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ORDINANCE  
NUMBER 2022 – 045

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE COASTAL PLANNING (CST) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY ADDING GOAL 5, OBJECTIVE 5.1, AND POLICIES 5.1.1 TO 5.1.4; AND CLARIFYING POLICIES RELATED TO EVACUATION; PETITION TCP-21-03 AS IT RELATES TO THE COASTAL PLANNING (CST) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

RECITALS

WHEREAS, on July 20, 2010, the Board of County Commissioners of Charlotte County, Florida ("Board"), in a public hearing, adopted Charlotte County's Comprehensive Plan – Charlotte 2050 ("Plan"), which became effective in June of 2011; and

WHEREAS, periodically, the Plan and its associated vision, as well as data and analysis, has been reviewed by the public and County Staff, including five public visioning workshops gauging residents' vision for the future of Charlotte County; and

WHEREAS, in furtherance of the outcome of these reviews and workshops, and pursuant to Section 163.3191, Florida Statutes, on April 1, 2021, County Staff submitted an Evaluation and Appraisal Review letter to the Department of Economic Opportunity (DEO) which assessed the progress and implementation of the Plan and recommended certain changes to the Plan; and

35           WHEREAS, as required by Section 163.3191, Florida Statutes, the County  
36 has one year to transmit its recommended Plan amendments based on the Evaluation and  
37 Appraisal Review letter to DEO and other state agencies for their review; and

38           WHEREAS, County Staff, via Petition TCP-21-03, is proposing amendments  
39 to nine elements of the Plan, including Future Land Use (FLU) Element, Coastal Planning  
40 (CST) Element, Natural Resources (ENV) Element, Housing (HSG) Element, Infrastructure  
41 Element, Capital Improvements (CIE) Element, Recreation and Open Space (REC)  
42 Element, Transportation (TRA) Element, and Public School Facilities (SCH) Element; and

43           WHEREAS, at this time, the Board desires to amend the Coastal Planning  
44 (CST) Element of the Plan, all as provided in Exhibit "A" which is attached hereto and by  
45 this reference provided herein; and

46           WHEREAS, on February 14, 2022, Petition TCP-21-03 as it relates to  
47 the Coastal Planning (CST) Element was heard before the Charlotte County Planning and  
48 Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County  
49 Staff and the evidence presented to the P&Z Board, Petition TCP-21-03 as it relates to the  
50 Coastal Planning (CST) Element was found to be consistent with the County's  
51 Comprehensive Plan and the P&Z Board recommended approval for transmittal of Petition  
52 TCP-21-03 as it relates to the Coastal Planning (CST) Element to the Department of  
53 Economic Opportunity ("DEO") and other state agencies for review and comment; and

54           WHEREAS, in a public hearing held on Tuesday, March 22, 2022, the Board  
55 reviewed plan amendment Petition TCP-21-03 as it relates to the Coastal Planning (CST)  
56 Element and, based on the findings and analysis provided by County Staff regarding the  
57 amendment and the evidence presented to the Board, approved transmittal of Petition

58 TCP-21-03 as it relates to the Coastal Planning (CST) Element to DEO and other state  
59 agencies for review and comment; and

60 WHEREAS, Petition TCP-21-03 as it relates to the Coastal Planning (CST)  
61 Element was transmitted to DEO and other state agencies for review and comment; and

62 WHEREAS, on May 11, 2022, the DEO issued a letter stating that “the  
63 Department of Economic Opportunity (“Department”) has completed its review of the  
64 proposed comprehensive plan amendment for Charlotte County (Amendment No. 22-  
65 02ER), which was received and determined complete on March 25, 2022. We have  
66 reviewed the proposed amendment in accordance with the state coordinated review  
67 process set forth in Section 163.3184(2) and (4), Florida Statutes (F.S.), for compliance  
68 with Chapter 163, Part II, F.S. The Department does not identify any objections or  
69 comments to the proposed amendment and this letter serves as the Objections,  
70 Recommendations and Comments Report. Review comments received by the Department  
71 from the appropriate reviewing agencies, if any, are enclosed.”; and

72 WHEREAS, any comments that may have been received by other reviewing  
73 agencies have been considered, addressed, and incorporated into the findings and  
74 analysis provided by County Staff; and

75 WHEREAS, after due consideration regarding Petition TCP-21-03 as it relates  
76 to the Coastal Planning (CST) Element, in a public hearing held on October 25, 2022, and  
77 based on the findings and analysis presented to the Board, the Board has found that the  
78 proposed amendments are consistent with the County’s Comprehensive Plan, and that the  
79 requirements and conditions of Chapter 163, Florida Statutes, as they relate to this Petition

80 have been met, and that it is in the best interests of the County to approve Petition  
81 TCP-21-03 as it relates to the Coastal Planning (CST) Element.

82 NOW, THEREFORE, BE IT ORDAINED by the Board of County  
83 Commissioners of Charlotte County, Florida:

84 Section 1. Approval. Petition TCP-21-03 as it relates to amending the  
85 County's Comprehensive Plan by revising the Coastal Planning (CST) Element is hereby  
86 approved, and the County's Comprehensive Plan is amended by the deletion of the strike  
87 through language and addition of the underlined language to read as shown in Exhibit "A"  
88 attached hereto and incorporated herein by reference.

89 Section 2. Severability. If any section, subsection, clause, phrase, or  
90 provision of this Ordinance is for any reason held invalid or unconstitutional by any court or  
91 body of competent jurisdiction, such holding shall not be construed to render the remaining  
92 provisions of this Ordinance invalid or unconstitutional.

93 Section 3. Effective date. The effective date of this plan amendment, if  
94 the amendment is not timely challenged, shall be 31 days after the state land planning  
95 agency notifies the local government that the plan amendment package is complete. If  
96 timely challenged, this amendment shall become effective on the date the state land  
97 planning agency or the Administration Commission enters a final order determining this  
98 adopted amendment to be in compliance. No development orders, development permits,  
99 or land uses dependent on this amendment may be issued or commence before it has  
100 become effective. If a final order of noncompliance is issued by the Administration  
101 Commission, this amendment may nevertheless be made effective by adoption of a

102 resolution affirming its effective status, a copy of which resolution shall be sent to the state  
103 land planning agency.

104           Section 4. Transmittal. County Staff is hereby directed to forward a copy of  
105 this Ordinance and its attachments to the Department of Economic Opportunity, 107 East  
106 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest  
107 Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL  
108 33907.

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[SIGNATURE PAGE FOLLOWS]

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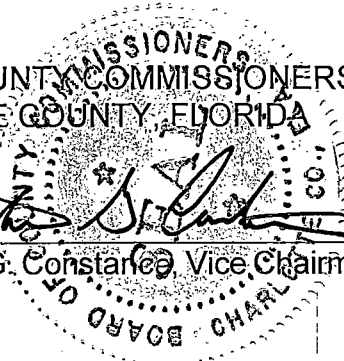
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PASSED AND DULY ADOPTED this 25th day of October, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By:   
Christopher G. Constanter, Vice Chairman



ATTEST:  
Roger D. Eaton, Clerk of the Circuit Court  
and Ex-Officio Clerk of the  
Board of County Commissioners

By:   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By:   
Janette S. Knowlton, County Attorney  
LR2021-0920 

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## 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 in order 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 ~~Charlotte Harbor~~ 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 ~~Community Affairs~~, 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~~ shall 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 ~~it is determined that it will be affected by a landfalling storm at an intensity greater than a Category 2 storm event as measured on the Saffir-Simpson scale.~~

**CST Policy 4.1.6: Development Impact on Evacuation Times**

The County shall utilize the help of the Florida Department of Emergency Management SWFRPC 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.