

**Attachment A For Group Discussion 11/19/08**  
**Uses of “pervious” and “impervious” in Surface Water Protection code**

**Sec. 62-3661. Definitions.**

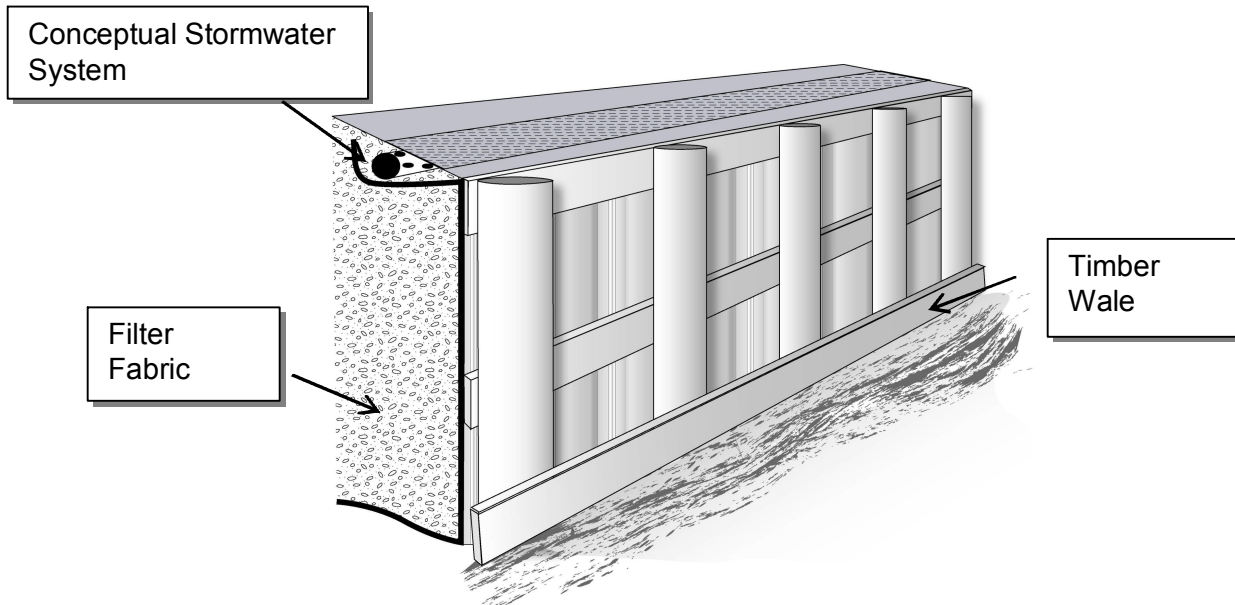
*Accessory use* means a building, structure or use as defined in, and consistent with, article VI of this chapter. Accessory uses shall include but not be limited to all **impervious** surfaces within the shoreline protection buffer requiring a county building permit.

*Impervious surface* means a surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. This shall include but not be limited to semi-**impervious** surfaces such as compacted clay, as well as most surfaced areas, roofs, sidewalks and other similar structures.

**Sec. 62-3666. General provisions.**

(1) e. (2) Increased potential for improving water quality and habitat diversity. This criterion shall be presumed to have been met by the installation of a continuous timber wale two inches by eight inches along the entire bulkhead on the waterward side of the pilings and located at or very near the existing bottom of the canal. See Figure A for examples of these designs.

**Figure A. Design Concepts for Canal Bulkheads**



Bulkhead with pilings and perforated pipe/**pervious** drainage area.

- (2) For shorelines not within the criterion of subsection (1) of this section, hardening of the shoreline shall be allowed only when the applicant can demonstrate that erosion is causing a significant shoreline loss as recognized by the natural resources management division, pursuant to subsection (4) of this section. All requests for shoreline hardening must be submitted to and approved by the natural resources management division prior to any hardening activities. Riprap material, **pervious** interlocking brick systems, filter mats and other similar stabilization methods, combined with vegetation, shall be used in lieu of seawalls and bulkheads when hardening of the shoreline is approved under this subsection. For those properties on the Indian River lagoon immediately between two adjacent existing seawalls, the natural resources management division may permit reinforced rock revetment habitats, provided all additional required permits and reviews from appropriate agencies have been obtained. All permitted structures shall be subject to the additional requirements of this division. When feasible, the seawall portion of the structure shall be located above the mean high-water line.
  
- (10) For structures that existed prior to the effective date of the ordinance from which this division is derived, remodeling and other types of development which do not increase the amount of **impervious** surfaces within or threaten the integrity of the shoreline protection buffer will be allowed.

**Sec. 62-3667. Class I waters.**

- (2) Alteration within the shoreline protection buffer other than that which is permitted under this division shall be prohibited, unless it is shown to be in the best public interest and does not adversely impact water quality and natural habitat. Acceptable uses within the shoreline protection buffer are passive recreation, hunting, fishing, fish and wildlife management, open space and nature trails, and similar uses. Development within the buffer is limited to structures for water access such as docks, boat ramps and **pervious** walkways and elevated minor structures.

**Sec. 62-3668. Class II waters, Outstanding Florida Waters, aquatic preserves, conditionally approved Class III shellfishing waters and Class III waters.**

- (4) Properties shall, through the use of swales, berms, native vegetation or other appropriate methods, detain stormwater runoff prior to discharge to the surface water. A professional engineer shall design a stormwater system to retain the first one inch of runoff from **impervious** surfaces which drain to the shoreline. All requirements for stormwater management shall be reviewed and approved by the division of stormwater management and shall be inspected by the natural resources management division, as necessary.

- (5) Development within the shoreline protection buffer is limited to fences, docks, boat ramps, **pervious** walkways and elevated walkways. In addition, approved accessory uses are permitted in nonvegetated bulkheaded canals adjacent to class II and class III waters which utilize approved stormwater management techniques.
- (9) Within the shoreline protection buffer, the total amount of alteration, including all **impervious** surface, within the shoreline protection buffer shall be limited to 30 percent of the required shoreline protection buffer area, excluding the approved removal of non-native noxious vegetation.
- (10) A surface water protection plan must be submitted to and approved by the natural resources management division prior to the establishment of structures or uses described in subsection (8) of this section. The surface water protection plan must include:
  - d. A description of how the surface water quality will be protected. The following methods may be used by the applicant in most circumstances. However, combinations of these methods or other methods may be required, depending upon site-specific characteristics:
    - 1. A stormwater system shall be designed by an engineer registered by the state. The stormwater system must be capable of retaining the first one inch of runoff from all **impervious** surfaces which drain to the shoreline. The stormwater system may be located within the shoreline protection buffer, but shall not be located or designed to require the removal of existing native shoreline vegetation within ten feet of the shoreline without approval by the county office of natural resources.
    - 2. A densely planted shoreline of viable native vegetation, a minimum of ten feet in width for the entire length of the shoreline, may be utilized. The types and numbers of plants must be determined and approved by the county office of natural resources on a site-specific basis, however, total ground cover must be maintained. The ground must be stabilized with mulch or similar material to protect against erosion until plant material completely covers the ground.