an inefficient manner and failing to provide a clear separation between urban and rural uses.

*Urban development:* Commercial and industrial uses and densities in excess of two units per acre or lot sizes one-half acre or smaller.

*Utility service area:* A defined area in which water and/or wastewater service is provided by a regional utility.

*Vacant seasonal housing units:* The decennial Census count for residential housing units that are occupied, but for less than six months of the year. This definition excludes the following vacant categories used by the U.S. Census: For Rent; Rented, not occupied; For sale only; Sold, not occupied; For migrant workers.

*Viewshed:* a designated area along the side of a property that provides an unobstructed view from any public right-of-way to waters of the State or their tributary systems including canals used for the purpose of navigation.

*Volume:* The number of persons, bicycles or vehicles passing a point on a lane, roadway or other trafficway during some time interval, often one hour.

*Wastewater Master Plan:* A facilities planning report assembled to predict future wastewater treatment needs based on historical sewage loads and population growth projections.

*Water dependent uses:* Land uses for which location is dependent on proximity to the water resource (i.e., commercial marinas, boatyards, industrial boat repair and manufacturing, and water sports recreational use).

*Water Master Plan:* A facilities planning report assembled to predict future water supply and treatment needs based on historical consumption and population growth projections.

*Water recharge areas:* Land or water areas through which groundwater is replenished.

*Water related uses:* Land uses for which association with the water resource is required (i.e., commercial trailered boat sales, bait/tackle shops, recreational resorts and institutional or educational research centers).

*Water table:* The upper surface of the saturated zone in an unconfined aquifer.

*Well:* An excavation constructed to conduct groundwater from an aquifer to the ground surface by pumping or artesian flow.

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*Zones of influence:* The area surrounding a pumping well in which the water table has been lowered due to groundwater withdrawal.