

**MARTIN COUNTY
COMPREHENSIVE PLAN**

April 1, 1982

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MARTIN COUNTY COMPREHENSIVE PLAN

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E. Fish, Vegetation, and Wildlife Conservation Objectives.

1. Promote Optimum Population of All Native Species of Fish, Vegetation, and Wildlife and Preservation of Habitats. Native fish, vegetation, and wildlife populations and suitable habitats are important natural resources, especially within the St. Lucie River and Indian River estuaries. Recreational fishing provide a significant contribution to tourism, fishing and the marine industries within Martin County and commercial fishing is important to the County's economic base and economic diversification. All endangered native species of fish, vegetation, and wildlife and their respective natural habitats shall be protected from adverse development impacts.
2. Promote Efficient Fish, Vegetation, and Wildlife Management Principles and Practices. The study and application of efficient fish and wildlife management principles and practices shall be included in the overall planning process in the coastal area when considering the impacts of various land uses upon the fish and wildlife resources within Martin County.
3. Encourage Preservation of Unique or Endangered Fish, Vegetation, and Wildlife Species and Their Habitats. Coastal management planning shall apply to management principles and practices for preserving unique or endangered fish, vegetation, and wildlife and shall study new state-of-the-art concepts.

8-2 Implementing Programs for Conservation and Coastal Management.

The following programs shall be the basis for carrying out the goals and objectives of the conservation and coastal management element. Development orders shall be reviewed for consistency with these policies.

A. Programs Related to the Ocean System.

1. Enforce Special Development Requirements for Barrier Island Construction. Martin County shall continue to enforce special requirements regarding development on the barrier island pursuant to the Martin County Code of Laws and Ordinances (as exists or as may be hereinafter amended) which established setback requirements for buildings and structures, minimum elevations, dune protection standards, and bulkhead regulations. Construction shall also comply with the County's flood damage prevention ordinance (Chapter 14 of the Martin County Code of Laws and Ordinances, as exists or as may be hereinafter amended). Similarly, the County shall continue to prohibit vehicular traffic on or over the dune and on the beach. Public pedestrian access over the dune to the beach shall be restricted to controlled access points. Construction of appropriately designed elevated dune walkways shall be required at all new or improved points of access.

2. Enforce the Coastal Construction Control Line. The Martin County Board of County Commissioners shall exercise a strict interpretation of the County and State laws regulating the coastal construction control line in order to ensure maximum future protection of life and property from the massive destructive tendencies of hurricane and other coastal storm conditions. Also, the County acknowledges that non-structural environmental management techniques for shoreline stabilization are preferable to structural plans designed to harden and reinforce the shore to mitigate erosion. The latter structural proposals generally exert erosive tendencies on adjacent properties and intensify long term erosion by altering natural defenses against erosion.

The County shall periodically reevaluate coastal shoreline construction regulations in order to remain responsive to changing problems and issues, advances in the state-of-the art, and changes in the State's coastal construction legislation, administrative rules, and policy guidelines. The latter State policies are anticipated to become more restrictive based on continuing research in coastal construction techniques directed toward minimizing destructive tendencies of wind, wave, and erosion associated with hurricanes and other storm conditions. The County shall work jointly with the State in enforcing locally applicable provisions of the State coastal construction control line.

Any building or structure located seaward of the local and/or State coastal construction control line (as it exists or as it may hereinafter be amended) shall be displaced and removed at the owner's expense if the building or structure is destroyed or damaged to an extent greater than fifty percent subject to Section 23-122 and 33-72 of the Martin County Code of Laws and Ordinances as exists or as hereinafter may be amended. The requirement for removal may be waived by the Board of County Commissioners upon a showing that rebuilding will not:

- a) Render the property subject to further damage through flooding or erosion;
- b) Interfere with preservation and enhancement of the dune system; and
- c) Adversely affect adjacent properties and structures.

Whenever any beachfront building has been seriously damaged by hurricane flooding the Federal Emergency Management Agency shall be encouraged to purchase the land for open space under the Federal Flood Insurance Program.

3. Undertake Programs to Combat Beach Erosion and to Stabilize the Dune System. The County shall coordinate with the State and appropriate Federal agencies in achieving this objective. The County shall

encourage study of those shoreline areas where erosion is most intensive to determine major factors underlying erosion. The County shall monitor and evaluate jointly with other public and private interests desirable preventive measures for abating beach erosion and preserving and restoring the beach.

The stability of the shoreline shall be protected and enhanced through preservation of indigenous vegetation, including coastal mangroves and upland vegetation, especially on slopes, shoreline and bluffs. Such vegetation contributes to marine productivity and water quality; offers protection from erosion and flooding; contributes to natural dune building and shoreline stabilization.

4. Acquire Major Undeveloped Privately Owned Land Holdings on Hutchinson Island. Martin County shall consider alternative means for acquiring privately owned land for which the respective landowners have no current County approved development plan (approximately 4,600 linear feet of beach frontage property). This acquisition program will preserve environmentally sensitive floodprone lands on the barrier island, prevent development of these lands, and provide additional beachfront recreation sites.

B. Programs Related to the Estuary System

1. Enforce Shoreline Performance Standards in Review of Estuarine Development Proposals. Martin County shall protect the estuarine shoreline zone as herein defined in order to protect the stability of the estuary and to enhance water quality. The shoreline protection zone shall include all estuarine waters within Martin County, including those lands contiguous to said waters where fringe mangrove communities occur and where estuarine and freshwater wetlands abut the section of the Northwest Fork of the Loxahatchee River which lies within the jurisdiction of the adopted Management Plan for the Loxahatchee National Wild and Scenic River. In order to maintain the functional integrity of the estuarine shoreline zone including the mangrove communities, the interior boundary of the shoreline protection zone is established at a line extending fifty (50) feet laterally upland from the mean high water (MHW) and fifty (50) feet laterally upland from the landward limit of the shoreline mangroves. The shoreline mangroves shall include communities which contain red (*Rhizophora mangle*), black (*Avicennia germinans*), white (*Laguncularia racemosa*) and Buttonwood mangroves. Those mangrove or wetland vegetative communities which are isolated inland and separated from open water areas by non-wetland natural vegetation communities shall be preserved but shall not be subject to the restrictions within the shoreline protection zone.

The existence of a narrow band of Australian Pine or other berm vegetation such as those created by mosquito impoundment dikes shall not constitute "isolation" as used above. This standard shall not be interpreted as allowing destruction of non-mangrove wetlands landward of the area protected by this standard when such wetlands are protected by other policies and standards in this Plan.

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- a) Within the estuarine shoreline zone defined above in Subsection 8-2 (B)(1), no development shall be permitted, except to provide the property owner reasonable access to the water. Such development shall be restricted to accessways running perpendicular to the shoreline and shall be no greater than twelve (12) feet in width. For those properties that are designated for Marine Waterfront Commercial use on the Comprehensive Plan future land use maps and when such properties are used for marine waterfront commercial purposes the water accessways running perpendicular to the shoreline shall be no greater than thirty (30) feet in width. For those properties that are designated for Institutional use on the Comprehensive Plan future land use maps, and when such properties are used for public boat ramps, docking, fishing piers and related facilities providing public benefits which exceed those lost as a result of Shoreline Protection Zone alterations, an accessway running generally perpendicular to the shoreline shall be no greater than 150 feet in width at its maximum dimension. The Community Development Director (or designee) shall approve any such request for clearance only after receiving a satisfactory plan of the proposed development which shall demonstrate the need for access and shall designate the property boundaries to scale, for shoreline zone, the reason for the development, and other information as may be required by the Martin County Code of Laws and Ordinances. The decision of the Community Development Director may be appealed to the Board of County Commissioners. The Board of County Commissioners may approve the subject request upon a finding of need together with a finding that the plan presented represents the minimum reasonable mangrove destruction needed for access.
- b) No structure other than docks (waterward of the mangrove line), boat ramps and elevated walkways, limited to those necessary for the personal use and enjoyment of the shoreline property owner and County approved public utilities, shall be permitted within the shoreline protection zone.
- c) Within the fifty (50) foot upland transition zone of the shoreline protection zone no permits shall be required for maintenance of existing uses or maintenance of uses permitted by this section.

The Land Development Code shall specify procedures under which fill may be allowed in the transition zone of the shoreline protection zone. Where filling is allowed under the Land Development Code, standards shall assure:

- 1) No wetlands are filled.
- 2) There is no adverse impact to the estuary or mangrove and other wetland communities.
- 3) Preservation of native indigenous vegetation is maximized.

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- 4) Fill is minimum necessary to assure that the owner is not denied reasonable use of his property.
- d) All waivers within this Section shall be subject to the restrictions of Section 4-3.
- e) The following exceptions to Section 8-2 B.1 above are to be recognized:
 - 1) For lots of record (as described in Section 4-3A) with an upland area of one (1) acre or less the shoreline protection zone shall be reduced from fifty (50) feet to twenty-five (25) feet.
 - 2) Legally filled areas landward from legally constructed bulkheads, retaining walls or other shoreline protection structures.
 - 3) Shoreline protection structures consistent with Section 8-2 B.2 and approved by the County Engineer or the Community Development Director as appropriate.
 - 4) Areas within the shoreline protection zone that have been voluntarily altered after the effective date of the Comprehensive Plan by the planting of wetland vegetation including mangroves shall be exempt from additional setbacks from such plantings. Such alterations must be documented and must not have been required for remedial purposes or as part of any prior development approval.
 - 5) Removal of exotic vegetation or planting of appropriate native vegetation when approved in writing by the Community Development Director and when the affected shoreline zone, where exotic vegetation has been removed, is replanted with appropriate native species to the extent necessary to stabilize the shoreline and meet the requirement of this Article.
2. Manage the Location of Construction Activity Near Estuarine Systems and Enforce Appropriate Vegetation and Landscaping Requirements. No new construction shall be permitted to threaten the stability of the estuary. The County shall coordinate with the State in managing development and conservation decisions in a way which protects the values and functions of wetlands, spoil islands, and submerged lands. Shoreline stabilization shall be accomplished by the establishment of appropriate native wetland vegetation. Hardening of the shoreline shall be allowed only when erosion is causing a serious (significant) threat to life or property in light of the circumstances listed below. Rip-Rap materials, pervious interlocking brick systems, filter mats and other similar stabilization methods shall be used in lieu of vertical seawalls whenever feasible.

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