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# COASTAL MANAGEMENT ELEMENT

## I. INTRODUCTION

### A. Purpose

The purpose of the Coastal Management Element is to provide for the responsible use and management of coastal resources related to development activities, protection of human life, the limitation of public expenditures in areas subject to natural disaster and protection of wildlife and natural habitat. This element is required by Rule 9J-5.012, F.A.C. The element focuses on the proper use and management of the County's coastal resources such as beaches and lagoons, which are key to the tourism industry, a major component of the County's economy.

It is the intent of the County to promote the responsible management of its coastal area. The proper management and use of this area is necessary for the protection of life and property from natural disasters as well as the conservation of natural resources. Through coordination with federal, state, local agencies and municipalities, a renewed commitment to public education and strict enforcement procedures, the coastal area can be protected to benefit society. The County's Planning, Zoning and Building Department, Department of Environmental Resources Management (ERM) and the Department of Emergency Management are primarily responsible for guiding implementation of the goals and objectives of this element.

Of the 44.9 miles of ocean shoreline in Palm Beach County, only 3.5 miles are under County jurisdiction. Twenty-three of the thirty-seven municipalities in Palm Beach County border either the Intracoastal Waterway or the Atlantic Ocean. Numerous small unincorporated areas are interspersed between municipalities in the coastal region, with pockets located near the Martin County line, Jupiter Inlet, Jupiter Beach, Juno Beach, Palm Beach Gardens, as well as small pockets near Delray Beach, Boynton Beach and Briny Breezes. Analysis relating to natural resources management is presented for the entire County coastline, though scrutiny of land use-related data is limited to the unincorporated area due to lack of jurisdiction. The emergency management function remains countywide.

### B. Assessment and Conclusions

This is a summary of the data and analysis in the Support Documents.

The Coastal Management Element was developed from analysis of various factors and conditions affecting the coastal environment. The evaluation included review and analysis of conditions related to existing land uses, the economic base of the coastal area, the effects of future land use on coastal resources, estuarine pollution, beach and dune systems, public access, hurricane evacuation, coastal high-hazard areas and post-disaster redevelopment. This discussion summarizes the major issues and conditions as reflected in the goals, objectives and policies.

#### 1. Environmental Resources Management

Countywide, development has affected coastal natural resources through beach front development, stormwater runoff, destruction of habitats, and dredge and fill projects. Enforcement of existing regulations and the implementation of new regulations as

necessary, as well as continuing assessment of conditions and trends are vital to reducing further degradation of coastal resources.

The total length of estuarine shoreline in Palm Beach County is 268 miles, 14 miles (5 percent) is located within unincorporated areas. Seagrass and macroalgae coverage of the total submerged area for Lake Worth Lagoon is 2,110 acres (35 percent of the total area). For the remainder of the estuarine waters there are 270 acres (12 percent of the total area). Generally, the habitat quality of the estuarine ecosystem and beach/dune and nearshore ecosystems is best in the County's northern end where development has progressed at a slower pace. Palm Beach County has 462 acres of natural coastal upland acreage in public ownership and 59 acres under private control. Due to the popularity of coastal development, the coastal strand is regarded as the most rapidly disappearing community in Florida.

### **Estuarine Environment**

Palm Beach County provides protection and mitigation of wetlands ecosystems in jurisdictional unincorporated areas through the Unified Land Development Code (ULDC). This program provides supplemental protection for wetlands not regulated by the Florida Department of Environmental Protection's (FDEP) Environmental Resource Permit Program. A 1994 court ruling sharply limited local wetlands permitting.

ERM has developed an environmental enhancement program designed to restore estuarine shorelines, improve their productivity and offset the negative effects of development. A vessel registration fee funds projects in freshwater, estuarine and oceanic waters. Resulting activities include an artificial reef program and restoration of estuarine areas that contain mangroves and seagrass vegetation. As funding allows, the County continues to acquire Natural Areas through implementation of the Conservation Lands and Selection Program. It identifies and recommends acquisition of eligible sites that contain significant amounts of native vegetation and wildlife habitat.

The South Florida Water Management District (SFWMD) is primarily responsible for controlling storm water runoff on a regional basis with independent drainage districts managing runoff on a sub-regional basis. Palm Beach County monitors estuarine water quality through its own programs at a network of sites around the County. Continued implementation and expansion of these programs provide valuable information that help identify point and non-point sources of pollution. The County continues to coordinate with other agencies and municipalities to ensure compliance with National Pollution Discharge Elimination System (NPDES) regulations, and particularly with the SFWMD regarding its role in complying with Florida Water Policy (Chapter 62-40, F.S.) and State water quality regulations (Chapter 62-43, F.S.).

The Florida Inland Navigation District (FIND) is responsible for and provides dredge material sites pursuant to 9J-5.006(1)(f)3. ERM coordinates with FIND to manage some of the sites for environmental enhancement purposes and to identify suitable beach deposit sites (for beach compatible dredge spoil) to augment the County's shoreline protection efforts.

The Lake Worth Lagoon Management Plan was approved in 1998 by the Lake Worth Lagoon Steering Committee, and focuses on achieving the goals of the Surface Water

Improvement and Management Act (SWIM), water quality monitoring, environmental enhancement, and restoration activities.

The County's development regulations require the protection of native vegetation adjacent to coastal ecosystems to act as a buffer between development and the ecosystem. Further, ERM offers technical assistance as an incentive to property owners who voluntarily restore and enhance native coastal vegetation.

Manatee protection in County waterways includes State speed zone enforcement, wetlands protection regulations (Florida ERPP and ULDC), County environmental enhancement programs, and education. The biggest threat to manatees is motorized boating. A boat facility siting plan including manatee protection provisions is being drafted with the goal of identifying sites for facilities in a manner that will help reduce the number of manatees killed by boats. Until such a plan is adopted countywide, FDEP will only permit new or expanded marina facilities according to the so called 1:100 policy, which requires "...the construction of new or expanded boating facilities shall be limited to a maximum of one power boat slip per hundred linear feet of shoreline owned or controlled by the applicant." In 1995, a draft Boat Facility Siting Plan for Palm Beach County was prepared (under contract to FDEP) by the Treasure Coast Regional Planning Council (TCRPC). Palm Beach County and other agencies had concerns that impacts to seagrasses and land use compatibility were not adequately addressed. In response, FDEP (now Florida Fish and Wildlife Conservation Commission) evaluated seagrasses at 110 existing and potential boat facility sites. Steps remaining to complete a manatee protection plan (MPP) are to: 1) update the boat facility siting plan to factor seagrass impacts and land use compatibility into site ratings; 2) update development status of sites; compile all components of a manatee protection plan into one document; 3) obtain FFWC approval; and, 4) amend county comprehensive land use plan to adopt MPP. The current strategy is to update only that portion of the plan that applies to unincorporated PBC (only 10 potential sites) since it is anticipated that achieving municipal consensus is highly unlikely. Until that occurs, application for proposed boat facilities receive a higher level of scrutiny by State permitting agencies and the Board of Trustees. DEP's previous policy of limiting facility size to one powerboat slip to 100 feet of shoreline has been replaced by this higher-level case-by-case review of applications.

With the rise in popularity of personal watercraft such as jet skis, the County intends to investigate their impacts on seagrasses and manatees that feed on seagrasses. Other programs to protect submerged resources include education, publication of maps, demarcation via signage or other means that promote awareness, consideration, and protection.

### **Nearshore, Shoreline, Beaches, and Dunes**

The beach/dune and nearshore ecosystem is an integral feature of Palm Beach County and is invaluable in providing important recreational, commercial, environmental and storm protection functions. While, only a small amount of undeveloped land remains along the County's beaches, 1,235 coastal acres under public ownership exceed the State of Florida's minimum guideline. Therefore, with the remaining supply undergoing increasing property values and the public supply deemed adequate, it is unlikely that any additional acquisitions will be made for recreational use.

In 1985, the Palm Beach Countywide Beaches and Shores Council was created to coordinate the protection, preservation, and enhancement of the oceanfront beaches and shores. The Council consists of twenty-six participants appointed by Palm Beach County, affected municipalities, inlet and special districts, two environmental entities, and the Palm Beach County League of Cities. The Council advises the Board of County Commissioners and FDEP on projects and/or actions involving any beach or shore located between Atlantic Ocean and the Coastal Construction Control Line. The Council has no permitting authority.

The natural reefs along the coastline of the County are extensive and popular with diving and fishing enthusiasts. The County's Artificial Reef Program has the primary goal of enhancing marine habitats, which will enhance marine fishery stocks and help alleviate the increased pressure on natural reefs by attracting fishermen and scuba divers to the artificially-created reefs. The program strives to establish diverse habitats and has created more than 70 reefs in both the Atlantic Ocean and the Lake Worth Lagoon. The County supports the management of these additional resources through the establishment of special management zones to protect fish populations.

Changes along the Palm Beach County shoreline are a consequence of natural and manmade factors that include storm effects, sea-level rise, inlet/navigation project impacts, and shoreline structures for the protection of coastal development.

Chapter 161, FS, Rule 62B-33, FAC, and Rule 62B-42, FAC, regulates all development seaward of the established Coastal Construction Control Line (CCCL) for the protection of upland properties and the control of beach erosion. The CCCL is established by the State based upon the expected landward limit of erosion from a 100 year return interval storm event and is used to define the landward limit of FDEP jurisdiction. The CCCL has been located 500-750 feet landward of mean-high-tide. In addition, FDEP carries out beach management planning and provides funds for beach nourishment projects.

Thirty-seven percent of the County's shoreline has been armored with seawalls, rip-rap, and/or revetments, for shore protection purposes. Their presence changes the natural ability of the shoreline to respond to storm events by preventing removal of sand from upland to littoral zones. This hardening of the shoreline creates a deficit of sand in the littoral zone and displaces the shoreline vegetation that helps reduce erosion. Because of these negative effects, The State recommends armoring as an option of last resort for the protection of major habitable structures and infrastructure. FDEP has classified 26.7 miles of the County's shoreline as critically eroded.

The County's sea turtle protection program remains in place. Gains have been made in the survival rate of turtle hatchlings and mothers returning to nest as a result of the regulations in Article 14.A of the ULDC. However, the recent elimination of local regulation of dune landscaping has resulted in sea grapes and other vegetation being cut down, allowing landward artificial lighting to attract hatchlings away from the water. Previously discussed efforts to promote coastal vegetation preservation may provide relief. Development of a sea turtle management plan is underway and will bring together previously discussed issues and solutions as well as consider other feasible strategies.

The County promotes dune and beach restoration and enhancement to strengthen the shoreline's natural defense against storms and erosion. The agenda is carried out by coordinating with governments, agencies, districts, and property owners. The County

shall continue to seek funding sources and other strategies to achieve an equitable cost distribution for enhancement programs.

## **Inlets**

The historical introduction and stabilization of inlets have produced substantial changes along the shoreline. Inlets stabilized with jetties or groins interrupt the natural, southward littoral transport of sediments along the coastline causing loss of shoreline south of inlets and depositional shoreline gains north of and inside inlets. To mitigate against these erosive impacts, Section 161.161, F.S., requires that responsible agencies prepare inlet management plans that address inlet sediment bypassing, modifications to channel dredging, jetty design, beach restoration, and beach nourishment. Cost estimates for these corrective measures are also included. All four inlets in the County have a written management plan.

Appropriate coordination with all the affected governments and agencies in the coastal area is necessary for effective coastal protection. The County shall share in the responsibilities and costs of coastal management areas with appropriate governments, districts, and agencies.

## **2. Coastal Development and Emergency Management**

Florida is located in a hurricane-vulnerable area. A number of tropical storms and hurricanes have affected the South Florida region in the past, indicating a need to identify vulnerable areas, establish policies concerning pre-disaster planning and management, and plan for post-disaster redevelopment.

In the event of a devastating natural disaster such as a hurricane, the County would rely on a reserve contingency fund (that is part of its annual budget) to fund the immediate repair and re-establishment of critical or essential facilities.

Palm Beach County has full responsibility for coordination of all evacuation procedures during a natural disaster. The Emergency Management Division (EMD) is the County's entity responsible for coordinating evacuation of the population at risk during a hurricane event. For this reason, the Palm Beach County Comprehensive Emergency Management Plan is Countywide in scope. The plan establishes official policy for unincorporated areas and public agencies that are under the direct control of the Board of County Commissioners and any municipality in Palm Beach County that has not developed and attained approval of its own plan (in accordance with Rule 9G-6, FAC, as authorized by Chapter 252, FS).

In order to provide for the health, safety, and welfare of its citizens, the County developed the Post-Disaster Redevelopment Plan in June 1996. The plan ensures that sound pre- and post-disaster redevelopment policies are developed to reduce loss of life and protect property. Palm Beach County's Coastal High-Hazard Area (CHHA) is the designated evacuation zone for Plan A-Hurricane Categories 1-2. It is anticipated that the number of structures located within the CHHA will continue to increase.

The infrastructure in the coastal area is available at urban levels of service and subject to concurrency requirements. Palm Beach County prohibits additional densities in the CHHA and does not fund infrastructure improvement or expansion that facilitates density increases beyond Future Land Use Atlas densities and adjacent densities.

Redevelopment of coastal or shore protection structures is subject to both the County's code and Section 161.041, Florida Statutes, which permits coastal construction or reconstruction of shore protection structures under the authority of FDEP.

### **Local Mitigation Strategy Program**

The Palm Beach County Emergency Management Division administers a unified, County-wide Local Mitigation Strategy program (LMS) for the expressed purpose of anticipating and responding to emergencies through infrastructure improvements. The LMS enhances the community's resistance to damaged property and life due to natural, technological, or societal hazards.

Under the governance of a steering committee, comprised of appointed representatives from the 37 municipalities and the County, the LMS maintains a comprehensive list of local mitigation projects submitted by governmental units, non-profit agencies, and recognized tribal organizations. Projects are prioritized in accordance with established scoring procedures and criteria administered by an appointed evaluation panel. The LMS Prioritized Project List (PPL) is revised twice a year and when special mitigation assistance funding programs become available through federal, state, or local sources. A project's eligibility for financial assistance is significantly enhanced, by being placed on the LMS Prioritized Project List.

By virtue of their intended purpose to mitigate public hazards, projects carried on the LMS Prioritized Project List meet the standard of "Essential" as defined in Objective 1.4 of the Capital Improvement Element of Palm Beach County's Comprehensive Plan.

## **II. GOALS, OBJECTIVES AND POLICIES**

### **GOAL 1 ENVIRONMENTAL RESOURCES MANAGEMENT**

It is the **GOAL** of Palm Beach County to preserve, protect, and enhance coastal resources, and to discourage development activities that would damage or destroy coastal resources. [9J-5.012(3)(a)]

#### **OBJECTIVE 1.1 Protection and Enhancement of Coastal and Estuarine Environmental Quality**

Palm Beach County shall continue to maintain and develop programs, and seek funding to expand its efforts necessary to protect, preserve and enhance coastal and estuarine wetlands, living marine resources, coastal barriers, and wildlife habitat. [9J-5.012(3)(b)1,2]

**Policy 1.1-a:** The County shall continue to support the Countywide Beaches and Shores Council that, advises the Board of County Commissioners on federal, state,

regional, municipal and environmental interests in the coastal area, recommending review criteria for shoreline development. Council membership is composed of appointed representatives of the County, the municipalities, special districts and environmental organizations. [9J-5.012(3)(c)14,5]

**Policy 1.1-b:** The County Department of Environmental Resources Management shall participate in the Florida Department of Environmental Protection (FDEP) review process on proposed developments in aquatic preserves, pursuant to Rule 18Q-20, 21, F.A.C. The County's environmental review process shall consider the consistency of proposed developments with aquatic preserve management plans. [9J-5.012(3)(c)1]

**Policy 1.1-c:** The County shall protect freshwater, estuarine and marine wetlands, including mangroves, seagrasses, saltmarsh vegetation, offshore natural reefs, and productive submerged habitats through the implementation and maintenance of its applicable sections of the ULDC and coordination with FDEP's Environmental Resource Permit Program. The County shall further prohibit shoreline alteration and construction that have the potential to significantly degrade the natural functions and values of wetlands. Mitigation shall be required if adverse impacts to water quality and natural habitats are unavoidable. [9J-5.012(3)(c)1] **Cross Reference:** Please see also Conservation Element Objective 2.2

**Policy 1.1-d:** The County shall protect selected estuarine and coastal habitats by the acquisition of coastal and wetland properties (or properties adjacent to such habitats) and managing the properties for the purpose of preservation and/or environmental enhancement. [9J-5.012(3)(c)2]

**Policy 1.1-e:** The County shall protect estuarine waters through the continued implementation and maintenance of regulations in the Unified Land Development Code (ULDC), the surface water quality management program, and by expanding and maintaining the water quality monitoring network to provide additional information for the identification and regulation of point and non-point discharges into estuarine waters. [9J-5.012(3)(c)1,2] **Cross Reference:** Please see also Conservation Element Policy 3.1-e and Utility Element Objective 2.1.

**Policy 1.1-f:** The County shall implement the provisions of the National Pollutant Discharge Elimination System (NPDES) permit upon issuance of the permit by the Environmental Protection Agency. Implementation shall be conducted as a cooperative effort between the County, Florida Department of Transportation, municipalities, and special districts to reduce pollution levels and improve water quality. **Cross Reference:** Please see also Conservation Element Policy 3.1-e and Utility Element Objective 2.1.

**Policy 1.1-g:** The County shall coordinate with the SFWMD and shall monitor SFWMD activities in an effort to ensure the agency complies with the intent of the Florida Water Policy, (Chapter 62-40.432, F.A.C.) and the State water quality regulations (Chapter 62-43.430, F.A.C.) by monitoring the effects of storm water discharge into the estuarine and marine systems. The County shall further encourage the SFWMD to provide increased funding and support for developing methods for remediating these problems. **Cross Reference:** Please see also Conservation Element Policy 3.1-e and Utility Element Objective 2.1.

**Policy 1.1-h:** The County shall require the protection of existing native vegetation in accordance with the Unified Land Development Code (ULDC) to provide a buffer



between development and adjacent coastal ecosystems. [9J-5.012(3)(c)1,2] **Cross Reference:** Please see also Conservation Element Policy 2.2-e

**Policy 1.1-i:** The County shall continue to implement the Lake Worth Lagoon Management Plan, which will assist in achieving the goals of the Surface Water Improvement and Management (SWIM) Act (Chapter 373, FS). The scope of the plan includes an inventory of natural resources, water quality monitoring, and implementation of environmental enhancement and restoration activities. [9J-5.012(3)(c)2] **Cross Reference:** Please see also Conservation Element Policy 3.1-o

**Policy 1.1-j:** The County shall evaluate the feasibility of making available guidance and technical assistance as incentives to property owners who voluntarily plant native vegetation along coastal ecosystems, or allow coastal or estuarine vegetation to remain in its natural condition. An information program will be developed to promote the guidance and technical assistance mechanisms as conservation and tax saving measures to property owners. [9J-5.012(3)(c)2] **Cross Reference:** Please see also Conservation Element Policies 2.1-c and 2.1-f

**Policy 1.1-k:** The County shall provide technical assistance to property owners who restore and enhance coastal or estuarine vegetation. [9J-5.012(3)(c)2]

**Policy 1.1-l:** The County shall continue to protect sea turtles through the development of a management plan to address the coordination of educational, regulatory, conservation and research activities as described by the species recovery plans. Impacts from coastal lighting shall be reduced through implementation and increased enforcement of Article 14.A, Sea Turtle Protection and Sand Preservation, of the ULDC and promotion of efforts to preserve coastal vegetation. Consideration will be given to identification of key habitats (beaches, nearshore reefs, sea grass beds, offshore reefs, etc) in the county and initiating additional efforts to protect those habitats. [9J-5.012(3)(c)1, 2]

**Policy 1.1-m:** The County shall continue to protect manatees and manatee habitats through: the continued coordination, enforcement and possible expansion of the State's Intracoastal Waterway Speed Zone Program; and through the implementation of applicable sections of the ULDC. The County shall also continue the implementation of the Environmental Enhancement Program; educational activities, and develop a comprehensive boat facility siting plan and a manatee protection plan that may be adopted by all 23 affected local governments. [9J-5.012(3)(c)1]

**Policy 1.1-n:** The County shall continue to identify publicly owned spoil areas and evaluate their potential for environmental enhancement and recreational use. Enhancement activities through the County's Habitat and Restoration Enhancement Program include but are not limited to: the placement of riprap on shorelines; improving tidal exchange; planting transitional vegetation; and the planting of native vegetation such as mangroves, seagrass, *Spartina* spp. sea oats, and maritime hammock species.

**Policy 1.1-o:** The County shall evaluate the impacts of jet-skis and other personal watercraft on seagrasses and manatees by January, 2005, and shall make amendments to this element as necessary to implement appropriate recommendations. To the extent possible, existing studies shall be utilized to accomplish this policy. [9J-5.012(3)(c)1,2]

**Policy 1.1-p:** The County shall maintain and improve techniques for the demarcation of submerged natural resource areas and publication of resource maps to reduce the potential for negative impacts or damage from boating activity. [9J-5.012(3)(c)1]

**Policy 1.1-q:** The County shall protect existing and future artificial reefs through the continued implementation and funding of an artificial reef management program. This program shall foster creation of additional artificial reefs and limit uses of these areas to activities that do not degrade the natural functions of the created reefs. [9J-5.012(3)(c)1]

**Policy 1.1-r:** The County shall encourage and support the management of the offshore natural reefs in order to provide protection to corals and other unique underwater natural resources. [9J-5.012(3)(c)2]

## **OBJECTIVE 1.2 Shoreline Protection**

Palm Beach County shall protect, enhance and restore the beaches and dunes through implementation and maintenance of the Palm Beach County Shoreline Protection Plan. [9J-5.012(3)(b)2]

**Policy 1.2-a:** The County shall maintain and periodically update the 30 year shoreline protection plan using previous Federal, state and local studies to identify long term goals of the Shoreline Protection Program and to take into account direction and changing funding priorities established by the Board of County Commissioners. [9J-5.012(3)(c)1]

**Policy 1.2-b:** Update the Coastal Data Mapping web site annually to provide updated public information. [9J-5.012(3)(c)1,2]

**Policy 1.2-c:** The County shall work with FDEP regarding implementation of the Coastal Construction Control Line (CCCL) established by FDEP in August, 1997. [9J-5.012(3)(c)3,7]

**Policy 1.2-d:** The County shall avoid the use of shoreline armoring (except as a last resort measure) and shall use shore protection alternatives such as beach nourishment, dune restoration, and inlet sand transfer that reduce the need for armoring.

**Policy 1.2-e:** The County shall continue to reestablish damaged dunes and eroded beaches where possible to promote the enhancement of these resources and reduce damage resulting from storms. [9J-5.012(3)(c)1,2]

**Policy 1.2-f:** The County shall work cooperatively with the DEP, coastal municipalities, special districts and private property owners to protect and restore existing dunes and dune vegetation. The County shall make recommendations to the State for modification of State rules or policy that will enable DEP and local governments to more effectively protect dune vegetation. [9J-5.012(3)(c)15]

**Policy 1.2-g:** The County shall continue to monitor and evaluate the condition of the County's beaches and dunes. [9J-5.012(3)(c)1,2]

**Policy 1.2-h:** The County shall continue to maintain its strategy for municipal and private cost sharing of shore protection and dune restoration projects, and also continue to include appropriate funding criteria. The strategy will focus on promoting restoration projects that minimize environmental impacts and maximize public usage. The projects shall be coordinated to take advantage of regional efficiencies. The strategy identifies linkages between County funding and the extent of compliance or consistency with Article 14.A, Sea Turtle Protection and Sand Preservation, of the ULDC.

### **OBJECTIVE 1.3      Sand Bypassing at Inlets**

The County shall encourage effective bypassing of littoral drift sand at all inlets through coordination with all inlet governing bodies, special districts and state and federal agencies.

**Policy 1.3-a:** The County's Department of Environmental Resources Management shall coordinate with each inlet governing body, special district and state and federal agencies to maintain timely and efficient bypassing of impounded or trapped littoral drift sediments to the down drift shoreline. *[9J-5.012(3)(c)15]*

**Policy 1.3-b:** The County's Department of Environmental Resources Management (ERM) shall maintain its inlet management plan for the South Lake Worth Inlet per section 161.161, F.S. The plan was developed in cooperation with the adjacent municipalities and Florida Department of Environmental Protection. *[9J-5.012(3)(c)1,2]*

**Policy 1.3-c:** The County shall encourage the placement of all beach compatible material resulting from inlet dredging and channel maintenance dredging on adjacent beaches downdrift of the inlet, where the placement of that material would not have significant adverse effects on water quality and/or natural resources. *[9J-5.012(3)(c)2]*

**Policy 1.3-d:** The County shall monitor or ensure the monitoring efforts of all bypassing systems, operations and feeder beach projects at all inlets in the County by obtaining appropriate data from governments responsible for inlet bypassing. *[9J-5.012(3)(c)15]*

**Policy 1.3-e:** The County shall share responsibilities and costs of coastal management efforts in areas impacted by inlet influences with state-chartered inlet districts, the Florida Inland Navigation District, municipalities adjacent to the four inlets, and other government agencies. The efforts will focus on implementation of inlet management plans and will include elements of coastal management such as initial studies, project construction, and environmental monitoring. *[9J-5.012(3)(c)15]*

### **OBJECTIVE 1.4      Water Dependent Uses**

The County shall give preference to water dependent uses and shall prohibit, to the extent allowed in the Unified Land Development Code, activities that degrade the natural functions and values of wetlands. *[9J-5.012(3)(c)3,9]*

**Policy 1.4-a:** The County shall encourage and support development of a countywide boat facility siting plan as required by the executive order entitled Recommendations to Improve Boating Safety and Manatee protection for Florida Waterways: Interim Boating Facility Expansion Policy and County Manatee Protection Plans (Adopted by Governor and Cabinet, October, 1989). *[9J-5.012(3)(c)9]*

**Policy 1.4-b:** The County shall provide for more recreational access to the beach where such activities associated with the use minimizes the impact on beaches and dunes. [9J-5.012(3)(c)10]

## **GOAL 2: COASTAL DEVELOPMENT AND EMERGENCY MANAGEMENT**

It is the **GOAL** of Palm Beach County to protect human life by limiting public expenditures in areas subject to destruction by natural disasters within the coastal high hazard area, maintaining and implementing a safe and effective emergency management program, and providing for orderly redevelopment in a post-disaster period. [9J-5.012(3)(a)]

### **OBJECTIVE 2.1 Levels of Service**

Palm Beach County shall establish and maintain urban levels of service, areas of service, and phasing of infrastructure in the unincorporated coastal area. [9J-5.012(3)(b)5] **Cross Reference:** Please see also Capital Improvement Element Objective 1

**Policy 2.1-a:** [Deleted in Amendment Round 01-1]

**Policy 2.1-b:** The levels of service provided to the unincorporated coastal area shall be the urban levels of service as described in Objective 1 of the Capital Improvement Element; and the phasing of such funding shall be consistent with the phasing schedule of the proposed development.

**Policy 2.1-c:** The County shall provide for safe evacuation from coastal areas by reviewing all development proposals in the Hurricane Vulnerability Zone, which are submitted for certification through the zoning approval and development review committee processes, to determine whether the development is expected to result in an increase in hurricane evacuation times. Developments which cause such an increase shall be required to provide mitigation measures, including but not limited to safe rooms in homes or common facilities, or roadway improvements, such that hurricane evacuation times are not increased in the hurricane vulnerability zone. [9J-5.012(3)(c)4,7]

### **OBJECTIVE 2.2 Public Subsidy of New Coastal Development**

Palm Beach County shall not subsidize new or expanded development in the coastal area. [9J-5.012(3)(b)5]

**Policy 2.2-a:** The County shall not use public funds for infrastructure expansion or improvements, or development subsidization in coastal high-hazard areas unless such funds are necessary to: provide services to development approved prior to the implementation of this policy, provide adequate evacuation (in the event of emergency) of existing developments; to maintain the urban level of service; or provide for recreational needs, other appropriate water-dependent uses, and natural resource restoration or enhancement. [9J-5.012(3)(c)4,9,11] **Cross Reference:** Please see also Capital Improvement Element Policy 1.4-b

### **OBJECTIVE 2.3      Development in High Hazard Area**

Palm Beach County shall direct population concentrations away from known or predicted coastal high-hazard areas, and shall not approve increases in population densities in the coastal high hazard area. [9J-5.012(3)(b)6,7]

**Policy 2.3-a:** The County shall not increased densities in the coastal high hazard area. [9J-5.012(3)(c)3,4,7]

**Policy 2.3-b:** [Deleted in Amendment Round 01-1]

**Policy 2.3-c:** Infill or redevelopment densities and intensities in coastal high hazard areas shall be consistent with existing adjacent development but at densities and intensities no greater than the adopted future land use designations. [9J-5.012(3)(c)7,9]

### **OBJECTIVE 2.4      Emergency Preparedness**

Palm Beach County, through the Emergency Management Division of the Public Safety Department, shall maintain and update as necessary, the Palm Beach County Comprehensive Emergency Management Plan (1995), which provides for direction and control of activities during the period of any disaster, including preparedness, response and recovery. [9J-5.012(3)(b)7,8]

**Policy 2.4-a:** The County shall provide shelter space in accordance with the Comprehensive Emergency Management Plan. Where deficits exist, the County shall seek to reduce the deficit through federal and state retrofit funds. [9J-5.012(3)(c)3,4]

**Policy 2.4-b:** The County Division of Emergency Management shall coordinate with all affected municipalities; and, local, regional, or state agencies to maintain an efficient and timely evacuation process in the case of a hurricane, in accordance with the provisions of Rules 9G-6 FAC. [9J-5.012(3)(c)3,4,14]

**Policy 2.4-c:** The County shall update its Comprehensive Emergency Management Plan periodically in a manner consistent with Rules 9G-6 FAC to incorporate changes to population, highways/bridges, shelter modifications, hurricane hazard analysis, and forecast techniques. [9J-5.012(3)(c)4]

**Policy 2.4-d:** Palm Beach County shall maintain a Local Mitigation Strategy program (LMS) with the purpose of developing and implementing a unified approach among County and municipal governments for dealing with identified hazards and hazard management problems. The program's primary objectives shall:

1. Improve the community's resistance to damage from identified natural, technological, and social hazards;
2. Increase Palm Beach County's eligibility for receiving local, state, federal, and other mitigation funds;
3. Reduce the cost of disasters; and
4. Expedite post-disaster community recovery. *Cross Reference: Please see also Capital Improvement Element Policy 1.4-a*

**Policy 2.4-e:** The Local Mitigation Strategy program (LMS) shall establish funding priorities and mitigation projects through a formal process that mandates coordination between the municipalities and the County. The LMS shall accomplish this through a Prioritized Project List (PPL) that will rank-order mitigation projects at least twice per year using established evaluative criteria and structured procedures. *Cross Reference: Please see also Capital Improvement Element Policy 1.4-a*

## **OBJECTIVE 2.5      Post-Disaster Redevelopment**

Palm Beach County, through the Emergency Management Division of the Public Safety Department, shall reduce or eliminate the risks associated with natural hazards through the implementation and maintenance of the Palm Beach County Post-Disaster Redevelopment Plan. [9J-5.012(3)(b)8]

**Policy 2.5-a:** The County shall coordinate with applicable local governments and agencies, via the countywide operational structure and emergency activities of its Comprehensive Emergency Management Plan, to implement and update as necessary, its Post-Disaster Redevelopment Plan to reduce or eliminate the exposure of human life and public and private property to natural hazards. [9J-5.012(3)(c)3,5,14]

**Policy 2.5-b:** The County shall prohibit the rebuilding of non-conforming uses that have experienced damage of greater than or equal to 50 percent of value, in areas most vulnerable to the effects of storms. When structures are rebuilt, they shall be required to be brought up to code. [9J-5.012(3)(c)3,5]

**Policy 2.5-c:** The County shall explore the applicability of using transfers of development rights and other programs for the acquisition of property or property rights, as methods of compensating property owners who do not rebuild structures in those areas most vulnerable to the effects of storms. Lands so acquired shall be used for parks and other recreational uses. [9J-5.012(3)(c)3,5]

**Policy 2.5-d:** The County shall continue to enforce regulations and codes, which provide for hazard mitigation. These include land use, building construction, flood elevation, septic and sanitary sewer, coastal construction setback, and stormwater facility regulations. These regulations shall also be applied to eliminate unsafe conditions and inappropriate uses. [9J-5.012(3)(c)3,5]

**Policy 2.5-e:** The County shall, pursuant to the Comprehensive Emergency Management Plan, continue recommended hazard mitigation activities, including land development regulations and construction law administration. Post-disaster recommendations contained in Hazard Mitigation Plans shall be incorporated to avoid future destruction and loss of life. [9J-5.012(3)(c)3,5]

**Policy 2.5-f:** The County's post-disaster redevelopment activities shall fall into two categories: Emergency Work and Permanent Work. Emergency Work shall commence immediately after a disaster and shall include only those activities necessary to save lives, protect property and remove threats to public health and safety. Permanent work shall include any replacement or repair activities to facilities that were damaged, but which do not pose an immediate threat. Removal, relocation or structural modification of infrastructure and unsafe structures shall be prioritized into one of the two categories. [9J-5.012(3)(c)5,8]

### **GOAL 3: INTERGOVERNMENTAL COORDINATION**

It is the **GOAL** of Palm Beach County to advance the level of intergovernmental coordination and cooperation for decision-making and policy development, regarding coastal issues. [9J-5.012(3)(a)]

#### **OBJECTIVE 3.1 Environmental Preservation and Enhancement**

Palm Beach County shall seek appropriate vehicles and forums for achieving effective intergovernmental coordination and cooperation regarding the impacts and implications of development in the coastal area on fragile coastal ecosystems.

**Policy 3.1-a:** Palm Beach County shall utilize the mechanisms provided in the Intergovernmental Coordination Element to consider intergovernmental conflicts and issues regarding environmental protection, preservation and restoration, and to address opportunities to improve countywide efforts to minimize the effects of development on the coastal and estuarine ecosystems. [9J-5.012(3)(c)14]

**Policy 3.1-b:** Palm Beach County recognizes that the Florida Inland Navigation District (FIND) maintains spoil disposal sites along the Intracoastal Waterway in Palm Beach County, and shall coordinate with FIND regarding the utilization of these sites for spoil disposal as appropriate. The County shall further coordinate with FIND as necessary regarding the future potential of spoil disposal sites for environmental enhancement and recreational use, per Policy 1.1-n of this element.

**Policy 3.1-c:** For disaster preparedness, there shall be a governing policy body to advise and assist in the development and administration of a Local Mitigation Strategy program (LMS). It shall be comprised of representatives who are assigned by each of the 37 municipalities and Palm Beach County, and shall be governed by policies, procedures and/or inter-local agreements. *Cross Reference: Please see also Capital Improvement Element Policy 1.4-a*

## **GOAL 4: PORT OF PALM BEACH**

### **OBJECTIVE 4.1 Port of Palm Beach**

Palm Beach County hereby incorporates Section A, Goals, Objectives and Policies, Future Improvements Map, and Capital Improvement Plan of Port of Palm Beach Master Plan 2005-2015, November 2005 into this Element of its Comprehensive Plan. The County shall continuously seek to achieve consistency and coordination between the Goals, Objectives and Policies of the Port Master Plan and this Comprehensive Plan. Palm Beach County shall monitor the implementation of the master plan and adopt any future modification or update to the plan. *[9J-5.012, F.A.C.](For transportation related policies see TE Objective 1.8 and Port of Palm Beach and Section A, Policies 3.2 and 3.3 of the Port of Palm Beach Master Plan)*

**Policy 4.1-a:** The County shall coordinate with the Port of Palm Beach and other governmental entities to plan for and to resolve problems outstanding issues related to transportation, development and land use, emergency management and natural resources management, including the bypassing of sand at the Lake Worth Inlet. The Intergovernmental Coordination Element shall provide the basis for resolution of disputes related to the incorporation of the Port of Palm Beach Master Plan into this Comprehensive Plan, and to resolve several environmental observations and inconsistencies between the Comprehensive Plan and the Port Master Plan, as identified in the Support Documents. *[9J-5.019(4)(c)8 F.A.C.] [9J-5.019(4)(c)11 F.A.C.] [9J-5.019(4)(c)14 F.A.C.]*

**Policy 4.1-b:** The County shall promote and help ensure the orderly development and use of the Port of Palm Beach through the intergovernmental coordination processes identified in the Intergovernmental Coordination Element and environmental review activities of the Department of Environmental Resources Management. *[9J-5.019(4)(c)11 F.A.C.]*

**Policy 4.1-c:** The County shall review future amendments to the Port's Master Plan for consistency with the County's Comprehensive Plan, and will initiate action to amend the Comprehensive Plan to reflect County approved Master Plan revisions. As required by section 163.3178(5), Florida Statutes, the appropriate dispute resolution process provided under section 186.509, Florida Statutes must be used to reconcile inconsistencies between the Port's Master Plan and the County's Master Plan. *[9J-5.019(4)(c)11 F.A.C.]*

**Policy 4.1-d:** The County shall facilitate coordination with applicable local governments and regional and state agencies to ensure that the needs of the Port are consistent with the programing and provision of roadway and transit service improvements. *[9J-5.019(4)(c)11 F.A.C.] [9J-5.019(4)(c)14 F.A.C.]*



### ABBREVIATED AMENDMENT HISTORY

Action	Date	Ord. No.	Effective Date
<i>Adopted</i>	<i>08/31/89</i>	<i>89 - 17</i>	<i>09/11/89</i>
<i>Revised</i>	<i>09/18/90</i>	<i>90 - 32</i>	<i>10/04/90</i>
<i>Revised</i>	<i>12/16/91</i>	<i>91 - 48</i>	<i>12/27/91</i>
<i>Revised</i>	<i>10/26/92</i>	<i>92 - 31</i>	<i>11/09/92</i>
<i>97-1 EAR Re-write Adopted 97-1 Port of Palm Beach Revisions (to reflect amendments to the Port Master Plan)</i>	<i>09/22/97</i>	<i>97 - 35</i>	<i>12/03/97</i>
<i>97-2 EAR Revisions 97-1 Port of Palm Beach Revisions (deleted and transferred to the Transportation Element)</i>	<i>11/17/97</i>	<i>97 - 49</i>	<i>10/28/98</i>
<i>98-2 Revisions: Added "the Emergency Management Division of the Public Safety Dept." as the implementing agency for Policy 1.3-g.</i>	<i>12/02/98</i>	<i>98 - 60</i>	<i>01/22/99</i>
<i>01-1 Revisions – To Coastal High Hazard language</i>	<i>8/27/01</i>	<i>2001 - 43</i>	<i>10/22/01</i>
<i>02-1 Revised</i>	<i>08/28/02</i>	<i>2002 - 51</i>	<i>10/25/02</i>
<i>04-2 Revisions – Introduction and Protection and Enhancement of coastal Euarine Env. Quality</i>	<i>12/13/04</i>	<i>2004 - 56</i>	<i>02/02/05</i>
<i>05-1 Revisions – ULDC References Update</i>	<i>08/25/05</i>	<i>2005-26</i>	<i>11/01/05</i>
<i>05-2 Revisions – Port of Palm Beach Policy Update</i>	<i>11/28/05</i>	<i>2005-57</i>	<i>01/24/06</i>

**Note:** For a complete history of the specific changes to this element, please contact the Planning Division at (561) 233-5300.

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