

HOME OF PELICAN ISLAND  
BUILDING DEPARTMENT  
1225 MAIN STREET • SEBASTIAN, FLORIDA 32958  
TELEPHONE: (772) 589-5537 • FAX (772) 589-2566

## **GUIDELINES FOR REPLACEMENT DOCKS, LANDSCAPE AND FENCES ASSOCIATED WITH THE COLLIER CREEK CANAL PROJECT**

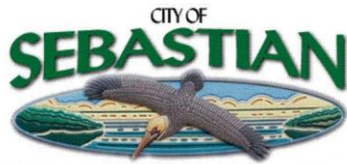
Collier Creek Canal construction is now complete. In an effort to (1) maintain the esthetics of the Collier Creek Canal; (2) ensure structural adequacy of the “sea walls”; and, (3) protect the newly installed seawall and concrete cap the City of Sebastian has adopted these guidelines, policies and recommendations with regard to any new construction of and/or replacement of docks, landscape/irrigation and fencing.

Prior to commencing any of the following activities within the City rights-of-way or utility easements, it is recommended that the Sebastian Building Department be contacted at 589-5537, in order to obtain the necessary waivers and permits, if required. Should improvements be constructed without the required permits or waivers, residents may be required to remove such items.

### **DOCKS**

Concerning replacement or new construction of docks:

1. A building permit must be issued by the Building Department as required by Land Development Code Section 54-3-11.4 (f)(14) for docks, boat shelters, davits, lifts and piling.
2. In order to be issued a construction permit, the property owner or licensed contractor will be required to provide a property survey and plans, drawn to scale, showing proper framing and use of fasteners. Signed and sealed plans by a professional engineer will not be required.
3. Because docks are located in the City rights-of-way, a standard waiver form is also required to be executed by the property owner. The waiver acknowledges that a private improvement is located in the public rights-of-way and said improvement may be removed by the City and the expense to remove/rebuild may be a property owner responsibility.
4. Docks and similar structures shall be located in the center one third of the property. Docks shall be located as to not interfere with the rights of adjacent properties. Only one dock for each residential property will be permitted.
5. It is highly recommended to install all docks at least one step, or a minimum of 7 inches, above or below the seawall cap to prevent trip hazards.
6. The seawall and concrete cap may not be disturbed under any circumstances. The wall or cap may not be drilled, screwed, or attached to in any way for the installation of any structures including docks, mooring anchors, boat whips, conduits, sprinkler lines, fences, etc.
7. All dock pilings shall be at least 2'-0" away from the “sea wall”.



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### **FENCING**

1. A building permit shall be required for replacement, new or additional fencing. Fencing shall construct in compliance with current building code.
2. If fencing extends into the utility easement or City rights-of-way, a waiver shall be required. The waiver acknowledges that a private improvement is located in the public utility easement and said improvement may be removed by the City and the expense to remove/rebuild may be a property owner responsibility.

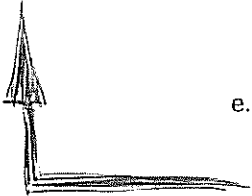
### **LANDSCAPING AND IRRIGATION**

1. Landscaping and irrigation are permitted. No permit or waiver is required. To ensure proper installation and minimize future problems when the City exercises use of the public rights-of-way or utility easements, residents are encouraged to contact the Building Department.
2. Irrigation pumps and piping are permitted. Irrigation intakes may be placed in the Collier Creek Canal; however, no attached may be made to the sea wall or concrete cap.
3. The planting of trees in public utility easements and the right-of-way is prohibited, if the integrity of the sea wall and concrete cap has the potential of future damage. The City will retain the authority to order removal of trees and other landscaping if deemed as a breach of sea wall integrity.

Questions regarding the above guidelines should be addressed to the City of Sebastian Building Department at 772-589-5537.

- (12) Marina design shall incorporate natural wetland vegetative buffers whenever possible near docking area and in access areas for erosion and sedimentation control, run-off purification and habitat purposes.
- (13) The West Indian manatee shall be afforded protection from boating activities that may have an adverse impact upon the species. The following criteria apply in the implementation of this policy:
- a. Marina operators shall undertake the following manatee protection measures in areas where manatees are known to occur:
    1. Implement and maintain a manatee public awareness program which will include posting signs to advise boat users that manatees are an endangered specie which frequents the waters of the region's estuaries and lagoon;
    2. Declare the waters in and around marinas as "idle speed" zones; and
    3. Post phone number(s) to report an injured manatee.
  - b. Local manatee protection plans shall be included as part of the coastal management and conservation elements of the comprehensive plan. The plan should:
    1. Assess the occurrence of manatee activity within the jurisdiction;
    2. Document the number of manatee accidents and deaths;
    3. Identify manatee habitats;
    4. Determine the potential for adverse impacts to the manatee population from various activities and identify the level of protection necessary to ensure least possible interference; and
    5. Recommend local mitigative actions to be undertaken in support of the regional policy.
- (14) In addition to the above listed criteria, accessory docks and unwallied boat shelters, davits, lifts and pilings shall be permitted and erected in accordance with the following regulations.
- a. All docks, piers or wharves and associated pilings, and all davits or lifts whether associated with a dock or erected separately, shall require a building permit from the building department and other applicable permit(s), as required, through the State of Florida and/or federal regulatory agencies, including the U.S. Army Corps of Engineers and/or any other agency having appropriate jurisdiction.
  - b. All docks, pilings, or wharves, as permitted, shall be located in a manner that does not interfere with the riparian rights of adjacent properties.
  - c. All docks, piers, wharves, davits and lifts, as permitted, shall be located to meet the following requirements:
    1. Local canals and lakes—Said structure is located within the center one-third of the waterfront footage of the property and shall not extend further than 20 feet or one-third of the width of the waterway, whichever is the lesser distance.

2. Indian River Lagoon and Sebastian River—As permitted by applicable state and federal regulations.
- d. All off-shore pilings shall not project further above the surface of the water than is reasonably necessary for their use and be located no further from the rear property line than:
  1. Local canals and lakes—20 feet or one-third the width of the waterway, whichever is the lesser distance.
  2. Indian River Lagoon or Sebastian River—As permitted by applicable state and federal regulations.
- e. This section notwithstanding, alternate site plan specifications may be presented to the planning and zoning commission for review and approval, as deemed necessary by the applicant.



(g) *Estuarine water quality.* In order to protect the water quality of the aquatic preserve, no new point source pollution shall be permitted to discharge into the lagoon or into ditches or canals flowing into these lagoon. In addition, in order to reduce non-point source pollutants the city shall require surface water management plans that comply with the city's adopted drainage level of service standard cited in article IX, provisions of article XII, and shall satisfy all applicable federal, state, and regional standards and policies governing estuarine water quality.

(h) *Restrictions in coastal high hazard area.* The coastal high hazard area includes all area within the category I evacuation area established in the Treasure Coast Regional Hurricane Evacuation Study. The city shall enforce land use controls within the coastal high hazard area, especially areas east of Indian River Drive. Enforcement activities shall include but not limited to enforcing:

- (1) Exclude habitable structures from locations within the V-zone. No habitable structures shall be permitted within the V-zone.
- (2) Prohibit potential point pollutants. Water and sewer treatment plants, industrial holding ponds and other potential point pollution sources within the coastal high hazard area are prohibited.
- (3) Storm and flood-proofing standard for structures. Construction within the coastal high hazard area shall meet storm and flood-proofing standards exceeding those required for a 100-year storm.
- (4) Manage density. Residential development and/or redevelopment in the coastal high hazard shall not exceed existing residential.
- (5) New development to exclude septic tanks. No new development or redevelopment within the coastal high hazard area shall be permitted to use septic tanks.
- (6) Publicly funded infrastructure. Publicly funded infrastructure shall not be built within the coastal high hazard area unless the facility is for the protection of public health and safety.