
COASTAL PLANNING – GOALS, OBJECTIVES AND POLICIES

PURPOSE

As required by Florida Statutes, the Coastal Planning element (CST) sets forth goals, objectives, and policies to guide Charlotte County's decisions and to plan for and, where appropriate, restrict development where such activities would damage or destroy coastal resources, and limit public expenditures while protecting the health, safety, and welfare of the citizens of Charlotte County.

Also, the Coastal Planning element provides an inventory and analysis of natural resources and land use concerns specific to the County's coastal area, including beach and coastal systems, beach erosion, public access to the shoreline and coastal waters, development, and maintenance of infrastructure in the coastal area, existing and future land use activities in the coastal area, and hurricane evacuation times and shelter capacity.

A more detailed explanation of the State requirements which the following Goals, Objectives and Policies attempt to address can be seen in the associated Data & Analysis section.

All references to any ordinances, statutes or regulations contained herein shall, unless otherwise noted, be deemed to be those in effect as of the date of adoption of this element and thereafter as amended, renumbered, or otherwise revised.

GOALS, OBJECTIVES AND POLICIES

CST GOAL 1: COASTAL RESOURCE PROTECTION

Protect, conserve, maintain and improve remaining barrier islands, beaches, coastal wetlands, coastal surface and ground water quality, wildlife habitats and living marine resources within the Coastal Planning Area (CPA) (FLUM Series Map #13) and promote appropriate access to marine resources.

CST Objective 1.1: Coastal Resource Protection

To ensure that proposed and existing development and activities do not adversely impact the County's coastal and estuarine natural resources and to provide for the long-term protection and enhancement of coastal vegetation and wildlife communities and ecosystems.

CST Policy 1.1.1: Coastal Resources Management Program

The County shall create a Coastal Resources Management Program that will:

1. Identify the natural elements and processes that maintain the ecological and economic integrity and productivity of the County's coastal resources. Included in these resources are coastal uplands and wetland habitat

systems that are most suitable for protection, enhancement, restoration, and conservation.

2. Recommend standards for approval to protect, conserve, and manage native coastal vegetation and wildlife communities, marine ecosystems, historical and archeological resources, and to develop avoidance, minimization, and mitigation standards for adverse impacts to coastal resources.

CST Policy 1.1.2: Coastal Wetland Permitting

The County shall continue to review all activity and development that impacts the County's coastal wetlands and shall apply restrictions in accordance with the Goals, Objectives and Policies of the Comprehensive Plan and County's Code of Laws and Ordinances and limit impacts of development that directly or indirectly adversely affect coastal wetland resources.

CST Policy 1.1.3: Protection of Coastal Planning Area

The County shall not approve projects that adversely impact the social, economic, or environmental productivity, integrity, or values of natural resources in the CPA.

CST Policy 1.1.4: Coastal Development Coordinated Review

The County shall coordinate review efforts with other local, State and Federal agencies in evaluating proposed development activities in the CPA that may directly, indirectly, and cumulatively impact coastal resources. The County shall not approve development activities that are inconsistent with County, State, and Federal regulations.

CST Policy 1.1.5: Coastal Resource Clearing Permit

The County shall:

1. Develop and maintain rules, regulations, codes, and policies that minimize the clearing and alteration of native coastal vegetation and habitats.
2. Where appropriate, require applications for development approval to include a specific evaluation of coastal resources including provisions to identify, assess, avoid, and minimize adverse impacts to coastal resources (i.e., coastal wetlands, vegetation, wildlife, their habitats, including protective buffers and zones, and water quality prior to project approval, during and after construction).

CST Policy 1.1.6: Mangrove Protection

The County shall uphold the implementation of the 1996 Mangrove Trimming and Preservation Act for the protection and lawful trimming of mangrove trees. When unlawful acts are documented by County staff, appropriate action shall include

notification of the permitting agency, intervention in agency proceedings, or legal action by the County.

CST Policy 1.1.7: Preliminary Development Plan Analysis

The County shall require all preliminary site plans, preliminary plats, or equivalent development requests adjacent to surface waters to depict the location of submerged aquatic vegetation, coastal wetlands, oyster beds, and other natural resources, habitats or features within the proposed development site or within 200 feet of the development boundary.

CST Policy 1.1.8: Coastal Resources Protection Program

The County shall develop strategies with public and private stakeholders to protect, maintain, and, where feasible, restore native submerged aquatic vegetation, benthic communities, and water quality in the County, particularly Lemon Bay, the Peace and Myakka Rivers, and Charlotte Harbor.

CST Policy 1.1.9: Protection of Coastal Habitats and Species

The County shall protect coastal wetlands and uplands that provide habitat for listed flora and fauna from all existing and proposed activities.

CST Policy 1.1.10: Offshore Petroleum Development Activities

The County shall oppose offshore gas and oil exploration and excavation activities that may be reasonably expected to threaten the quality of coastal beaches and estuarine ecosystems, or that may result in the placement of oil or gas related facilities on coastal beaches, islands, or wetlands, or require the placement of oil or gas storage facilities on barrier islands.

CST Policy 1.1.11: Developmental Impacts on Environment

The County shall annually analyze the environmental impact of development and re-development proposed in the Future Land Use element (with required infrastructure to support this development or re-development) on the natural and historical resources of the coast as required under Chapter 163.3178(2)(b) Florida Statutes (F.S.).

CST Policy 1.1.12: Protection of Natural Estuarine and Freshwater Shorelines

The County shall protect and preserve the function and value of marine and freshwater natural shoreline ecosystems on newly-acquired public lands by removing exotic and nuisance vegetation from the shoreline to protect the function of the estuary, enhance water quality, and preserve shoreline wetlands. These systems serve a variety of functions including, but not limited to, wildlife habitat, flood control and erosion control.

CST Objective 1.2: Shoreline and Water Dependent Uses

To establish criteria or standards which identify allowable shoreline uses, giving priority to water-dependent uses while minimizing negative impacts to coastal habitats, species, and surrounding land uses.

CST Policy 1.2.1: Coastal Shoreline Structures

The County shall prohibit gulf beach renourishment and dredge projects, jetties, piers, and armoring unless jointly approved by County, State, and Federal agencies.

CST Policy 1.2.2: Permitting In-Water Facilities

The County shall require that all future navigation channels, spoil disposal sites, harbor berths, and other related in-water facilities (mooring fields) comply with all applicable State and Federal requirements.

CST Policy 1.2.3: Barrier Island Protection

The County shall require that all construction activities on or off the shore of the barrier islands shall not detrimentally impact the barrier island system and shall support local and State regulations pertaining to construction seaward of the Coastal Construction Control Line (CCCL).

CST Policy 1.2.4: Acquisition of Waterfront Property

With the assistance of the Marine Advisory Committee (MAC), Parks and Recreation Advisory Committee, Beaches and Shores Advisory Committee (BSAC), and other private and public entities, the County will identify waterfront properties suitable for acquisition and development to provide improved public access to the Gulf of Mexico. The County will seek funding from West Coast Inland Navigation District (WCIND), Florida Recreation Development Assistance Program (FRDAP), and Florida Boating Improvement Program (FBIP) as well as other sources, including local revenues, for development of water dependent facilities.

CST Policy 1.2.5: Water-dependent Uses

The County shall minimize adverse impacts to coastal resources associated with water-dependent uses and shall require mitigation in accordance with County, State, and Federal permitting requirements. Where these requirements conflict, the more stringent requirements shall be followed.

CST Policy 1.2.6: Development of Coastal, Water-dependent Uses

The County shall develop strategies to preserve recreational and commercial working waterfronts; continue to identify reasonable and appropriate public access to beach and shoreline areas; and shall address the need for water-dependent uses and related facilities including marinas and shoreline facilities. Siting of

access shall be in compliance with a Charlotte County public boating access study, Charlotte County Manatee Protection Plan and Florida Fish and Wildlife Conservation Commission (FFWCC) and US Fish and Wildlife Service (FWS) regulations and guidelines.

The County will study the feasibility of providing economic and other incentives to encourage the provision of public access at privately-owned beach front properties. Such incentives may include tax relief, density bonuses, or other benefits to the property owner intended to offset financial or other burdens associated with providing public access. Any bonus density shall be adopted into the policies of this or the Future Land Use element.

CST Policy 1.2.7: Location of New Boat Ramps

The County shall prohibit the location of new boat ramps, docks or slips for motorized vessels in areas:

1. Where there is less than four feet of depth at mean low water between the proposed ramp and the nearest maintained navigable channel.
2. Characterized by sensitive estuarine habitats, sensitive bottom or shoreline habitats, including but not limited to areas with submerged aquatic vegetation, or mangroves.
3. Requiring dredging to achieve at least 4.0 feet of depth at mean low water.
4. Where development or maintenance of the facility may adversely impact valuable natural resources.

CST Policy 1.2.8: Permitting of New and Expanded Boating Access Facilities

The County shall require new or expanded marinas, boat ramps, multi-docking or port facilities to be in compliance with all applicable local, State and Federal requirements and possess all applicable local, State and Federal permit approvals.

CST Policy 1.2.9: New Boating Facility Preferences

The County hereby establishes the following priority preference for approval of new boating facilities:

1. Preference shall be given to the expansion of suitable existing boating access facilities rather than construction of newly-developed sites.
2. Preference shall be given to areas where there is adequate flushing of the basin to prevent stagnation and water quality deterioration.
3. Preference shall be given to sites that require no dredging or filling to provide access by canal, channel, or road.
4. Preference shall be given to sites that would have the least impact on natural resources including but not limited to sensitive estuarine habitats,

sensitive bottom or shoreline habitats, submerged aquatic vegetation, manatee or other imperiled species habitat or mangroves.

CST Policy 1.2.10: Avoid Adverse Coastal Resource Impacts

The County shall ensure that all new boating access facilities will not adversely impact archeological and historical sites and environmentally sensitive coastal resources and shall be evaluated based upon the following:

1. The proposed location must minimize, and where possible, avoid areas approved by the Florida Department of Environmental Protection (FDEP) for shellfish harvesting, and other highly productive or unique habitats as determined by FDEP, the FFWCC, and other appropriate State and Federal agencies.
2. Any new facilities shall be required to be compatible with approved manatee protection and preservation plans and procedures, and away from sites of high manatee concentrations and critical habitat identified by State and Federal agencies.
3. All channels crossing through seagrass beds shall be clearly marked with signage directing boaters to stay within marked channels and out of the seagrass beds.
4. Sufficient upland areas are present to accommodate all needed accessory facilities, such as parking spaces, rest rooms, and dry storage. Facilities shall avoid and minimize negative impacts to sensitive or rare upland habitats.
5. Adequate parking for vehicles and boat trailers is provided.
6. Facilities that provide overnight moorage of habitable vessels shall be required to have sewage pump-out facilities sufficient to handle 100 percent of anticipated occupancy and shall document usage.
7. Through sloping and use of curbs and other structural improvements, fuel facilities shall be designed to contain spills on the landside of the facility and prevent runoff into the surface water.
8. The design and construction of facilities shall include catchment systems for filtering pollutants from stormwater originating in boat repair and painting areas, and bilge water from boats removed from the water at ramps or lifts.
9. Except for ramps and other water-dependent facilities which, due to their function, must slope towards the water, all impervious surfaces in new boating facilities must be designed and constructed such that run-off water flows away from surface waters and wetlands.
10. Prior to final plan approval, proposed boating facilities must demonstrate that the facility will be able to contain any spills that may occur within surface waters.

CST Policy 1.2.11: Marina Monitoring Plan

The County shall develop an appropriate monitoring plan to be implemented during and after marina development for the purpose of monitoring adverse impacts upon water quality, natural vegetation, wildlife and wildlife habitat, soils and shoreline.

CST Policy 1.2.12: Marina Use Limits

The County shall limit and may prohibit marina uses that pose an adverse impact to conservation areas, preservation areas, listed species and their habitats, environmentally sensitive areas, critical habitat, or may create a nuisance to residential areas.

CST Policy 1.2.13: Wastewater Treatment Requirements

The County shall require pump out facilities for new marinas and existing marinas whenever slips are added. Marinas that sell petroleum and other such products shall provide adequate fuel spill containment devices in accordance with State and Federal regulations. All new marinas and, where feasible, existing marinas proposing expansion shall obtain a Florida Clean Marina designation from the FDEP.

CST Policy 1.2.14: Providing Adequate Channel Depth

The County shall minimize adverse impacts (notably propeller scarring and silting) to tidal benthic resources caused by boaters' attempting to reach deep or open water from existing maintained canal systems (listed below) by maintaining previously dredged and existing navigation channels, canals and drainage features. The County shall partner with the affected owners, stakeholders, and appropriate local, State, and Federal agencies to develop a site specific boater access plan.

Existing Maintained Canal Systems		
Ackerman Waterway	Alligator Creek	Bass Inlet
Beeney Waterway	Charlotte Harbor Yacht Club	Countryman Waterway
Cross Isles Channel	Elkam Waterway	Fisherman's Village
Gardner-Olman Waterway	Harbour Heights	Hayward Canal
Laishley Park	Pirate Harbor	Pompano Inlet
Ponce De Leon Inlet	South Gulf Cove	Springlake Waterway
Suncoast Waterway	Sunrise Waterway	

All new navigation channels shall require approval by the Board of County Commissioners and must be determined to be in the public interest.

Due to the overriding environmental importance of Aquatic Preserves, the County shall not support or approve any dredging projects in an Aquatic Preserve unless

the FDEP agrees that the environmental benefits outweigh the adverse environmental impacts.

CST Policy 1.2.15: Funding of Navigation Channels

The County shall fund the maintenance and, where necessary, creation of navigation channels through the establishment of Municipal Services Benefit Units (MSBUs), Municipal Services Taxing Units (MSTUs), and other special districts as appropriate. The County will also apply for funding from grant sources including, but not limited to, WCIND, the FBIP, the FRDAP, and others as appropriate and available.

CST Objective 1.3: Maintenance of Public Access to Gulf of Mexico and Bay Waters

To maintain public access to the Gulf of Mexico and bay waters, through expansion or refurbishing existing facilities or acquisition of new property which shall be consistent with the public's needs and the natural resource capacity of the selected area for a variety of water dependent activities.

CST Policy 1.3.1: Management of All Public Access Facilities

The County shall manage all public access facilities in a manner consistent with Federal, State, and regional regulations, and local programs.

CST Policy 1.3.2: Acquisition of Public Access Easements

The County shall acquire needed lands or public access easements adjacent to the coastal shoreline through Federal, State, regional, and locally-funded land acquisition programs or as part of the development review process, whenever feasible.

CST Policy 1.3.3: Assess Existing Parking Facilities

The County shall assess existing parking facilities to determine adequate public access. Every effort to increase the number of public beach access points and parking spaces shall be extended based on public need.

CST Policy 1.3.4: Require Public Access

The County shall require public access in all County-sponsored and, where practical, private coastal development projects. Access to public shorelines shall be required in all publicly-funded coastal renourishment projects.

CST Objective 1.4: Protection of Listed Species

To recognize the environmental and economic necessity of protecting listed vegetation, fish and wildlife species that depend on healthy coastal habitat conditions, and to maintain or enhance existing population numbers and distributions of listed species.

CST Policy 1.4.1: Interagency Coordination for Listed Species Protection

The County shall continue to develop regulations to implement the policies supporting FFWCC designations of endangered, threatened, or species of special concern, in accordance with Rules 68A-27.003, 68A-27.004, and 68A-27.005, Florida Administrative Code (F.A.C.) and those species designated by various Federal agencies as Endangered and Threatened species published in US Fish and Wildlife Service 50 C.F.R, 17. Staff shall consult, participate in workshops, and collaborate with local, State, and Federal agencies and organizations to remain informed on newly listed species and develop protection measures in accordance with the needs of identified species consistent with scientific literature and studies.

CST Policy 1.4.2: Sea Turtle Protection

The County shall continue to improve and enforce sea turtle regulations to promote successful sea turtle nesting in accordance with Charlotte County's Sea Turtle Protection Ordinance 98-41 and The Sea Turtle Management Plan (2005, amended 2007). Activities shall comply with applicable State and Federal regulations as outlined under the Federal Endangered Species Act and be consistent with the most recent scientific literature.

CST Policy 1.4.3: Reduction of Artificial Lighting and other Impacts

The County shall continue to promote light management measures, public outreach, enforcement and additional activities to balance safe nesting beaches and public safety. The purpose is to educate the public on sea turtle nesting requirements, how to reduce lighting levels, and minimize other activities caused by people, pets, and vehicles which impact sea turtle nesting.

CST Policy 1.4.4: Construction during Sea Turtle and Shorebird Nesting Season

Except for emergencies, the County shall require that all coastal construction projects, including beach restoration and renourishment projects, shall protect nesting areas by limiting construction in dune and beach areas to non-nesting periods. In historic shore-bird nesting areas, construction must begin prior to shorebird nesting. Establishment of marked protection zones around sea turtle and shorebird nest areas is required to ensure that impacts associated with construction activities landward of the dune and beach system are limited to the actual construction site.

CST Policy 1.4.5: Coastal Avian Protection Ordinance

The County shall develop an Avian Protection Ordinance and Management Plan. The ordinance and plan shall be designed to protect breeding, nesting, resting, roosting, and foraging habitats of avian species and minimize impacts to migratory, seasonal, and resident populations.

CST Policy 1.4.6: Coastal Avian Public Education

The County shall continue to conduct programs to educate the public on local, State, and Federal regulations that protect nesting, migratory, seasonal, and resident avian populations. Public outreach shall be provided to reduce adverse activities caused by people, pets, and vehicles to avian populations.

CST Policy 1.4.7: Manatee Protection Plan (MPP)

The County has implemented the Manatee Protection Plan (MPP) which was developed in coordination with and approved by the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service. The MPP has been determined to balance the need for manatee protection and the need for recreational and commercial uses and was accepted by the Board of County Commissioners on February 14, 2017.

CST Policy 1.4.8: Manatee Protection Zones

The County shall continue to work with State and Federal agencies to evaluate the appropriateness of vessel regulations and ensure adequate signage is installed for reducing manatee injuries and mortality. The County shall also continue to identify, map and designate areas of optimal manatee habitat and high manatee usage as "Slow-Speed, Manatee Protection Zones" (including but not limited to the vicinity of Bull Bay, Turtle Bay, Hog Island, Lemon Bay, the Myakka River, the Burnt Store area, the Peace River, Shell Creek, Deep Creek, and Harbor Heights).

CST Policy 1.4.9: Manatee Monitoring and Impact Analysis

The County shall continue to identify and evaluate potential threats to manatees and important manatee habitats and consider management alternatives to reduce threats and protect such habitats.

CST Policy 1.4.10: Manatee Protection Public Education

The County shall partner with appropriate public and private organizations to develop and distribute educational materials regarding manatees to boaters and other water resources users and support the placement of signs where both humans and manatees may congregate. Boater education programs shall be targeted at both adults (current water users) and school-age children (future users).

CST Policy 1.4.11: Tidal Beach Habitat and Wildlife Protection Ordinance

The County shall develop a Tidal Beach Habitat and Wildlife Protection Ordinance and Management Plan. The ordinance and plan shall be designed to be consistent with existing State and Federal laws and regulations. The Ordinance will prohibit, and where unavoidable, minimize adverse impacts to all native animals or their habitats associated with tidal beach habitats up to three feet above mean high water. Specifically, the Ordinance will prohibit any activity, including collecting or

possessing, that may adversely impact species including, but not limited, to live shells, starfish, sand dollars, ghost crabs, fiddler crabs, marine worms, etc., or their habitat (except as allowed by State and Federal laws and regulations).

CST Objective 1.5: Beach and Dune Protection

To adopt specific standards that encourage the protection of coastal vegetation and wildlife communities, minimize the impacts of man-made structures, prohibit activities that adversely impact beach or dune systems, and restore altered beaches or dunes.

CST Policy 1.5.1: Coastal Construction

All construction activity is prohibited seaward of the CCCL except as permitted by the FDEP under Beach and Shore Preservation, Chapter 161, F.S. The County shall review proposed CCCL construction permit applications for compliance with applicable County regulation and the Goals, Objectives and Policies (GOPs) of the Comprehensive Plan. The County shall submit a letter of no objection and compliance with the County code for acceptable development proposals within the CCCL as required by state Permit Application Requirement Procedures.

CST Policy 1.5.2: Permitting Development on Beach and Dune Systems

The County shall not grant approval for development or redevelopment activities that may cause direct or indirect impacts to the ecological integrity or natural functions of the beach or dune systems. The County's BSAC will review and provide recommendations to the Board of County Commissioners for projects that may impact the coastal zone. Determination of impacts shall be based on the most recent scientific literature, and research information acquired from local, State, and Federal regulatory agencies.

CST Policy 1.5.3: Permitting Shoreline Structures

The County shall not support shoreline hardening along the Gulf and bay beaches or dunes except when necessary to protect existing structures in imminent danger of destruction. Approval shall not be given where such projects jeopardize the integrity of the total beach system and adjacent properties. Non-structural methods shall be encouraged for stabilizing beaches and dunes. Where practical, shoreline planning and enhancement projects shall be required during development orders proposing shoreline hardening.

CST Policy 1.5.4: Vehicle Access - Travel across Dunes and Beach

The County shall protect dunes and beaches by limiting vehicular traffic to emergency personnel, permitted beach maintenance and renourishment projects, and vehicles associated with environmental monitoring or conservation purposes. Beach access shall be limited to marked driveways through the dunes.

CST Policy 1.5.5: Beach and Dune Protection from Foot Traffic

The County shall require dune walkovers that meet State construction standards for all new Gulf beach developments and public access areas to protect coastal beach and dune erosion caused by pedestrian traffic. Pedestrian traffic shall be directed to marked paths or dune walkovers in order to protect the dune system.

CST Policy 1.5.6: Beach, Dune and Habitat Protection

The County shall ensure that all coastal development shall first avoid and then minimize adverse effects to shorebird nesting areas, beach, and dune system habitats. Except for the minimal disturbance necessary to accomplish County and State approved beach restoration or renourishment activities, the excavation or destructive alteration of beach and dune systems is prohibited. The County shall require the use of indigenous plant species for public and private dune restoration or renourishment projects.

CST Policy 1.5.7: Shoreline Erosion Control Taxing Units

The County shall continue to promote the formation of special erosion control taxing units, and will research grants and other funding mechanisms, to provide funds for beach renourishment, restoration, and management projects.

CST Policy 1.5.8: Marine Life Protection from Coastal Restoration Projects

The County shall require all beach renourishment, dredge projects, and coastal development to be designed, constructed, and maintained with minimal impacts to sea grasses and near shore hard-bottom habitats and to be consistent with existing local, State, and Federal requirements.

CST Policy 1.5.9: Beach and Shoreline Monitoring

The County shall partner with its BSAC, FDEP and other public and private organizations to monitor erosion throughout the County's beaches and determine enhancement projects based on the results of the monitoring program consistent with current scientific and coastal engineering literature and studies, and local, State, and Federal regulations.

CST Policy 1.5.10: Interagency Coordination of Beach Maintenance

The County shall participate in programs such as those offered by the Florida Shore and Beaches Preservation Association whose goals are to restore altered beach and dune systems, and shall continue discussions with the Southwest Florida Regional Planning Council (SWFRPC), the FDEP, the U.S. Army Corps of Engineers (USACoE), the WCIND and coastal governmental bodies to determine, as needed, the feasibility of undertaking cooperative, mutually beneficial, regional sand source studies and beach management programs. The County will promote the evaluation of alternative methods and technologies to traditional beach renourishment and stabilization practices.

CST Policy 1.5.11: Shoreline Erosion Control

The County shall require all new construction adjacent to watercourses, wetlands, and bays to have stabilized vegetated buffer zones sufficiently wide to prevent sediments from washing into the adjacent water body or wetland, or provide other measures to provide such protection. The use of native vegetation is required.

CST Policy 1.5.12: Dune Buffer Zones

Beachfront lots and parcels created subsequent to October 7, 1997 shall be of sufficient size and dimension to ensure a 50 foot buffer between any structures or improvements (except dune crossovers) and the landward edge of the primary dune. This buffer will remain in its natural state except for the minimum disturbance necessary to accommodate dune crossover structures.

CST Objective 1.6: Identify and Monitor Coastal Resources

To continue to conduct, support, encourage and participate in local, State and Federal programs to identify and monitor strategic coastal resources, including but not limited to, submerged aquatic vegetation, sensitive marine habitats (hard and soft bottom), water quality, shoreline erosion, coastal wetlands, coastal uplands, and associated protected vegetation and wildlife species.

CST Policy 1.6.1: Water Quality Monitoring

The County shall continue to participate with the Southwest Florida Water Management Surface Water Quality Improvement (SWIM) Program, the Coastal Charlotte Harbor Monitoring Network (CCHNN), the Coastal and Heartland National Estuary Program (CHNEP), and other local governments in the collection and analysis of water samples from Charlotte Harbor and Lemon Bay.

CST Policy 1.6.2: Coastal Resource Coordination

The County shall coordinate with State, Federal, regional agencies and local partners to exchange updated coastal resource information about water quality, protected vegetation, wildlife and habitats in Charlotte County's CPA .

CST Policy 1.6.3: Inventory Natural and Exotic Plant Communities

The County shall maintain and routinely update an inventory of natural and exotic plant communities, submerged aquatic vegetation, coastal wetlands, and oyster beds, etc. and sensitive estuarine habitats throughout the CPA.

CST Policy 1.6.4: Coastal Resources Public Education Programs

The County shall encourage the protection of ecologically important and high quality natural resources within the County's CPA by partnering with appropriate public and private organizations in developing and conducting public education programs designed to increase public awareness about the value of, and ways to

protect important coastal resources (i.e. submerged aquatic vegetation, coastal wetlands, coastal uplands, wildlife and water quality).

CST Objective 1.7: Archeological Resources

To protect, preserve or sensitively reuse historic and archaeological resources within the coastal planning area of Charlotte County.

CST Policy 1.7.1: Resource Survey

The County shall maintain and update a comprehensive County-wide Survey of Historical Resources along with the Archaeological Predictive Model for use in analyzing future development to ensure the preservation or sensitive reuse of identified historical and archaeological sites.

CST Policy 1.7.2: Historic Preservation Ordinance

The County shall evaluate potential development in the CPA and encourage sensitive reuse of historic and archaeological resources using the standards identified in the Historic Preservation Ordinance and the U.S. Secretary of the Interior's Standards for Rehabilitation.

CST GOAL 2: ESTUARINE QUALITY PROTECTION

Protect, maintain, and improve coastal surface and ground water quality and provide criteria or standards for prioritizing shoreline uses, giving priority to water-dependent uses.

CST Objective 2.1: Charlotte Harbor Watershed Protection

To ensure that the County's surface waters are protected.

CST Policy 2.1.1: Water Quality Standards

Charlotte County shall protect its surface waters through implementation of the following standards and guidelines:

1. On-site sewage disposal systems, including their associated drain fields, will be located as far landward as feasible on waterfront properties so as to reduce or prevent unnecessary nutrient and pathogen loading into surface waters.
2. The most current best management practices identified in the Handbook, Urban Runoff Pollution Prevention and Control Planning, EPA/625/R-93/004, which control erosion and limit the amount of sediment reaching surface waters, shall be used during all development activities.
3. Withdrawals from, or discharges to, surface waters which alter hydroperiods shall require the appropriate permits through FDEP, the appropriate Water Management District, or the USACoE, and shall not

reduce the quality or productive capability of water-dependent ecosystems (estuaries, etc).

4. Development proposals must demonstrate that post-development discharges into surface waters, or diversion of freshwater inflow into (fresh or saltwater) surface waters, will not lower the quality or productive capability of the receiving water body (fresh or saltwater). Such discharge must not exceed the legal limit for established surface water quality parameters to include, but not limited to, biological oxygen demand, dissolved oxygen, nutrients, bacteriological quality and turbidity, for the appropriate class water, as outlined in Chapter 62, F.A.C.
5. The design and construction of (fresh or saltwater) artificial waterbodies will provide sufficient water quality, fish and wildlife habitat values and functions consistent with the requirements of State and Federal agency permits and the intended use of the water body.
6. Boat speeds shall be limited as necessary to avoid shoreline erosion, siltation and damage to benthic vegetation and wildlife; and to protect natural functions by establishing and enforcing speed zones and other prohibited activities in vulnerable areas.

CST Policy 2.1.2: Charlotte Harbor Management Committee

The County shall confer with public and private stakeholders in Lee, Charlotte and Sarasota Counties to discuss the benefits of establishing a Charlotte Harbor Management Committee, which would meet regularly to review major activities that might affect the social, economic and environmental values of Charlotte Harbor.

CST Policy 2.1.3: Lemon Bay Aquatic Preserve Management Plan

The County shall support the implementation of the FDEP Lemon Bay Aquatic Preserve Management Plan.

CST Policy 2.1.4: Peace River Basin and Myakka River Management Plans

The County shall continue to participate in local, State, and Federal watershed initiatives such as the Peace River Basin, Lemon Bay, and Myakka River Management Plans.

CST Policy 2.1.5: Gulf of Mexico Alliance

The County shall participate in the Gulf of Mexico Alliance discussions on the health and restoration of the Gulf. The County shall cooperate in advancing the understanding of system dynamics and the Board of County Commissioners shall consider relevant initiatives for support.

CST POLICY 2.1.6: Charlotte Harbor Management Plan

The County shall continue to support FDEP's Charlotte Harbor Aquatic Preserves Management Plan, which includes the waterbodies of Cape Haze, Gasparilla

Sound-Charlotte Harbor as well as Pine Island Sound and Matlacha Pass in Lee County.

CST Policy 2.1.7: Charlotte Harbor Watershed Flows

The County shall continue to work with and support programs of public and private stakeholder organizations to protect, maintain and restore the optimum quality, quantity, distribution and timing of freshwater flows needed to protect, maintain and restore the ecological productivity and integrity of the Charlotte Harbor estuarine ecosystem.

CST Policy 2.1.8: Intergovernmental Coordination

The County shall continue to participate in and support the development and implementation of local, State and Federal programs and initiatives whose goals, objectives, and policies are to maintain, restore, and improve water quality in the Charlotte Harbor watershed, including all contiguous coastal wetlands and streams, the Peace and Myakka rivers and their tributaries.

CST Policy 2.1.9: Watershed Surface Water Quality Protection

The County shall confer with public and private stakeholders to discuss the benefits of establishing regional surface water protection overlay districts in the Charlotte Harbor Watershed, including, but not limited to, the basins of the Peace and Myakka rivers and their tributaries, wherever protection of the quality and quantity of those surface waters is deemed critical to the health, safety and welfare of current and future citizens or the environment.

CST Policy 2.1.10: Coastal Water Quality Studies

The County shall continue to support and participate in local, State, or Federal scientific water quality studies of Charlotte Harbor, Lower Peace and Myakka Rivers, and Lemon Bay.

CST Policy 2.1.11: Examine Nonpoint Source Coastal Water Pollution

The County shall periodically study the effects of existing drainage systems and the impacts of point source and nonpoint source pollution on estuarine water quality per Chapter 163.3178(2), F.S., and shall continue to encourage best management practices to minimize these sources.

CST Policy 2.1.12: Coordination of Coastal Water Quality Monitoring

The County shall maintain a liaison with other local, State, and Federal agencies engaged in water quality monitoring, and reviewing their data, conclusions, and recommendations.

CST Policy 2.1.13: Interagency Cooperation for Water Quality Protection

The County shall cooperate with the Florida Marine Patrol, U.S. Coast Guard, USACoE, and the FDEP in the enforcement of point and nonpoint source pollution control standards for septic systems, marinas, marine dumping, and illegal discharges from water craft.

CST GOAL 3: DEVELOPMENT IN HIGH HAZARD AREAS

Direct population concentrations away from the Coastal High Hazard Area (CHHA) and limit public expenditures that subsidize development and redevelopment in the CHHA except for restoration or enhancement of coastal resources. The CHHA includes all areas located within a landfalling Tropical Storm or Category 1 Hurricane Storm Surge zone as illustrated on FLUM Series Map #14, which are based on the Sea, Lake, and Overland Surge from Hurricanes (SLOSH) model prepared by the Southwest Florida Regional Planning Council under contract to the State of Florida Department of Community Affairs, Division of Emergency Management.

CST Objective 3.1: Restriction of Public Expenditures in the CHHA

To restrict public expenditures in areas particularly subject to repeated destruction by natural disasters and storm activity, except to maintain required levels of service, to protect existing residents, and provide for recreation and open space uses.

CST Policy 3.1.1: Public Expenditure Limitation

The County shall not expend public funds within the CHHA except for the following purposes:

1. The restoration or enhancement of natural resources;
2. The restoration or enhancement of public access;
3. The construction and maintenance of structures such as restrooms, boat ramps, boat docks, picnic shelters, bridge tender's building, landscape or facility maintenance sheds, boat lock, and food or rental concession stands in conjunction with County parks;
4. Water, sewer and road infrastructure that are appropriate and necessary for the public use and cannot be located elsewhere
5. To address a deficiency identified in this Plan;
6. For the improvement of public roads or bridges;
7. For an overriding public interest to ensure public health, safety, and welfare such as essential life safety services.

This policy shall not apply to buildings and structures proposed within developments of regional impact for which master development orders have been adopted pursuant to Chapter 380, F.S., prior to the date of adoption of this policy.

CST Policy 3.1.2: Relocation or Replacement of Infrastructure

1. The County shall prohibit the reconstruction of County-funded facilities or infrastructure in the CHHA except for recreation facilities and those necessary to ensure public health and safety.
2. The County may use the power of eminent domain and regulatory authority to relocate threatened or damaged public structures and infrastructure landward of the CHHA when appropriate.
3. When public infrastructure within the CHHA is destroyed or receives damage that equals or exceeds 50 percent of the cost of replacing the facility at its current location, the County shall analyze the feasibility of relocating this infrastructure landward of the CHHA.

CST Policy 3.1.3: State-Funded Infrastructure

When State funding is required for the relocation or replacement of infrastructure currently seaward of the CCCL, the capacity of the replacement structure shall be limited to maintaining required levels of service, protecting existing residents, and providing for recreation and open space needs.

CST Policy 3.1.4: Bridges and Causeways to Barrier Islands

The County shall not support construction of bridges or causeways to barrier islands not currently serviced by such infrastructure.

CST Policy 3.1.5: Post Disaster Redevelopment Plan

The County shall develop, with the assistance of the SWFRPC and the Department of Economic Opportunity, a model Post-Disaster Redevelopment Plan that shall consider the following:

1. Land uses and public facilities in the CHHA;
2. Areas of known high hazard;
3. The effects of hurricanes on the dynamics of coastal areas; and
4. The direct and indirect costs of a major storm disaster.

The Post-Disaster Redevelopment Plan shall contain an estimate of potential damages to property and what debris removal might cost in order to determine eligibility for State and Federal assistance. The plan shall also contain provisions for a thorough determination of damage assessment in dollar value, and of the economic and social effects of that damage upon the County immediately after the occurrence of a disaster. In regards to the assessment of damages, the plan shall also contain provisions for Charlotte County to coordinate with public and private agencies, and to establish County Damage Assessment Teams as outlined in the Charlotte County Recovery and Mitigation Plan.

The Post-Disaster Redevelopment Plan shall outline how emergency work (which includes efforts to save lives, protect property and maintain operation of essential facilities until permanent restoration can be made) will be conducted. The emergency work provisions shall include plans to repair and restore damaged water and sewer treatment facilities immediately after the storm event in order to function consistently within health and environmental plans and shall also evaluate emergency sewer disposal procedures.

The Post Disaster Redevelopment Plan shall outline how permanent work (which involves actions necessary to repair, restore, reconstruct, or replace public and certain private non-profit facilities damaged or destroyed by the disaster) will be conducted, and will include provisions for the following:

1. Determination of whether critically damaged key infrastructure and facilities should remain in place or be relocated.
2. Consideration of acquisition and relocation ordinances for damaged buildings in high hazard areas, and when appropriate, relocation of damaged public structures and infrastructure outside of the CHHA with the power of eminent domain and regulatory authority.
3. Evaluation of the costs of acquisition of privately-owned developed properties, for which the County provides infrastructure, that have been severely or repetitively damaged by tropical storms, hurricanes, floods, or other natural disasters against the costs associated with rebuilding in order to determine the most cost-effective options for addressing loss, mitigation, or prevention.
4. Compliance with current code and ordinance requirements during the repair process of substantially damaged, but repairable buildings.

Upon adoption, the Post Disaster Redevelopment Plan shall be incorporated into and be made part of the Comprehensive Plan.

CST Policy 3.1.6: Development, Redevelopment, and Mitigation Action Plan

The County shall work cooperatively with the Local Mitigation Strategy Work Group, Emergency Management Team, relevant County departments, and State and Federal agencies to develop a Coastal High Hazard Development, Redevelopment, and Mitigation Action Plan.

CST Objective 3.2: Development and Redevelopment in the CHHA

To limit density and intensity within the CHHA.

CST Policy 3.2.1: Mobile Home Zoning in CHHA

The County shall prohibit any new mobile home zoning on the Barrier Islands or within the CHHA.

CST Policy 3.2.2: CHHA Density Transfer Requirement

The County shall prohibit any rezonings that increase density beyond the base density within the CHHA unless density is simultaneously transferred or pledged to be transferred from a similar CHHA category. No density may be transferred from other high hazard areas of the County into the area west of the Myakka River and Charlotte Harbor.

CST Policy 3.2.3: Density of Development within CHHA

1. The platted density of new development shall not exceed 3.5 units per acre.
2. In accordance with the provisions of Ordinance 90-58, population density on the bridgeless barrier islands is limited to one unit per gross acre; areas on the bridgeless barrier islands platted prior to the date of adoption of Ordinance 90-58 shall have an allowable density of one unit per platted lot.
3. The County shall actively facilitate the removal of density from the CHHA by plat vacation and other means.

CST Policy 3.2.4: Applications for Development within the CHHA

The County shall require development within the CHHA proposing greater than one single dwelling unit to plan for and mitigate the effects and impacts of evacuation issues for the project site. In addition, the development may also be required to comply with the County's current Shelter-in-Place Development Policy.

CST Policy 3.2.5: Development Requiring Special Needs Assistance

The County shall strongly discourage the development of any institutional uses, such as assisted living facilities, group homes for handicapped persons, hospitals and such similar uses, from developing in the CHHA. This will help limit public expenditures for pre- and post-disaster assistance. Charlotte County shall continue to amend and implement its Code of Laws and Ordinances to require all newly-constructed nursing homes, adult congregate living facilities, and hospitals to include shuttering or the use of shatterproof glass, as well as independent emergency power supplies located above base flood elevation or otherwise protected from flooding, as part of such facilities' design and construction, as required by the Agency for Healthcare Administration.

CST Policy 3.2.6: Restriction of Development and Redevelopment in CHHAs

The County shall continue to develop policies that prohibit redevelopment of structures in the CHHA with a history of repeated damage from coastal storms and development of structures on sites known to be the subject of continual flooding. This includes shore protection structures. Measures that could be used to reduce exposure to hazards shall be analyzed, including relocation, structural modification, and public acquisition.

CST Policy 3.2.7: Infrastructure and Services to other than the Bridgeless Barrier Islands

The County shall not provide nor allow infrastructure and services to be provided to offshore islands, coastal swamps, marshlands and beaches. Infrastructure and services to the Bridgeless Barrier Islands, depicted in FLUM Series Map #9, are addressed in the Barrier Island Overlay in the FLU Appendix I.

CST GOAL 4: COASTAL PLANNING AREA

Address development and post-disaster redevelopment and outline principles for mitigating the effects of natural disaster and reducing or eliminating the exposure of human life and public and private property to coastal hazards.

CST Objective 4.1: Evacuation in the CPA

To maintain or reduce hurricane evacuation times and provide evacuation and shelter capabilities adequate to safeguard the public against the effects of hurricanes and tropical storms.

CST Policy 4.1.1: Assessment of All New Residential Development

The County shall assess the impact of all new residential development upon the projected hurricane evacuation network and upon projected hurricane evacuation times, and shall require mitigation either through structural provisions (on-site or off-site shelter) or through nonstructural methods or techniques.

CST Policy 4.1.2: Update of the Hurricane Evacuation

The County shall update the hurricane evacuation portion of the Comprehensive Emergency Management Plan as new data becomes available for critical roadway links to be consistent with the most recent report issued by the SWFRPC.

CST Policy 4.1.3: Improvements to Evacuation Routes

The County shall improve evacuation routes based on the following criteria:

1. Critical roadway links causing congestion on evacuation routes for Category 1 through 3 hurricanes shall receive high priority for capital improvement expenditures. The County's hurricane evacuation system shall be improved to ensure that evacuation times will be maintained, at a minimum, and reduced if possible.
2. Improvements to the County's primary hurricane evacuation routes shall be consistent with this function, and shall be maintained at elevations above the Category 3 or Category 4 Storm Surge, as feasible and applicable.
3. Hurricane evacuation corridor improvements shall be based on the following criteria:
 - a. The roadway heads inland and away from the coast.

- b. The roadway rises out of areas affected by storm surge.
 - c. Water crossings are minimized.
 - d. The roadway provides a direct route to high ground and shelter.
 - e. The roadway is not subject to roadway flooding.
4. Through its Emergency Management Office, Metropolitan Planning Organization, Growth Management Department, and Public Works Department, the County shall continue to work with Sarasota County to establish effective evacuation routes out of the Cape Haze Peninsula.

CST Policy 4.1.4: Evacuation Provisions for all Plan Amendments

The County shall not approve Future Land Use Map amendments that will, upon development, cause out-of-county evacuation times to increase above 16 hours or evacuation time to shelter to increase above 12 hours for a Category 5 storm event as measured on the Saffir-Simpson scale unless appropriate mitigation is provided per Section 163.3178 (9)(a)3., State Statutes.

CST Policy 4.1.5: Cape Haze Peninsula Hurricane Evacuation Requirement

The County’s Emergency Management Department may declare a complete evacuation of the area of the County located west of the Myakka River and Charlotte Harbor (Cape Haze Peninsula) when the National Hurricane Center has issued a forecast indicating life threatening storm surge.

CST Policy 4.1.6: Development Impact on Evacuation Times

The County shall utilize the help of the Florida Department of Emergency Management to determine the cumulative impact of new development on hurricane evacuation times on an annual basis and shall include appropriate funding within the five-year schedule of capital improvements to ensure that those improvements most needed to reduce evacuation times are provided.

CST Policy 4.1.7: Education of General Public on Emergency Evacuation Routes

Charlotte County Emergency Management shall educate the general public on emergency evacuation routes established by the Emergency Management Team.

CST Objective 4.2: Redevelopment in the CPA

To reduce the loss of property in the CPA through the establishment of development requirements.

CST Policy 4.2.1: Fifty Percent Rule for Redevelopment

The County shall require any structure that does not meet current flood mitigation standards and building code to be rebuilt to the current standards and code should they sustain substantial damage after a natural or man-made disaster. An existing structure is considered to be substantially damaged if damage from any origin is

sustained and the cost of restoring the structure to its pre-damaged condition is equal to or exceeds 50 percent of the market value of the structure before it was damaged.

CST Policy 4.2.2: Repetitively Damaged Properties

The County shall evaluate the costs of acquisition of privately-owned, developed properties, for which the County provides infrastructure, that have been severely or repetitively damaged by tropical storms, hurricanes, floods, or other natural disasters. The acquisition cost shall be compared against the costs associated with rebuilding the required infrastructure for that property or the rebuilding of the property itself. This will be done in order to determine the most cost-effective options for addressing loss, mitigation, or prevention.

CST Policy 4.2.3: Protection of Property

To protect the public health, safety, and welfare and to mitigate property loss in the built environment, the County shall enforce:

1. The most recent State-adopted Standard Building Code which provides for wind-resistant building constructions, and
2. The Federal Emergency Management Agency’s Managing Floodplain Development through the most recent National Flood Insurance Program, which address floodplain and coastal construction management.
3. Increased protection of property and encourage the purchase of flood insurance by property owners. The County shall also continue to participate in the National flood Insurance Program (NFIP) and the NFIP’s Community rating System.

CST Objective 4.3: Storm Shelters

To develop an adequate shelter space plan for population at risk under a Category 3 hurricane.

CST Policy 4.3.1: Public Shelter Needs

The County shall develop a program designed to meet public shelter needs under a Category 3 hurricane. Components of this program may include:

1. Funding of the All-Hazards MSTU;
2. An impact fee or fee-in-lieu for new residential developments, with appropriate credits for the construction of on-site shelters outside of a Category 1 hurricane storm surge;
3. Mandatory on-site shelters for new residential developments (including mobile home and recreational vehicle parks) over a specified size threshold and outside the CHHA; and
4. Any available State funds.

CST Policy 4.3.2: On-Site Shelter Requirements

The County shall require on-site shelters to meet the standards established by the County, including provision of adequate shelter space, elevation above Category 3 hurricane storm surge flooding levels, adequate wind proofing, glass protection, emergency power where needed, water supplies, and other basic needs.

CST Policy 4.3.3: On-Site Shelter Restriction

The County shall prohibit on-site shelters for the general public on barrier or coastal islands.

CST Policy 4.3.4: Feasibility of Evacuating Residents

The County shall determine the feasibility of evacuating residents from the CHHA to vertical shelters within residential, commercial, and industrial sites in the Category 2, 3, 4, and 5 hurricane storm surge areas for situations where clearance times do not allow for full evacuation of areas forecasted to receive life threatening inundation.

CST Objective 4.4: Establish Level of Service Standards

To establish LOS standards for roads, stormwater systems, parks, potable water, sanitary sewer, schools, and solid waste that take into account the special needs that result from the unique circumstances and dynamics associated with the natural and manmade dynamics of the CPA; including but not limited to, tidal fluctuations, coastal erosion, tropical storms, high water tables, flooding, rising sea levels, etc.

CST Policy 4.4.1: Evaluation of Existing Infrastructure Elements

The County shall regularly evaluate existing infrastructure elements to ensure that they satisfy the unique demands associated with the natural and manmade dynamics of the CPA (i.e., tropical storms, high winds, flooding, transportation, structural demands, etc.) and revise County regulations and requirements as needed to ensure the health, safety and welfare of the current and future citizens are protected.

CST Policy 4.4.2: Level of Service Standards

The County has established County-wide LOS standards for roads, stormwater, parks, potable water, sanitary sewer, schools, and solid waste. The LOS that the County has established for these infrastructure items in the CPA are described in the respective elements of this Plan.

CST GOAL 5: RESILIENCY INITIATIVE

To increase the County’s comprehensive adaptability and resiliency capacities to the impacts of climate change and sea level rise.

CST Objective 5.1: Protection of Vulnerable Areas

To develop and implement adaptation strategies for areas vulnerable to coastal flooding, flash floods, saltwater intrusion, storm surge, stormwater runoff, tidal events, and other impacts related to climate change and sea level rise.

CST Policy 5.1.1: Adaptation Action Areas

The County shall consider identifying and designating Adaptation Action Areas, defined by Section 163.3164(1), F.S. These areas may include, but are not to be limited to:

1. Areas which experience tidal flooding or flooding due to extensive rainfall
2. Areas which have a hydrological connection to coastal waters
3. Areas which are within areas designated as evacuation zones for storm surge
4. Areas which are impacted by stormwater/flood control issues

CST Policy 5.1.2: Adaptation Strategies

The County shall develop specific adaptation strategies including, but not limited to, accommodation, protection, and relocation, for properties located within Adaptation Action Areas.

CST Policy 5.1.3: Assessment of Public Infrastructure

The County shall create an inventory to include public investments and infrastructure at risk to sea level rise and other climate change related impacts.

CST Policy 5.1.4: Development and Redevelopment Principles

The County shall encourage the following principles to eliminate inappropriate and unsafe development in the coastal area when opportunities arise:

1. To reduce the flood risk in coastal areas, which results from high-tide events, storm surge, flash floods, stormwater runoff and the related impacts of sea level rise among other requirements.
2. To use the practices, principles, strategies, and engineering solutions for development and redevelopment that will most effectively result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. To identify site development techniques that may reduce losses due to flooding and claims made under flood insurance policies.
4. To be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.

5. To require that any construction activities seaward of the coastal construction control lines established pursuant to section 161.053, Florida Statutes, be consistent with chapter 161, Florida Statutes.