

COASTAL MANAGEMENT ELEMENT

Goals, Objectives and Policies

GOAL 5.1.: ENSURE THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL RESOURCES OF THE PALM BEACH GARDENS COASTAL PLANNING AREA ARE PROTECTED, MAINTAINED AND ENHANCED THROUGH THE REGULATION OF DEVELOPMENT ACTIVITIES THAT WOULD DAMAGE OR DESTROY SUCH RESOURCES.

Objective 5.1.1.: Maintain sustainable land development regulations which regulate development in the coastal planning area in a manner which preserves, protects, or enhances the coastal planning area resources.

Policy 5.1.1.1.: The City will continue to maintain land development regulations which shall limit erosion control measures to those that do not interfere with normal littoral processes or coastal natural resources.

Policy 5.1.1.2.: The City shall maintain, within its land development regulations, requirements to ensure that landscaping in the coastal planning area requiring site plan review shall consist of a minimum of 90% native vegetation.

Policy 5.1.1.3.: The vegetation removal permit issued to a new development or redevelopment in a coastal planning area shall require that, during construction, all new development or redevelopment within the coastal planning area shall remove all nuisance and exotic vegetation, including, Australian pine, Brazilian pepper, and Melaleuca from the site.

Policy 5.1.1.4.: In an effort to minimize the impact of development activities on the estuarine water quality and productivity, the City's land development regulations shall be maintained to include specific provisions controlling the building setback from the shoreline and requiring that a native vegetation buffer be preserved or established along the shoreline and access to a water body be provided in such a way as to minimize the impact on the shoreline vegetation and the littoral zone.

Policy 5.1.1.5.: The following criteria shall continue to be applied to all proposed marinas during the preparation of specific marina siting plans:

- a. Preference shall be given to sites which have been legally disturbed or identified as suitable in the Boat Facility Siting Plan of the Palm Beach County Manatee Protection Plan, prepared July 2007, as opposed to sensitive areas such as Aquatic Preserves, Outstanding Florida Waters and Critical Manatee Habitat.

- b. Non-water dependent uses (such as bait and tackle, restaurants, etc.) shall be situated on uplands.
- c. Marina sites shall be located in areas where upland support services are available and where there is sufficient upland area to accommodate all needed utilities and marina support facilities, including parking.
- d. Docking facilities shall be approved only if minimal or no dredging and/or filling is required to provide access by canal, channel, or road.
- e. Marina basins shall be approved only when the locations have adequate depths to accommodate the proposed boat use.
- f. Dock and decking design and construction shall ensure light penetration sufficient to support existing shallow water habitats.
- g. Sewer pump-out service shall be made available at all marinas capable of servicing or accepting boats inhabited overnight or boats which require pump-out service. All environmental protection measures shall adhere to Palm Beach County Department of Environmental Resource Management (PBCDERM) and Florida Department of Environmental Protection (FDEP) rules.
- h. In the event marina fueling facilities are developed, adequate and effective measures shall be taken to prevent contamination of area waters from spillage or storage tank leakage.
- i. Prior to operation of marina fueling facilities, the developer shall concurrently submit to the city a copy of the application for a terminal facility and the applicable portion of the Florida Department of Environmental Protection (FDEP) "Florida Coastal Pollutant Spill Contingency Plan." The plan shall describe the methods of fuel storage, personnel training, secondary containment usage, methods to be used to dispense fuel, and all the procedures, methods, materials, and emergency response contractors to be used in the event of a spill. The plan shall be approved by the city Fire Chief prior to final development approval.
- j. Marina areas shall be compatible with the Future Land Use Map and applicable land developments regulations in terms of the types and intensities of uses that are permitted.
- k. Landscape buffers and setbacks shall be included to mitigate impacts upon adjacent land uses.
- l. Marinas shall prepare hurricane plans which describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment. This hurricane plan shall be reviewed and approved by the Fire Chief.

- m. Marinas shall identify which docking facilities are to be rented and which are to be sold. Areas available to the public shall be identified and maintained as such.
- n. All applications for marinas shall include a market study indicating the need, market area, and user profile of the marina and which shall include projected costs and revenues proving the economic feasibility of the marina.
- o. Dry slip use shall be maximized in order to minimize impacts on water quality and minimize the areas extent of disturbance of the estuary.
- p. New marina facilities shall be designed to maximize the water quality benefits of existing water circulation and shall not adversely affect existing circulation patterns. Improvement of circulation shall be a preferred consideration when expanding or upgrading existing facilities.
- q. All new and expanded marinas shall provide a demonstration of compliance with State Water Quality Standards by maintaining a water quality monitoring program approved by the Florida Department of Environmental Protection (FDEP).

Policy 5.1.1.6.: Coastal wetlands shall be protected through regulations that require:

- a. Site plans for new development to identify the location and extent of wetlands located on the property;
- b. Site plans to provide measures to assure that normal flows and quality of water will be provided to maintain wetlands after development; and
- c. Alteration of wetlands to be mitigated for by restoring the disturbed wetlands or by creating additional wetlands within the coastal area in compliance with the Federal, State and South Florida Water Management District (SFWMD) regulations.

Policy 5.1.1.7.: The City shall continue participation with the Southeast Florida Regional Climate Change Compact.

Policy 5.1.1.8.: The City shall continue to utilize best management practices to mitigate the flood risk in the coastal planning area which result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

Objective 5.1.2.: Maintain land development regulations which require all development along the tidal ditches to preserve a native vegetation buffer.

Policy 5.1.2.1.: The land development regulations shall continue to maintain provisions for the preservation of the tidal ditch approved species vegetation.

Policy 5.1.2.2.: Drainage systems associated with new development or redevelopment shall not cause a significant fluctuation in water quality or quantity in the tidal ditches so as to create a marked change in either the flora or fauna of the tidal ditch area.

Policy 5.1.2.3.: The City shall maintain and keep up to date the City's Master Drainage Plan for the entire City identifying the minor drainage outfalls and their respective basins. The plan identifies the disturbed natural drainage systems which can be restored to the extent economically feasible. For such disturbed drainage systems, the City shall utilize the plan in order to recommend remedial actions.

Objective 5.1.3.: **Maintain land development regulations which ensure that the marine habitat in and the water quality of Little Lake Worth and the Intracoastal Waterway including the associated estuarine systems, are protected and enhanced.**

Policy 5.1.3.1.: Drainage regulations shall ensure best management practices are used to prevent surface run-off from degrading the water quality of Little Lake Worth or the Intracoastal Waterway (ICWW).

Policy 5.1.3.2.: Through the land development regulations, the City shall require all new and existing marinas and docking facilities located in the City to maintain and submit to the City a fuel spillage contingency plan.

Policy 5.1.3.3.: The City shall continue to propose to the State that rip-rap or other similar measures be used in the ICWW to increase the marine habitat. Additionally, the City shall support the Palm Beach County Department of Environmental Resources Management in its habitat protection program in all applicable areas, including the Intracoastal Waterway.

Policy 5.1.3.4.: In order to reduce non-point source pollutant loading's and improve the functioning of the City's drainage system, the City shall continue to enforce regulations to prohibit dumping of debris of any kind, including yard clippings and trimmings, into drainage ditches, stormwater control structures, the ICWW and Little Lake Worth.

Policy 5.1.3.5.: The City staff shall review on an ongoing basis, and coordinate with, the policies and programs proposed by other local governments for the protection of estuaries that are within the jurisdiction of the City and such local governments. The coordination shall be conducted on an informal basis to ensure adequate sites for water-dependent uses, prevent estuarine pollution, control surface water runoff, protect living marine resources, reduce exposure to natural hazards, and ensure public access.

Objective 5.1.4.: Continue to collect information on all species of special concern that either inhabit or transit the coastal planning area and adopt specific regulations to provide for their protection in coordination with other agencies.

Policy 5.1.4.1.: The City shall continue to compile an inventory of all known nesting sites, feeding areas, breeding grounds and areas of transit for species of special concern.

Policy 5.1.4.2.: The City shall maintain land development regulations to provide for the maximum protection of all species of special concern identified in the coastal area and their habitats.

Policy 5.1.4.3.: The City shall assist Palm Beach County to ensure that all known manatee areas are adequately posted with manatee warning signs. If the problem of boat speeding persists in spite of the warning signs, the City shall encourage regulatory agencies to establish no wake zones in the known manatee areas.

Objective 5.1.5.: Maintain and implement the Boat Facility Siting Plan (BFSP) of the Palm Beach County Manatee Protection Plan (MPP), prepared July 2007.

Policy 5.1.5.1: All site plans shall be reviewed to determine if the site is located in an area designated as low, medium or high probability of impact to manatees as defined in the BFSP.

Policy 5.1.5.2.: The siting of all boat facilities shall be consistent with the guidelines, methodologies, procedures and policies in the BFSP. The Boat Facility Siting policies of the Manatee Protection Plan shall be used to determine the appropriate location and design criteria of the future boat facilities and expansion of existing facilities.

Policy 5.1.5.3.: Assist and cooperate with Treasure Coast Regional Planning Council and all relevant agencies with the implementation of the BFSP.

GOAL 5.2.: ENSURE THE PROTECTION OF HUMAN LIFE AND CAPITAL FACILITIES FROM THE DESTRUCTIVE EFFECTS OF HURRICANES, OTHER NATURAL DISASTERS AND HAZARDS.

Objective 5.2.1: Continue to maintain land development regulations which ensure that building and development activities are carried out in a manner which minimizes the danger to life and property from hurricanes and floods.

Policy 5.2.1.1.: The City's Coastal High Hazard Area (CHHA) shall be identified as Category 1 Hurricane Elevation, as located by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) model.

Policy 5.2.1.2.: The City's Hurricane Vulnerability Zone (HVZ) shall be identified as Category 3 Hurricane evacuation zones, as located by the SLOSH model.

Policy 5.2.1.3.: The land development regulations shall continue to require that new and replacement sanitary sewer facilities in flood zones are flood-proofed to prevent inflow and ensure that raw sewage does not leak from sanitary sewer facilities during flood events.

Policy 5.2.1.4.: The City shall continue hazard mitigation by adopting the State of Florida Department of Emergency Management's Model Ordinance Program, and continue to provide administration of building and rebuilding construction techniques consistent with the Federal Emergency Management Agency (FEMA) regulations within "A Zones" as designated by FEMA.

Policy: 5.2.1.5.: The land development regulations shall continue to maintain that land use types and intensities within the CHHA are consistent with:

- a. The Future Land Use Element and Map;
- b. Vested development rights;
- c. The Palm Beach County Comprehensive Emergency Management Plan (CEMP)-2016, and the Treasure Coast Region Statewide Regional Evacuation Study Program, Appendix IV-C;
- d. Those which maintain a hurricane evacuation time as established in the Palm Beach County Comprehensive Emergency Management Plan (CEMP)-2016.
- e. The goals, objectives and policies of this element and the Conservation Element of this Comprehensive Plan concerning the protection and preservation of natural resources.

Policy 5.2.1.6.: The City's Public Works Department shall continue its program to regularly provide trimming and pruning of City street trees and trees on City property as a pre-hurricane precaution to windthrown hazards.

Objective 5.2.2.: Provide for public safety during emergency evacuation by maintaining or reducing the City's build-out emergency evacuation clearance time, maintaining an adequate emergency evacuation roadway system.

Policy 5.2.2.1.: The City shall cooperate with Palm Beach County in maintaining the hurricane evacuation time as established in the Palm Beach County Comprehensive Emergency Management Plan.

Policy 5.2.2.2.: The City shall coordinate with the county to determine the most efficient evacuation routes and shelter space.

Policy 5.2.2.3.: The City shall maintain densities in the existing residential developments in the CHHA as approved in the development plans. Residential densities in the future annexation the CHHA shall be established consistent with the above Objective.

Policy 5.2.2.4.: [RESERVED]

Policy 5.2.2.5.: Emergency technical data reports and plans used in emergency management for hurricanes, floods, and other emergencies should be updated annually to reflect changes in population size and distribution, location of high-risk populations, adequacy of transportation systems and emergency shelters (including public schools) located outside of the coastal high hazard area and the latest scientific findings affecting emergency management.

Policy 5.2.2.6.: The City shall coordinate with the Palm Beach County Emergency Management Director regarding who should evacuate, how to evacuate, the location of emergency shelters (including public schools) outside of the coastal high hazard area and what services are available for the population in a hurricane.

Policy 5.2.2.7.: The City shall coordinate its efforts with those of the Palm Beach County Emergency Management Division and the School District of Palm Beach County (regarding the use of public schools outside of the coastal high hazard area as emergency shelters) to identify public schools located within its boundaries which could serve as emergency shelters and to assure safe evacuation of those people who are at risk during hurricanes. All emergency shelter designations and evacuation routes are coordinated by the American Red Cross and Palm Beach County Emergency Management.

Policy 5.2.2.8.: The City shall appoint a Hurricane and Disaster Preparedness Team to include the City Manager, department directors, and other staff members as identified by the departments whose directors sit on the Hurricane and Disaster Preparedness Team. At minimum, the Team shall conduct a meeting at the start of hurricane season to review and update the disaster preparedness procedures and post-disaster procedure plans to remain current. The Team shall also establish a procedure to disseminate information to staff and residents in the event of a disaster. All disaster preparedness plans shall be coordinated with Palm Beach County's Emergency Management Center.

Objective 5.2.3.: Establish post-disaster procedures for immediate and long term response, including cleanup and redevelopment, to a hurricane event, natural disasters and other emergencies.

Policy 5.2.3.1.: After a hurricane, the City Manager shall hear preliminary damage assessments, appoint a Recovery Task Force, and decide if a temporary moratorium is necessary on building activities to protect public health, safety, and welfare.

Policy 5.2.3.2.: The City Manager or designee shall name a Recovery Task Force to include department directors, and other members as directed by the City Council. Staff shall be provided by the departments whose directors sit on the Task Force. The Task Force shall be disbanded after implementing its responsibility or as directed by the City Manager.

Policy 5.2.3.3.: The Recovery Task Force shall have the following responsibilities: review and decide upon emergency building permits; coordinate with state and federal officials to prepare disaster assistance applications; analyze and recommend to the City Council hazard mitigation options including reconstruction or relocation of damaged public facilities; develop a redevelopment plan; and recommend amendments to the Comprehensive Plan, City Emergency Management Plan, and other appropriate policies and procedures.

Policy 5.2.3.4.: The City shall pursue the following post-emergency activities: immediate repairs to potable water, wastewater, and power facilities; removal of debris; stabilization or removal of structures about to collapse; and minimal repairs to make dwellings habitable. These actions shall receive first priority in permitting decisions.

Policy 5.2.3.5.: The City shall continue to maintain land development regulations to require structures which suffer damage in excess of fifty percent of their appraised value, to meet all current requirements including those enacted since construction of the structure, such as the Florida Building Code, State of Florida Floodplain Management Ordinance, in order to mitigate losses in the future.

Policy 5.2.3.6.: The City shall continue to require structures which suffer repeated damage to pilings, foundations, or loadbearing walls to rebuild landward of their current location or modify the structure to delete the areas most prone to damage.

Policy 5.2.3.7.: The Recovery Task Force shall review all interagency hazard mitigation reports as they are produced and make recommendations for amendments to the Comprehensive Plan accordingly.

Objective 5.2.4.: The level of service standards adopted for the entire City in the Capital Improvements Element and other elements of this Comprehensive Plan shall continue to be applied to the traffic circulation and infrastructure facilities of the Coastal High Hazard Area (CHHA) whenever development orders or permits are requested. The service area and phasing of such facilities shall be consistent with the goals, objectives, and policies of this and all other elements of this Comprehensive Plan.

Policy 5.2.4.1.: The City shall apply the level of service standards adopted elsewhere in this Comprehensive Plan for facilities in the CHHA and the additional standards under this objective whenever development orders or permits are requested.

Policy 5.2.4.2.: As part of the development approval process, the City shall require developments and redevelopments which would cause public facilities to operate below their

adopted levels of service standards to provide for, either in the provision of fees or infrastructure constructed to City standards, the facilities necessary to maintain the adopted levels of service standards concurrent with the impacts of the development.

Policy 5.2.4.3.: The City shall encourage the location of public infrastructure away from the coastal high hazard areas, and shall limit the amount of public expenditures in this area.

Policy 5.2.4.4.: The City shall limit public expenditures that subsidize development permitted within the CHHA.