

CHAPTER 62B-34

GENERAL PERMITS FOR ACTIVITIES SEAWARD OF THE COASTAL CONSTRUCTION CONTROL LINE

- 62B-34.010 Definitions
- 62B-34.030 Application Procedures
- 62B-34.040 Application Fees and Information Requirements
- 62B-34.050 General Conditions
- 62B-34.055 Minor Structures
- ~~62B-34.060 Non-Habitable Major Structures and Associated Minor Structures or Activities~~ Including Swimming Pools at Single-Family Dwellings
- ~~62B-34.070 Single-Family Dwellings and Associated Minor Structures or Activities~~
- 62B-34.080 Siting Criteria for Non-Habitable Major Structures, Swimming Pools and Single-Family Dwellings in Absence of a General Permit Line, Second Line of Construction, or Major Road
- 62B-34.085 Minor Reconstruction of Existing Coastal Armoring Structures
- 62B-34.090 Dune Restoration

PART I GENERAL PROVISIONS

62B-34.010 Definitions.

(1) through (12) No change.

(13) "Registered Professional" means a professional registered or licensed by and in the State of Florida and practicing under Chapter 471, 472, 481, or 492, F.S.

(13) through (17) renumbered (14) through (18) No change.

Rulemaking Authority 161.053(18), (20) FS. Law Implemented 161.052, 161.053(4), (18), (21) FS. History--New 3-27-03, Amended 11-21-05, 4-7-10,_____.

62B-34.030 Application Procedures.

(1) Any person wishing to use a General Permit shall provide a notice of intent to engage in activities under the General Permit by submitting to the Department the appropriate application fee required by Rule 62B-34.040, F.A.C., along with a completed application, using DEP Form #73-101 (~~Updated 7/05~~) entitled "Application for a General Permit for Construction or Other Activities Seaward of the Coastal Construction Control Line", Month, 2017, which is hereby adopted and incorporated by reference, located here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The Department must receive the completed application at least ~~thirty (30)~~ days before the applicant begins any work. Copies of the application form may be obtained by contacting the Department or by accessing the Department's website at <http://www.dep.state.fl.us/beaches/forms.htm> ~~www.dep.state.fl.us/beaches~~. The application can include one or more of the activities that qualify for a General Permit under this Chapter.

(a) through (c) No change.

(2) through (4) No change.

Rulemaking Authority 161.053(18), (20) FS. Law Implemented 161.053(18), 161.0535, 161.121 FS. History--New 3-27-03, Amended 11-21-05,___.

62B-34.040 Application Fees and Information Requirements.

(l) Each application for a permit or for a change in permit status to be considered by the Department pursuant to Section 161.053, F.S., or this Chapter shall be accompanied by a fee. Monies from fees assessed pursuant to this Chapter shall be deposited into the Florida Permit Fee Trust Fund.

(a) For applications for one activity or structure the fee schedule shall be as assessed below:

- 1. Minor Structures: \$100.
- 2. Dune Restoration: \$100.
- 3. Non-habitable Major Structures: \$300.
- 4. Swimming Pools: \$300.

48 5. Single-Family Dwellings: \$500.

49 6. Minor Reconstruction of Armoring: \$300.

50 (b) For applications which include one or more of the general permit activities, the fee shall be the higher of the fees listed
51 under subparagraphs 62B-34.040(1)(a)1. through 6., F.A.C., and shall not exceed \$500.

52 ~~The fee to process an application for a General Permit under Rule 62B-34.060, F.A.C., is \$300. The fee to process an~~
53 ~~application for a General Permit under Rule 62B-34.070, F.A.C., is \$500. The fee shall be in the form of a check made payable to~~
54 ~~the Department. Fees assessed pursuant to this rule are non refundable, except fees received for an activity that is exempt or fee~~
55 ~~payments in excess of the amount required by this rule chapter.~~

56 (2) In order to demonstrate that the proposed project qualifies for the requested General Permit, the completed application
57 required by Rule 62B-34.030, F.A.C., shall include the information below and any additional information specific to the type of
58 General Permit requested as provided in Part II of this ~~rule~~ Chapter:

59 (a) through (f) No Change.

60 (g) A Two copies of a dimensioned site and grading plan and a cross sectional drawing drawn to a scale no smaller than 1" =
61 30'. The drawings shall be signed and sealed by a registered professional ~~an architect, engineer, landscape architect, or surveyor, as~~
62 ~~appropriate, licensed in the state of Florida, and shall show:~~

63 1. through 9. No Change

64 (h) No Change

65 (i) ~~Two copies of D~~etailed planting plans, including a plant list (with both scientific and common names), the location of
66 proposed plant species, and the location of the existing plant species to be removed. Planting plans shall comply with the
67 requirements set forth in subsection 62B-34.070(5), F.A.C.

68 (j) No Change

69 (k) The Department recognizes that all the informational requirements specified in paragraphs 62B-34.040(2)(f), (g), and (i),
70 F.A.C., may not, due to the project specific circumstances, be applicable or necessary to ensure consistency with the siting or
71 reconstruction criteria of subsections 62B-34.055(2), 62B-34.060(2), and 62B-34.070(2), 62B-34.080(2), 62B-34.085(2), and 62B-
72 34.090(2), F.A.C. In such cases, the applicant shall, as part of the application, identify those requirements and state the reason why
73 they are inapplicable. The Department shall waive requirements that do not apply.

74
75 *Rulemaking Authority 161.053(18), (20), 161.0535 FS. Law Implemented 161.053(18), 161.0535 FS. History–New 3-27-03,*
76 *Amended 11-21-05,_____.*

77 62B-34.050 General Conditions.

78 (1) through (12) No change.

79 (13) No construction, operation, transportation, or storage of equipment or materials is authorized seaward of the dune crest or
80 rigid coastal structure during marine turtle nesting season (May 1 through October 31 of each year for all counties except for
81 Brevard, Indian River, St. Lucie, Martin, Palm Beach and Broward. Nesting season for these counties is the period from March 1
82 through October 31 of each year).

83 (14) All fill material placed seaward of the Coastal Construction Control Line shall meet the requirements of paragraph 62B-33
84 .0155(1)(h), F.A.C., and shall consist of ~~be~~ sand that is similar to that already existing on the site in both coloration and grain size.
85 All such fill material shall be free of construction debris, rocks, clay, or other foreign matter, and shall be obtained from a source
86 landward of the Coastal Construction Control Line. A “Sediment Quality Assurance/Quality Control (QA/QC) Plan” shall be
87 developed and implemented for dune restoration projects placing more than 700 cubic yards of sand to ensure that the sand meets
88 the criteria of paragraph 62B-33.0155(1)(h), F.A.C.

89 (15) through (18) No change.

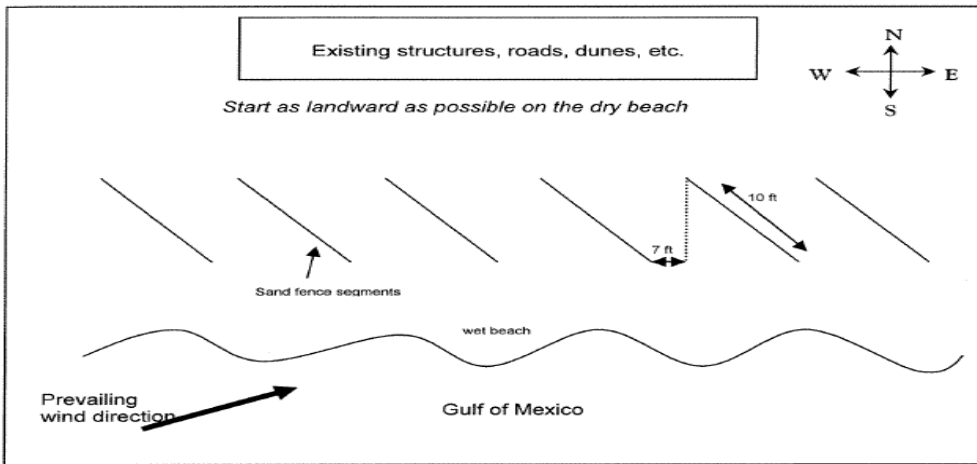
90 (19) Elevated walkovers that provide access to the beach shall meet the following design criteria:

91 (a) through (d) No change.

92 (e) The optimum siting of the walkover structure shall be determined by the staff representative during the pre-construction
93 conference to provide maximum protection to the existing dune topography and vegetation located on the site and to avoid
94 interference with public beach access and nesting sea turtles.

95 (f) Sand fencing used in dune restoration projects shall be located no farther seaward than the toe of the restored dune and shall
96 consist of either wooden slats wired together with space between the slats or woven fabric fencing. The fencing must contain a 40

97 percent to 60 percent open space to closed space ratio. Sand fencing shall be a minimum of two feet to a maximum of four feet high.
 98 Sand fencing located seaward of the crest of the primary dune shall be designed and installed as follows: a maximum of 10-foot long
 99 spurs of sand fencing spaced at a minimum of seven feet on a diagonal alignment (facing the predominate wind direction) for the
 100 shore-parallel coverage of the subject property as shown in the diagram below.



101 ~~(20) The duration for all permits is two years.~~

102 ~~(20)(24) Final certification, by a registered professional an engineer or architect licensed in the state of Florida, shall be~~
 103 ~~provided to the Department within 30 days following completion of the work on major structures or projects requiring a Sediment~~
 104 ~~QA/QC Plan. This certification shall state that all locations and elevations specified by the permit have been verified, all major~~
 105 ~~structures are specifically constructed in accordance with Chapter 62B-34, F.A.C., other construction and activities authorized by~~
 106 ~~the permit have been performed in compliance with the plans and project description approved as a part of the permit, and all~~
 107 ~~conditions of the permit, or shall describe any deviations from the approved plans, project description or permit conditions, and any~~
 108 ~~work not performed. Such certification shall not relieve the permittee of the provision contained in subsection 62B-34.050(6),~~
 109 ~~F.A.C. The final certification shall be submitted using DEP Form 73-115B (Updated 7/05), entitled "Final Certification", which is~~
 110 ~~hereby incorporated by reference.~~

111 *Rulemaking Authority 161.053(18), (20), 161.054 FS. Law Implemented 161.052, 161.053(4), (18), (21) FS. History—New 3-27-03,*
 112 *Amended 11-21-05,_____.*

113
 114 PART II GENERAL PERMITS

115 62B-34.055 Minor Structures.

116 (1) Applicability. Minor structures shall qualify for a General Permit, subject to the criteria and conditions set forth in this
 117 Chapter.

118 (2) Siting. The seaward limit of construction for minor structures allowed under this rule shall be as follows:

119 (a) Dune walkover structures, beach stairs, and flexible on-grade walkways required to provide beach access shall extend no
 120 more than 10 feet seaward of the vegetation line, the toe of the frontal dune, or coastal armoring, whichever is most seaward.
 121 Unroofed decks attached to and cantilevered no more than two feet from the walkover structure shall be located landward of the
 122 frontal dune crest or bluff, or coastal armoring, whichever is most landward.

123 (b) Lifeguard stations shall be located as far landward as practicable and shall be allowed seaward of the vegetation line, the toe
 124 of the frontal dune, or coastal armoring, whichever is most seaward, provided that the following conditions are met: The structure is
 125 no larger than 144 square feet in floor area with support posts no larger than eight inches by eight inches that are not encased, the
 126 structure has three feet of vertical clearance beneath the lowest level platform and at least seven feet of horizontal clearance between
 127 the supports where they meet the beach, and the area below the platform is not enclosed.

128 (c) Single-level decks or similar unenclosed and unroofed, elevated, wooden, or other lightweight structures shall be sited a
 129 minimum distance of 30 feet landward of the frontal dune crest or bluff or coastal armoring, whichever is most landward, and shall
 130 not exceed 144 square feet in floor area.

131 (d) The following minor structures shall be sited either landward of a major road or no farther than 20 feet seaward of the

132 General Permit Line: viewing platforms, gazebos, boardwalks, sidewalks, single-family dwelling driveways, equipment pads,
133 privacy fences and other frangible walls no more than six feet in height, aviaries, other ornamental construction, unroofed wooden or
134 other lightweight decks attached to existing buildings, and water and irrigation wells.

135 (e) Except for the minor structures described in paragraphs 62B-34.055(2)(a) through (d), F.A.C., minor structures shall be sited
136 no farther seaward than the General Permit line, major road, second line of construction, or the seaward limits allowed under Rule
137 62B-34.080, F.A.C.

138 (3) Prohibitions and Limitations. Minor structures authorized by this General Permit shall be subject to the following
139 prohibitions and limitations:

140 (a) Construction activities and structures shall not:

141 1. Interfere with public access as defined in Section 161.021(1), F. S.

142 2. Direct storm water discharges onto the beach or into dunes.

143 3. Result in net excavation of sandy material on the site. Only minor and temporary excavation, including that required for the
144 installation of foundations, shall be allowed, provided such excavation does not result in the lowering of the average ground
145 elevation in the immediate project area.

146 4. Result in more than two feet of vertical fill placement.

147 5. Result in more than 200 cubic yards of fill placement.

148 (b) No work constructed under this General Permit may be part of a phased development or combined with other general
149 permits or exemptions where the combination of activities to be conducted exceed the thresholds in this chapter.

150 (c) Unless the structure is constructed landward of the General Permit Line, a major road, or second line of construction, no
151 construction, alteration, operation, maintenance, removal, or abandonment of any new structure under this General Permit, by itself
152 or in combination with any other activity conducted pursuant to this chapter and Chapter 62B-33, F.A.C., may cumulatively result in
153 any of the following:

154 1. Damage to more than 600 square feet of dune vegetation; or

155 2. A total of more than 1,000 square feet of impervious and semi-impervious surface areas.

156 (d) No walls are allowed in the shore-parallel direction.

157 (4) Prohibitions and limitations for minor structures sited under paragraph 62B-34.055(2)(e), F.A.C., shall be subject to the
158 prohibitions and limitations set forth under subsections 62B-34.060(3), .070(3), and .080(3), F.A.C.

159 (5) All lighting associated with minor structures shall follow the standards set forth in the Department of Environmental
160 Protection Marine Turtle Lighting Standards under subsection 62B-34.070(4), F.A.C.

161 (6) All planting and vegetation removal activities associated with the construction of a minor structure pursuant to this General
162 Permit shall follow the standards set forth in the Coastal Construction Control Line Planting Standards under subsection 62B-
163 34.070(5), F.A.C.

164 (7) The General Permit for minor structures are valid for 1 year from date of issuance. No time extensions are available for this
165 permit.

166 Rulemaking Authority 161.053(20) FS. Law Implemented 161.053(2), (4), (18) FS. History—New _____.

168 62B-34.060 Non-Habitable Major Structures and Associated Minor Structures or Activities, Including Swimming Pools at
169 Single-Family Dwellings.

170 (1) Applicability. The following activities shall qualify ~~be eligible~~ for a General Permit subject to the criteria and conditions set
171 forth in this rule:

172 (a) New construction of non-habitable major structures including a swimming pool associated with a single-family dwelling,
173 Swimming pools are not eligible for a General Permit pursuant to Section 161.053(18), F.S.

174 (b) through (c) No change.

175 ~~(d) Minor structures and activities associated with a proposed non-habitable major structure.~~

176 (2) Seaward Limit of Construction. Activities in paragraphs 62B-34.060(1)(a) through (c), F.A.C., shall be sited landward of the
177 30-year erosion projection as determined in accordance with the methodology established in the Rule 62B-33.024, F.A.C., and
178 landward of the following:

179 (a) The General Permit Line shall establish the seaward limit of construction if the line is defined in Part III of this ~~rule C~~
180 chapter, or:

181 (b) If the General Permit Line is not defined in Part III of this ~~rule~~ Chapter, the proposed construction activities shall be sited
182 situated landward of a major road or the second line of construction, or;

183 (c) If the General Permit Line is not defined in Part III of this ~~rule~~ Chapter and the proposed construction activities are not
184 sited situated landward of a major road or the second line of construction, the seaward limit of construction activities allowed under
185 paragraphs 62B-34.060(1)(a) through ~~(c)~~, F.A.C., shall be determined by the siting criteria specified in paragraphs 62B-
186 34.080(2)(a) through (d), F.A.C. following criteria:

- 187 1. ~~Construction shall remain a minimum of 25 feet landward of the primary dune feature.~~
- 188 2. ~~Construction shall remain a minimum of 50 feet landward of the top of the bluff, with a bluff height greater than 15 feet.~~
- 189 3. ~~Construction shall remain a minimum of 100 feet landward of the vegetation line, where the profile does not have certified~~
190 ~~armoring, a primary dune, or a bluff greater than 15 feet high.~~
- 191 4. ~~Construction shall remain a minimum of 250 feet landward of the Erosion Control Line or a minimum of 250 feet landward~~
192 ~~of the Mean High Water Line, whichever is greater, where conditions contained in this rule, subparagraphs 62B-34.060(2)(a)1., 2.,~~
193 ~~and 3., F.A.C., do not exist.~~

194 (d) ~~No construction shall extend seaward of the General Permit Line or the first line of construction, except for elevated~~
195 ~~walkovers that provide access to the beach and that meet the design criteria contained in subsection 62B-34.050(19), F.A.C. If no~~
196 ~~General Permit Line has been established and no line of construction exists or can be determined, the proposed activity does not~~
197 ~~qualify for a General Permit.~~

198 (e) ~~No construction shall extend seaward of the thirty year erosion projection, except for elevated walkovers. The thirty year~~
199 ~~erosion projection shall be made in accordance with the procedures stipulated in Rule 62B-33.024, F.A.C.~~

200 (f) ~~No construction shall extend seaward of a point 25 feet landward of the existing armoring, except for elevated walkovers.~~

201 (3) Prohibitions and Limitations. Activities in paragraphs 62B-34.060(1)(a) through ~~(c)~~~~(d)~~, F.A.C., shall be subject to the
202 following prohibitions and limitations:

203 (a) New, rebuilt, or additions to existing garages and swimming pools associated with multifamily dwellings are not eligible for
204 this General Permit.

205 (a) renumber (b) No change.

206 (b) ~~New construction of decks and additions to decks shall be limited to a total area of 1,500 square feet in size, except for~~
207 ~~elevated walkovers providing access to the beach. New or expanded decks shall be sited at or landward of the seaward limit of~~
208 ~~construction established by subsection 62B-34.060(2), F.A.C.~~

209 (c) ~~Except where situated landward of a major road or landward of the second line of construction, new non-habitable major~~
210 ~~structures, and the combined dimensions of any existing single family dwellings, additions, decks, and other non-habitable major~~
211 ~~structures shall be limited to the following:~~

- 212 1. ~~A total footprint of 6,300 square feet, and~~
- 213 2. ~~A total shore parallel coverage of 65 percent of the shore parallel dimension of the parcel measured at the maximum shore-~~
214 ~~parallel coverage of the construction authorized under this rule chapter.~~

215 (c) The total volume of fill material shall not exceed 700 cubic yards.

216 (d) Swimming pools shall be elevated either fully or partially above the original grade to minimize excavation.

217 1. There shall be no net excavation of sandy soils in the immediate vicinity of the pool. All excavated sandy soils shall remain
218 seaward of the control line underneath the pool deck and within the immediate area of the pool.

219 2. Fill below pool decks shall be placed on a stable angle of repose to avoid the need for retaining walls.

220 (e) All structures authorized under this General Permit that are sited in accordance with paragraph 62B-34.060(2)(c), F.A.C.,
221 shall comply with the size limitations set forth in subsection 62B-34.080(3), F.A.C.

222 (d) through (e) renumber (f) through (g) No change.

223 (4) The General Permit shall be valid for 2 years from date of issuance. No time extension is available for this permit.

224 *Rulemaking Authority 161.053(18), (20) FS. Law Implemented 161.052, 161.053(4), (18), (21) FS. History—New 3-27-03, Amended*
225 *11-21-05, 4-7-10 _____.*

226 62B-34.070 Single-Family Dwellings and Associated Minor Structures or Activities.

227 (1) Applicability. The following activities qualify~~shall be eligible~~ for a General Permit, subject to the criteria and conditions set
228 forth in Chapter 62B-34, F.A.C.:

229 (a) No change.

230 ~~(b) Minor structures and activities associated with a proposed single family dwelling.~~

231 (c) renumber (b) No change.

232 ~~(c)(d)~~ Additions to an existing single-family dwelling in the landward or shore-parallel direction, provided the additions do not
233 cause the footprint area and shore-parallel coverage of the combined existing structure and additions to exceed those dimensional
234 limitations set forth in paragraph 62B-34.080(3)070(3)(e), F.A.C.

235 ~~(d)(e)~~ Additions to an existing single-family dwelling in the seaward direction, provided:

236 1. No change.

237 2. The additions do not cause the footprint area and shore-parallel coverage of the combined existing structure and additions to
238 exceed those dimensional limitations set forth in this rule subsections 62B-34.070(3) and .080(3), F.A.C.

239 (2) Seaward Limit of Construction. Activities in paragraphs 62B-34.070(1)(a) through (d), F.A.C., shall be sited landward of the
240 30-year erosion projection as determined in accordance with the methodology established in the Rule 62B-33.024, F.A.C., and
241 landward of the following:

242 (a) The General Permit Line shall establish the seaward limit of construction if the line is defined in Part III of this ~~rule C~~
243 ~~chapter, or-~~

244 (b) If the General Permit Line is not defined in Part III of this ~~rule C~~ ~~chapter~~, the proposed construction activities shall be sited
245 sited landward of a major road or the second line of construction, ~~or-~~

246 (c) If the General Permit Line is not defined in Part III of this ~~rule C~~ ~~chapter~~ and the proposed construction activities are not
247 sited ~~sited~~ landward of a major road or the second line of construction, the seaward limit of construction activities allowed under
248 paragraphs 62B-34.070(1)(a) through ~~(d)(e)~~, F.A.C., shall be determined by the ~~following~~ criteria: set forth in paragraphs 62B-
249 34.080(2)(a) through (d), F.A.C.

250 1. ~~Construction shall remain a minimum of 25 feet landward of the primary dune feature.~~

251 2. ~~Construction shall remain a minimum of 50 feet landward of the top of the bluff, with a bluff height greater than 15 feet.~~

252 3. ~~Construction shall remain a minimum of 100 feet landward of the vegetation line, where the profile does not have certified~~
253 ~~armoring, a primary dune, or a bluff greater than 15 feet high.~~

254 4. ~~Construction shall remain a minimum of 250 feet landward of the Erosion Control Line or a minimum of 250 feet landward~~
255 ~~of the Mean High Water Line, whichever is greater, where conditions contained in subparagraphs 62B-34.070(2)(c)1., 2., and 3.,~~
256 ~~F.A.C., do not exist.~~

257 ~~(d) No construction shall extend seaward of the General Permit Line or the first line of construction, except for elevated~~
258 ~~walkovers that provide access to the beach and that meet the design criteria contained in subsection 62B-34.050(19), F.A.C. If no~~
259 ~~General Permit Line has been established and no line of construction exists or can be determined, the proposed activity does not~~
260 ~~qualify for a General Permit.~~

261 ~~(e) No construction shall extend seaward of the 30 year erosion projection, except for elevated walkovers providing access to~~
262 ~~the beach. The 30 year erosion projection shall be made in accordance with the procedures stipulated in Rule 62B-33.024, F.A.C.~~

263 ~~(f) No construction shall extend seaward of a point 25 feet landward of the existing armoring, except for elevated walkovers.~~

264 (3) Prohibitions and Limitations. Activities in paragraphs 62B-34.070(1)(a) through ~~(d)(e)~~, F.A.C., shall be subject to the
265 following prohibitions and limitations:

266 (a) Excavation shall be limited to the installation of or repairs to subgrade residential service utilities (e.g., water and sewer
267 lines, septic tanks and drainfields, gas and electrical lines, ~~and electrical~~ cable television and telephone cables). Minor and temporary
268 excavation shall be allowed that does not result in the lowering of existing general ground elevations. This does not preclude
269 temporary excavation for the installation of foundations.

270 ~~(b) The total volume of fill material shall not exceed 700 cubic yards. -New construction of decks associated with new or~~
271 ~~existing single family dwellings shall be limited by this General Permit to a total area of 1,500 square feet, except for elevated~~
272 ~~walkovers providing access to the beach. New or expanded elevated decks authorized by this General Permit shall be sited landward~~
273 ~~of the seaward limit of construction established by subsection 62B-34.070(2), F.A.C.~~

274 ~~(c) All structures authorized under this General Permit that are sited in accordance with paragraph 62B-34.070(2)(c), F.A.C.,~~
275 ~~shall comply with the size limitations set forth in subsection 62B-34.080(3), F.A.C. Except where situated landward of a major road~~
276 ~~or landward of the second line of construction, the total dimensions and coverage of single family dwellings, additions, and other~~
277 ~~non habitable major structures shall be limited to the following:~~

278 1. ~~New single family dwellings and the combined dimensions of other major structures shall be limited to:~~

279 a. A total footprint area of 6,300 square feet, and
280 b. A total shore parallel coverage of 65 percent of the shore parallel dimension of the parcel, measured at the maximum shore-
281 parallel coverage of the construction authorized under this General Permit.
282 2. Rebuilt single family dwellings and the combined dimensions of other major structures shall be limited to:
283 a. A total footprint area less than or equal to the existing footprint, or a total footprint area of 6,300 square feet, and
284 b. A total shore parallel coverage equal to or less than the existing, or up to a total shore parallel coverage of 65 percent of the
285 shore parallel dimension of the parcel, measured at the seaward limit of the construction authorized under this General Permit.
286 3. Additions to existing single family dwellings shall not exceed the shore parallel dimensions of the existing single family
287 dwelling above 65 percent. The combined footprint of the additions, the existing single family dwelling, and other non habitable
288 major structures shall not exceed 6,300 square feet.
289 (4) through (5) No change.
290 (6) The General Permit for single-family dwellings shall be valid for two years from date of issuance. No time extension is
291 available for this permit.
292 *Rulemaking Authority 161.053(18), (20) FS. Law Implemented 161.052, 161.053(4), (18), (21) FS. History--New 3-27-03, Amended*
293 *11-21-05, 4-7-10,_____.*

294 62B-34.080 Siting Criteria for Non-Habitable Major Structures, Swimming Pools, and Single-Family Dwellings in Absence of a
295 General Permit Line, Second Line of Construction, or Major Road.

296 (1) Applicability. The activities described in subsections 62B-34.060(1) and .070(1), F.A.C., qualify for a General Permit,
297 subject to the criteria and conditions set forth in this Chapter. In addition to the criteria below, proposed structures and activities
298 shall meet all other applicable provisions of Chapter 62B-34, F.A.C.

299 (2) The seaward limit of construction activities allowed under this section shall be determined by satisfying all of the following
300 criteria:

301 (a) The proposed structures shall remain landward of the first line of construction.

302 (b) The proposed structures shall remain landward of the 30-year erosion projection as determined in accordance with the
303 methodology established in the Rule 62B-33.024, F.A.C.

304 (c) If there is no armoring on the parcel where the structure is proposed, the seaward limits of construction shall be:

305 1. A minimum of 25 feet landward of the primary dune feature.

306 2. A minimum of 50 feet landward of the top of the bluff, with a bluff height greater than 15 feet.

307 3. A minimum of 100 feet landward of the vegetation line, where the profile does not have certified armoring, a primary dune,
308 or a bluff greater than 15 feet high.

309 4. A minimum of 250 feet landward of the Erosion Control Line or a minimum of 250 feet landward of the Mean High Water
310 Line, whichever is greater, where conditions contained in subparagraphs 62B-34.080(2)(c)1. through 3., F.A.C., do not exist.

311 (d) If there is armoring on the parcel where the structure is proposed:

312 1. The proposed structures shall be sited landward of any existing tie-back or anchoring system of the armoring, or a sufficient
313 distance landward of the armoring to allow for future maintenance or repair of the armoring structure, whichever is more landward,
314 if the armoring provides protective value from a 15-year or greater return interval storm event, or

315 2. The proposed structures shall be sited to meet the criteria specified under subparagraphs 62B-34.080(2)(c)1. through 4.,
316 F.A.C., if the armoring does not provide protective value from a 15-year or greater return interval storm event.

317 (3) The total dimensions and coverage of structures sited using the siting criteria of this section shall be limited to the
318 following:

319 (a) New structures and the combined dimensions of other major structures and decks shall be limited to:

320 1. A total footprint area of 6,300 square feet, and

321 2. A total shore-parallel coverage of 65 percent of the shore-parallel dimension of the parcel, measured at the maximum shore-
322 parallel coverage of the construction authorized under this General Permit.

323 (b) Rebuilt structures and the combined dimensions of other major structures and decks shall be limited to:

324 1. A total footprint area less than or equal to the existing footprint area, or a total footprint area of 6,300 square feet, and

325 2. A total shore-parallel coverage equal to or less than the existing coverage, or up to a total shore-parallel coverage of 65
326 percent of the shore-parallel dimension of the parcel, measured at the seaward limit of the construction authorized under this General
327 Permit.

328 (c) Additions to existing structures shall not exceed the limitations set forth in paragraph 62B-34.080 (3)(a), F.A.C.

329 (d) New construction of decks associated with new or existing single-family dwellings shall be limited by this General Permit
330 to a total area of 1,500 square feet.

331 (4) Other prohibitions and limitations using siting criteria for activities listed under subsection 62B-34.060(1), F.A.C., are set
332 forth in paragraphs 62B-34.060(3)(a) through (g), F.A.C.

333 (5) Other prohibitions and limitations using the siting criteria for activities listed under subsection 62B-34.070(1), F.A.C., are
334 set forth in subsections 62B-34.070(3), (4), and (5), F.A.C.

335 Rulemaking Authority 161.053(20) FS. Law Implemented 161.053(2), (4), (18) FS. History—New .

336 62B-34.085 Minor Reconstruction of Existing Coastal Armoring

337 (1) Applicability. Minor reconstruction of existing coastal armoring structures qualifies for a General Permit subject to the
338 criteria and conditions set forth in this Chapter.

339 (2) Minor reconstruction shall be limited to the repair of an existing functional, and intact armoring structure which is necessary
340 to maintain the structural and functional integrity of the structure as originally designed and includes the following:

341 (a) The repair or replacement of caps.

342 (b) The repair or replacement of anchoring systems landward of the armoring.

343 (c) The repair or replacement of return walls.

344 (d) The repair or replacement of individual sheet piles, walers, posts, and planks.

345 (e) The replacement of individual armor or chink stones over sloping rock revetments.

346 (f) The placement of sand landward of existing armoring meeting the requirements of Chapter 62B-33, F.A.C.

347 (3) Prohibitions and Limitations. Activities in paragraphs 62B-34.085(2)(a) through (e), F.A.C., shall be subject to the following
348 prohibitions and limitations:

349 (a) The minor reconstruction shall not result in a seaward advancement or increase the level of protection of the existing
350 armoring as originally constructed.

351 (b) Cap repairs and replacement shall not result in an increase of the elevation of the top of the structure as originally
352 constructed.

353 (c) The minor reconstruction shall not result in net excavation of sandy material on the site.

354 (d) The unit weight of armor stone placed on rock revetments shall be no less than 135 pounds per cubic foot.

355 (e) The minor reconstruction of a rock revetment shall not result in an increase of the footprint of the revetment as originally
356 constructed. Scattered or dislodged rocks shall be removed or restacked within the footprint of the existing structure. The seaward
357 slope shall be no steeper than 1V:2H, and the crest elevation shall not be increased over the original construction.

358 (4) The General Permit for minor reconstruction of existing armoring shall be valid for 1 year from date of issuance. No time
359 extensions are available for this permit.

360 Rulemaking Authority 161.053(20) FS. Law Implemented 161.053(2), (4), (18) FS. History—New .

363 62B-34.090 Dune Restoration.

364 (1) Applicability. The following dune restoration activities qualify for a General Permit subject to the criteria and conditions set
365 forth in this rule:

366 (a) Placement of sand on an eroded or damaged dune or dune bluff.

367 (b) Planting native vegetation on the dune, and

368 (c) Installation of sand fencing.

369 (2) Siting: The seaward limit of dune restoration activities shall be as follows:

370 (a) Dune restoration shall be aligned with the seaward limits of the dune system present within the immediate project vicinity.

371 (b) If there is no dune system, then the dune restoration shall be landward of the vegetation line in the project vicinity.

372 (c) If conditions (a) and (b), above, do not exist or cannot be met, an individual permit is required under Chapter 62B-33, F.A.C.

373 (3) Prohibitions and Limitations. Activities in paragraphs 62B-34.090(1)(a) through (c), F.A.C., shall be subject to the following
374 prohibitions and limitations:

375 (a) Dune restoration shall be limited to the one-time placement of sand and shall not be part of a larger restoration plan seaward
376 of the Coastal Construction Control Line that requires authorization under Chapter 62B-33, F.A.C.

377 (b) Proposed sand shall be similar to the existing or native sand on the beach and dune system and shall meet the criteria
378 specified in Chapter 62B-33, F.A.C.

379 (c) Proposed sand shall be obtained from a source landward of the Coastal Construction Control Line.

380 (d) No excavation is authorized seaward of the Coastal Construction Control Line.

381 (e) The fill quantity shall not exceed seven cubic yards per linear foot.

382 (f) Dune height shall not exceed the approximate crest elevation of the existing or pre-damaged dune system in the immediate
383 area.

384 (g) The seaward slope of a restored frontal dune shall not be steeper than three horizontal feet to one vertical foot.

385 (h) This General Permit does not authorize the creation of new beach access points. The construction site must be accessed
386 through an established beach access point or through an approved upland property, taking special care to avoid damaging vegetated
387 areas seaward of the Coastal Construction Control Line. Construction shall not obstruct or interfere with any existing public beach
388 access.

389 (i) Planting under this General Permit shall consist of a minimum of three species of salt tolerant beach dune vegetation native
390 to the plant communities of the area. Plantings must comply with the requirements in subsection 62B-34.070(5), F.A.C.

391 (j) Sand fencing that exceeds 500 feet in length in the shore-parallel direction is not allowed under this General Permit.

392 (k) Sand fencing on sandy beaches in Brevard County through Monroe County (Southeast Coast) and Manatee County through
393 Collier County (Southwest Coast) is not allowed under this General Permit.

394 (l) Dune restoration activities as set forth in Chapter 62B-56, F.A.C. are not allowed under this General Permit.

395 (4) The General Permit for dune restoration shall be valid for one year from date of issuance. No time extension is available for
396 this permit.

397 Rulemaking Authority 161.053(20) FS. Law Implemented 161.053(2), (4), (6), (18) FS. History--New
398