

CONSERVATION AND COASTAL MANAGEMENT GOALS, OBJECTIVES, POLICIES

GOAL 1: Protecting Environmental Resources.

The natural and historic resources of Cape Coral will be preserved, protected, and enhanced. These resources will be managed to ensure the highest environmental quality possible. Development activities will be managed, in accordance with this goal. The scientific and resource management activities outlined under this goal will be coordinated by the City's Environmental Resources Section.

Objective 1.1: Estuarine Water Quality. Cape Coral will maintain and/or improve the environmental quality of estuarine waters within its jurisdiction and will prevent the degradation of adjacent water bodies.

Policy 1.1.1: The City will maintain and/or improve the environmental quality of its estuarine waters by promoting habitat restoration, developing policies for improving mixing zones through use of the addition of hard substrate, and through public education.

Policy 1.1.2: The City will continue its surface water quality monitoring program to properly evaluate the general environmental condition of its surface waters and estuarine system, to identify any new problem areas, and to evaluate the effectiveness of measures to maintain or improve water quality.

Policy 1.1.3: Pursuant to S.163.3202, F.S., the City will maintain Land Development Codes which prohibit dredging for the construction of new boat basins in the estuarine system without proper permits. Marina and multi-dock facilities will be designed, located, constructed and managed so as not to reduce estuarine water quality.

Policy 1.1.4: The City will assure that there will be no dredging of estuarine waterways that reduces estuarine water quality. Dredging activities will be properly permitted by state and federal agencies.

Policy 1.1.5: Pursuant to S.163.3202, F.S., Land Development Code will be maintained to prohibit dredging at the mouths of canals directly emptying into natural estuarine waters unless, (1) a detailed study of sediment contaminants is performed and adequate safeguards to prevent the release of any contaminants are provided, and (2) a survey of benthic ecological communities is performed to prevent the destruction of any important biological resources (e.g., marine plant beds).

Policy 1.1.6: The City has completed and will maintain a comprehensive stormwater management plan, the primary purpose of which is to minimize the impact of stormwater runoff on estuarine water quality. As part of the comprehensive stormwater management plan, the City will continue to conduct the following activities to minimize the impact of stormwater runoff on estuarine water quality:

- The City will incorporate an acceptable level of stormwater treatment in all newly designed stormwater systems.
- The City will perform maintenance activities in accordance with an annual work plan. The work plan will include but not be limited to the following activities:
- The City will conduct street sweeping at major intersections, along bike paths, paved alleys, curbed roads, and within all City owned paved parking lots. In the Viscaya industrial zoned area, the City will provide street sweeping once every month and will clean catch basins four times per year.

The City will replace deteriorated stormwater drainage pipe and stormwater inlets on an as-needed basis.

The City will periodically clean and inspect catch basins and stormwater pipes.

The City will maintain Engineering Design Standards for paved alleys and roadways.

- The City will require all property development to stabilize all areas not covered with structures, pavement, or landscape beds.
- The City will require all non-paved areas of street right-of-ways and areas within fifteen feet of seawalls to be permanently vegetated.
- The City will require the placement of silt screens on all construction sites to eliminate adverse impacts associated with erosion.
- The City will continue to participate with Lee County and other co-permittees in the NPDES process.
- The City will require applicants for clearing and development permits to provide a letter addressing NPDES standards, if applicable, prior to City inspections.

Policy 1.1.7: The City of Cape Coral will continue to extend sanitary sewer and potable water facilities to previously unserved areas of the City and will coordinate with private and county sources for the provision of solid waste facilities to meet the existing and projected needs identified within the Capital Improvements and Infrastructure Elements of this Comprehensive Plan, and consisted with the City Facilities Planning Report, prepared by Montgomery Watson Harza (MWH) in 2005.

Policy 1.1.8: The City will (as a cooperative effort with appropriate governmental agencies) continue to investigate the effectiveness and function of the spreader waterway systems in reducing the adverse environmental impacts of surface water discharge from Cape Coral into Matlacha Pass State Aquatic Preserve and will periodically evaluate whether improvements are needed in the spreader system to reduce measurable negative impacts on the Matlacha Pass Ecosystem.

Policy 1.1.9: The City will not permit the construction of interior waterway systems unless their primary purpose is:

- To provide stormwater management;
- Environmental enhancement; and
- Water supply.

Objective 1.2: The City will continue to monitor and inventory all ecological communities, and their component flora and fauna, especially endangered and rare species. The City will implement protective regulations; acquire land or take other actions that are deemed necessary to protect natural communities, listed species and their habitats.

Policy 1.2.1: By 2028, the City of Cape Coral will adopt regulations to ensure that, prior to property development, or habitat alteration, of any kind, owners of properties having viable native habitat which may contain habitat for protected species, undergoing significant development or habitat alteration, will be required to provide an environmental survey of their properties and undertake acceptable mitigation, as appropriate.

Policy 1.2.2: The City will notify state and federal agencies if activities suspected to be in violation of state and federal regulations are known to have been conducted.

Policy 1.2.3: The City will develop and maintain priorities for the acquisition for preservation of vulnerable coastal ecological communities, and acquire this land, either as part of its land banking program, as discussed in the Future Land Use and Recreation and Open Space Elements, or through other feasible methods.

Policy 1.2.4: The City will require a management plan for development other than development of a single-family residence for disturbance of habitat of any state or federally listed species. Any such management plan shall be consistent with Federal and State guidelines and management strategies relative, but not necessarily limited to: the Bald & Golden Eagle Protection Act (U.S. Fish & Wildlife Service); the Florida Scrub-jay Recovery Plan (USFWS); the Gopher Tortoise Recovery Plan (USFWS); and “Burrowing Owl Nest Protection Guidelines and Procedures in Urban Areas”, published by the Florida Fish & Wildlife Conservation Commission.

The City may require a management plan for development of a single-family residence in accordance with the Protected Species chapter of the City Code of Ordinances (Chapter 23).

Policy 1.2.5: The City will assist in the implementation of and compliance with all state and federal regulations concerning species listed as endangered, threatened, species of special concern, or commercially exploited by monitoring development activities, providing information on listed species in building permit packages, and assisting in investigations as requested.

Policy 1.2.6: To protect manatees, the city will cooperate in enforcement of boat speed zones within the City jurisdiction.

Policy 1.2.7: The City of Cape Coral will protect avian roosting, nesting and feeding areas in estuarine and upland environments through the development of regulations for tree and vegetation clearing.

Policy 1.2.8: The City will adopt and maintain, consistent with the provisions of section 163.3202 Florida Statutes, land development regulations to require that development and redevelopment of properties include the removal and ongoing control of invasive exotic pest plants.

Policy 1.2.9: The City will identify, quantify, and rank existing stormwater discharge sources and consider this data in the prioritization of Capital Improvements.

Policy 1.2.10: The City will continue its street sweeping and catch basin cleaning programs.

Policy 1.2.11: The City will maintain a program to ensure the integrity of vegetation in the swales within the City.

Policy 1.2.12: The City will continue to investigate the benefits and costs of adding hard substrate on the bottom of deep canals with substandard dissolved oxygen levels.

Policy 1.2.13: The City will investigate the benefits and costs of interconnecting saltwater canals for the purpose of providing flushing.

Policy 1.2.14: The City will maintain a program to manage aquatic vegetation in freshwater canals to maintain sufficient abundance to perform valuable environmental functions, but control excessive growth which inhibits recreational opportunities including recreational fisheries and navigation, hinders drainage, and can result ultimately in poor environmental quality. The City will coordinate this effort with the Lee County Hyacinth Control District.

Policy 1.2.15: The City will maintain a program of environmentally sound maintenance dredging to provide adequate depth for environmental flushing (sea water), surface water conveyance (saltwater and freshwater), surface water storage (freshwater), and depth for boats (sea water and freshwater).

Policy 1.2.16: The City shall require, as a condition of approval for Planned Development Projects, Planned Unit Developments and Site Development Plans a protected species survey, which reflects the current conditions (at the time of the review) on the development site. If listed species are known to inhabit or use the site, the applicant shall prepare a protected species management plan.

Policy 1.2.17: The City of Cape Coral will acquire land, as opportunity and resources allow for the purpose of preserving natural communities, listed species and their habitats.

Policy 1.2.18: The City will, as opportunity and resources allow, restore and enhance degraded natural areas on City-owned lands through activities such as the recreation of natural communities, restoration of natural hydrology, and the removal of noxious exotic vegetation.

Policy 1.2.19: In order to support the City's continued protected species coordination efforts with the Florida Fish and Wildlife Conservation Commission and the United States Fish and Wildlife Service, the City of Cape Coral shall require a protected species affidavit to be signed by the applicant prior to receipt of a development order application. This affidavit will identify whether gopher tortoises, burrowing owls, or bald eagles are located on-site, or on adjacent property(s), and establish if federal or state permits will need to be obtained for the protection of these species during construction activities.

Objective 1.3: Water Dependent/Water Related Land Uses: The City will adopt and maintain, consistent with the provisions of section 163.3202 Florida Statutes, land development regulations to direct the management of water-dependent facilities, including marinas and marine-related support facilities.

Policy 1.3.1: Future public use marinas will be allowed only in non-residential and mixed use zoning districts and public parks. For purposes of this policy, a public use marina is one that may be utilized by any boat owner, and which does not require membership or is not restricted to the residents or guests of a specific development.

Policy 1.3.2: The City will require that all work area runoff at new marina facilities will obtain any necessary permitting by the SFWMD and the FDEP.

Policy 1.3.3: Pursuant to S.163.3202, F.S., the City will require that prior to the operation of any new marina fueling facility, a fuel management /spill contingency plan will be developed and provided to the City for review as a condition of planned development project approval. Included in this plan shall be descriptions of methods to be used in dispensing fuel and all the procedures, methods, and materials to be used in the event of a fuel spill and shall meet State Fire Prevention Codes and the Rules of the State Fire Marshall's office.

Policy 1.3.4: The City will revise the Land Development Code, pursuant to S.163.3202, F.S., to require that all marinas will provide sewage pumpout facilities and facilities for proper handling of used oils and contaminated bilge water.

Policy 1.3.5: The City will maintain Land Development Code, pursuant to S.163.3202, F.S., that do not permit fueling or repair facilities within residential zoning classifications.

Policy 1.3.6: The City will require that proposed marina developments will demonstrate that they have sufficient upland areas to accommodate all needed support facilities including adequate parking, work areas, and retention areas for stormwater and work area runoff and have a hurricane contingency plan in place prior to approving such project.

Policy 1.3.7: During the Planned Development Project and Planned Unit Development process the City will request that marina facilities use dry storage.

Policy 1.3.8: Marina or boat ramp siting shall be consistent with the appropriate aquatic preserve management plan, where applicable.

Policy 1.3.9: Marina and boat ramp siting preference shall be given to areas where water depths can accommodate vessels with a four foot, or greater, draft, and to those facilities which are to be available for public use, and where economic need and feasibility can be demonstrated.

Policy 1.3.10: The City will consider consistency with the countywide marina siting plan, adopted on June 29, 2004, in the permitting of marinas. The City will also consider consistency with the general criteria of the Florida Fish and Wildlife Conservation Commission, Boat Facility Siting Guide, adopted August 2000, and as may be amended in the future:

- Expansion of existing facilities may be preferred over new facilities, if environmentally sound;
- There should be no impact to seagrass;
- Mitigation for seagrass destruction should not be allowed;
- Areas with adequate depth and good flushing which require no new dredging are preferable;
- Locations near inlets and popular boating destinations are preferable;
- Piling construction is preferred over dredge and fill techniques;
- Marinas should not be sited in essential manatee habitats; and
- Marinas should not be situated in areas with high manatee mortality occurrence.

Objective 1.4: Air Quality. Cape Coral will continue to meet or exceed the air quality standards established by the Florida Department of Environmental Protection (FDEP).

Policy 1.4.1: The City will regularly review reports of the air quality monitoring station in Cape Coral and take appropriate actions indicated.

Policy 1.4.2: Future industrial land uses will be required to locate in those specific areas identified on the Future Land Use Map as "Light Industrial" or, if compatible, "Mixed Use" to minimize the impact of industry on the current air quality of non-industrial areas.

Policy 1.4.3: The City will require industries to take appropriate measures to ensure that state and federal standards for air pollution are met as established by EPA by requiring that applicants obtain necessary state and federal permits. If state or federal standards are not met by an existing business proposing expansion or additional facilities, the City will deny further inspections to a violating business until such business is brought into compliance. This shall not limit any inspections for permits needed for activities that are necessary for the purpose of correcting a violation.

Policy 1.4.4: The City will lessen the potential impacts of automobile emissions pollution by:

(a) Promoting mixed use development by designating specific prime development sites for Mixed Use Development that combines residential land uses with commercial and professional land uses to reduce trip generation;

(b) Maintaining development standards, pursuant to S. 163.3202, F.S., to require vegetative buffer strips between arterial roadways and residential developments; and

(c) Pursuant to the Transportation Element, providing or encouraging alternative means of transportation such as car-pooling, public transit, and bicycle and pedestrian paths.

Objective 1.5: Surface Water. The City of Cape Coral will continue to pursue improvement to the quality of all surface waters within its jurisdiction.

Policy 1.5.1: The City will maintain or improve the environmental quality of Cape Coral's surface waters, littoral zone, nutrient input (terrestrial runoff, groundwater) aquatic plant management, and to protect the habitats of aquatic dependent species by encouraging the use of Best Management Practices. The Best Management Practices will be encouraged by distributing information to the citizens and will include the promotion of the following concepts:

- Voluntary fertilization and pesticide application reduction.
- Integrated Pest Management.
- Turf management practices, including mowing practices and irrigation.
- Preservation of areas of existing vegetation.
- Landscaping with appropriate native plants and limiting turf areas.
- Organic pest management.
- Proper hazardous material disposal.

Policy 1.5.2: The City will continue to conserve and protect its wetlands in accordance with standards set by FDEP and SFWMD. The City shall direct future land uses incompatible with protection and conservation of wetlands away from wetlands. The evaluation of incompatibility shall include the following factors for land uses: types, intensity, density, extent, distribution, and location of allowable land uses. The evaluation of incompatibility shall include the following attributes of the wetlands: types, value, function, size, conditions, and location.

Policy 1.5.3: The City has completed and maintains a comprehensive stormwater management plan, the primary purpose of which is to minimize the impact of stormwater runoff on the quality of Cape Coral's surface water and estuarine receiving waters. Level of Service Standards for drainage will be based upon SFWMD's *Basis of Review for Surface Water Management Permit Applications*.

Policy 1.5.4: The City will reduce the effects of septic tank seepage on surface water quality by extending central sewer service to all areas as rapidly as possible, in accordance with the adopted Utility Extension Program.

Objective 1.6: Canal Structures. The City will continue to maintain the design and function of all canal structures.

Policy 1.6.1: The City will inspect all canal structures for structural and functional integrity and take corrective measures as needed.

Objective 1.7: Ground Water Resources. The City will protect the quality of its groundwater resources and will maintain programs that have the goal of reducing the consumption rate (per dwelling unit) of potable water used for irrigation and other outdoor purposes from (2000) levels.

Policy 1.7.1: The City will continue to adhere to its interlocal agreement with the SFWMD, which requires the plugging of abandoned wells for the purpose of slowing the spread of saltwater intrusion.

Policy 1.7.2: The City will maintain its current policy requiring mandatory connection to sewer and water service when such service is provided, thus reducing the number of septic tanks and wells in use.

Policy 1.7.3: The City will commit to developing regulations that require the disconnection of private self-serve well water supply lines from irrigation systems when City irrigation water is connected.

Policy 1.7.4: The City will protect the functions of natural groundwater recharge areas through means identified jointly by the City and the SFWMD.

Policy 1.7.5: The City will incorporate and/or maintain water conservation measures into its land development regulations (adopted pursuant to F.S. 163.3202) and development orders for Planned Development Projects and Planned Unit Developments including, but not limited to:

- Adherence to the Standard Plumbing Code to require the use of water saving devices.
- Maintain provisions of the Land Development Code that strongly encourage the use of Florida Yards and Neighborhoods principles.
- Maintain a rate schedule to discourage wasteful use of potable water.
- Establishing conserving time of use restrictions for irrigation.

Policy 1.7.6: The City will continue to comply with, and enforce through its Code Compliance Program, emergency conservation measures as required by the South Florida Water Management District.

Policy 1.7.7: The City will monitor the potential to enhance recreational fisheries (e.g, stocking) and protect and create (e.g, artificial reefs and seawall habitats) fisheries habitats.

Policy 1.7.8: The City will confer with the Florida Fish and Wildlife Conservation Commission or the U.S. Department of Interior, Fish and Wildlife Service prior to granting land use approvals that would adversely impact a federal or state listed species.

Policy 1.7.9: The City will continue its policy of requiring all applicants for City building permits to complete an affidavit stating they have inspected the proposed building site for the presence of burrowing owl nests. The applicant shall be required to state whether state and federal permits to remove the owl burrows are needed or whether the development can be completed without removing the owl burrows, in which case the contractor shall accept full responsibility for protecting the owl burrows from actions of employees or sub-contractors.

Policy 1.7.10: The City will maintain a bald eagle protection ordinance with the intention of maintaining the bald eagle population in Cape Coral and the successful reproduction of the species in Cape Coral.

Policy 1.7.11: The City will accept and administer private donations of monies and real property for the acquisition and preservation of endangered critical habitat for all endangered and threatened species, and species of special concern, and environmentally sensitive lands within the City's jurisdiction. All funds and the earnings from such funds will be escrowed in a special account administered by the City Manager.

Policy 1.7.12: The City will cooperate with the State of Florida and the Federal Government to maintain the existing natural reservations in the State-owned preservation areas identified in the Recreation and Open Space Element of this plan. These natural reservations include the Four Mile Cove Eco Park and the Matlacha Pass preservation area, including the Matlacha Pass State Aquatic Preserve and the Matlacha Pass National Wildlife Refuge.

Policy 1.7.13: The City, in conjunction with Lee County, has begun development of a Regional Park site in northeastern Cape Coral, preserving an upland natural reservation of at least 250 acres as identified in the Recreation and Open Space Element of this plan.

Policy 1.7.14: The management of bays, estuaries, harbors, and unique vegetative communities that cross Cape Coral's borders will be coordinated with adjacent local governments including Lee County, Charlotte County, and the City of Fort Myers. Coordination activities may include interlocal agreements, public meetings, staff interaction, written notifications, and joint committees.

Policy 1.7.15: The City of Cape Coral, recognizing the Four Mile Cove Ecological Park area as a unique and irreplaceable example of an estuarine salt marsh, will continue to maintain and protect this vital state owned, city maintained property in its current capacity as a city park emphasizing passive recreation and nature study. To ensure the protection of this area, the City will continue to abide by all rules and regulations imposed by state authorities. The City will limit development within the park to projects such as boardwalks and displays which enhance the public's knowledge

of natural resources. The City will also review adjacent applications for development to minimize adverse impacts of development upon the park.

Policy 1.7.16: Recognizing the importance of the Matlacha Pass Preservation Area, including the Matlacha Pass State Aquatic Preserve and the Matlacha Pass National Wildlife Refuge, as representing a unique and vitally important estuarine mangrove community, the City of Cape Coral will continue to abide by all rules and regulations imposed by state authorities to ensure the protection of this area. To implement this policy the City will prohibit all development within the Preservation Area, except for providing public access for enjoyment of the natural area, and will review adjacent applications for development orders to minimize adverse impacts of development upon this unique area.

Policy 1.7.17: The City of Cape Coral recognizes the Yellow Fever Creek Headwaters Area, which is included in the Regional Park site in northeast Cape Coral (see Policy 1.7.13), as a unique upland habitat representative of the upland communities that were destroyed by the development of the City. The City commits itself to the restoration and protection of this area and development of a regional park for passive recreation uses that preserve the area, to the extent possible, in its natural and pristine state.

Policy 1.7.18: The City will discourage the destruction of natural systems by the recreational use of off-road vehicles on public and private property.

Policy 1.7.19: The City will continue to aggressively promote and maintain its established Florida Yards and Neighborhoods (FYN) Program. This program is a partnership of concerned citizens, members of the landscape industry, the University of Florida Cooperative Extension Service, the Charlotte Harbor National Estuary Program, Florida Sea Grant College Program and numerous environmental agencies. The program focuses on yards as the first line of water quality defense for our estuaries, rivers, lakes, and aquifers.

Objective 1.8: Public Awareness of Natural Resources. The City will maintain and expand a program to enhance public awareness of coastal and other natural resources in order to better understand the importance of these resources and the need for their proper management and conservation. Methods for increasing public awareness may include, but not necessarily be limited to, public presentations, presentations on the Cape Coral Government television channel, education programs, and publications.

Policy 1.8.1: The City will continue to coordinate with Lee County Environmental Learning Center, the Calusa Nature Center, the Cooperative Extension Service, the Cape Coral Friends of Wildlife, and other environmental education organizations to promote the value and conservation of coastal and other natural resources. This shall include, but not be limited to providing or receiving information for public presentations, education programs, and publications.

Policy 1.8.2: The City will educate the public on the value of natural resources, especially species of special concern, threatened, and endangered species, through interpretive displays and trails at recreation sites and parks.

Policy 1.8.3: The City will require that all Planned Development Projects and Planned Unit Developments, which include marinas, multi-slip facilities, and boat ramps having saltwater access post manatee awareness signs and information. This information shall be placed in locations highly visible to the boating public.

Policy 1.8.4: The City of Cape Coral will continue to support non-profit organizations such as Cape Coral Friends of Wildlife, for the purpose of promoting public awareness of native wildlife and natural habitats, and to provide volunteer habitat maintenance services in City publicly owned parks and natural areas. The City will also continue to support the organization's nature center and related activities at Rotary Park.

Objective 1.9: Mining Activities. The City will ensure that mining activities have a minimal impact on the quality of the environment.

Policy 1.9.1: City Land Development Code will be maintained, pursuant to s.163.3202, F.S., to require the use of buffering between mining sites and adjacent land uses to promote an aesthetically pleasing landscape compatible with existing and future land uses adjacent to the site.

Policy 1.9.2: The City will inform every applicant for a Planned Unit Development for any mining activities, including, but not limited to borrow pits, that state or federal permits may be required.

Policy 1.9.3: The City will require that Planned Unit Developments for mining activities shall be phased, when possible, in an attempt to assure that the land areas affected by such activities at one time shall be minimal.

Policy 1.9.4: The City will require that Planned Unit Developments for mining activities must provide a reclamation plan, to be approved by the City. Reclaimed lands must be returned in a usable state with complete vegetative cover of all disturbed areas and must conform to the Future Land Use Map and to the provisions of the Future Land Use Element.

Policy 1.9.5: The City will require that Planned Unit Developments for mining activities must, when necessary, include a performance bond or other financial security, assuring that environmental standards are met and reclamation is carried out to the full extent as a condition for approval.

Objective 1.10: Hazardous Waste Management. The City will continue to reduce its levels of hazardous wastes in accordance with the provisions stipulated by the State Solid Waste Management Act and will coordinate these activities on a City, County, and regionwide basis.

Policy 1.10.1: The City will coordinate with the Lee County Department of Solid Waste and the Lee County Pollution Prevention Program concerning the proper storage, recycling, collection, and disposal of hazardous wastes, and cooperate with the County household "Hazardous Waste Day" program in program promotion and provision of a temporary site within the City.

GOAL 2: Increasing public awareness of coastal natural resources and public access to coastal resources.

Objective 2.1: Public access to the coast. The City will continue to maintain or increase public access sites to the coastal zone.

Policy 2.1.1: The City will annually strive to acquire additional estuarine waterfront property for the purpose of establishing or expanding parks and public access locations, including boat ramps, as part of the land banking strategy specified in the Future Land Use Element, and in accordance with the needs identified in the Recreation and Open Space Element. Current waterfront parks will be maintained. Impact fees and user fees will be the principal sources of funding for these projects.

Policy 2.1.2: The City will conduct a user survey of the current public coastal access points to assist in determining the need for additional facilities. The City will evaluate the potential revenue generation and user acceptance of charging users of boat ramps, fishing piers, and parking a fee to fund acquisition or development of additional facilities.

Policy 2.1.3: All coastal public access development will be done in accordance with the objectives and policies of Goal 1 so as not to destroy or damage coastal natural resources.

Policy 2.1.4: The City will accept donations of shoreline lands suitable for use as public access facilities.

GOAL 3: Historic Resources. There shall be no loss of historic resources on City owned property and historic resources on private property shall be protected, preserved, or used in a manner that will allow their continued existence.

Objective 3.1: Protection of Historic Resources. The City will continue to identify the historic resources within its jurisdiction and will work to preserve and protect these resources for future enjoyment. To accomplish this task the City will consult and work with Federal, State, and local historical organizations and will, as opportunity, resources and preservation needs allow, acquire such historical resources and make them accessible to the general public.

Policy 3.1.1: Cape Coral will continue to cooperate with appropriate Federal and State agencies to protect identified historical and archaeological resources from vandalism and desecration, and to preserve them in a manner which promotes an understanding of historic and prehistoric peoples and their times.

Policy 3.1.2: The City will require that applicants for Planned Unit Developments that include undisturbed areas identified in the Archaeological Sensitivity map of Cape Coral as Sensitivity Level 1 or Sensitivity Level 2 perform an archaeological assessment and provide any appropriate mitigation as a condition of approval.

Policy 3.1.3: The City shall, as opportunity, resources, and preservation needs allow, acquire historical and archaeological resources and make them accessible, in a controlled manner, to the general public.

GOAL 4: Reducing Vulnerability to Disasters. The City will maintain programs designed to mitigate the damage to people and property in Cape Coral from the effects of natural or man-made disasters.

Objective 4.1: Evacuation. Consistent with The Lee Plan, Amended November 2021, Policy 72.1.5, the City of Cape Coral shall continue to fulfill its assigned role as specified within The Lee County Comprehensive Emergency Management Plan and its policies regarding hurricane evacuation.

Policy 4.1.1: The City shall coordinate efforts with Lee County to relieve deficiencies identified in the *Southwest Florida Region, Statewide Regional Evacuation Study Program for Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties*, prepared by the Southwest Florida Regional Planning Council in 2010 and will provide sufficient and appropriate personnel to implement and expedite the County's evacuation plan.

Policy 4.1.2: The Lee County and Cape Coral Comprehensive Emergency Management Plans shall be used as the operational guide in the preparation for and response to any natural or man-made disaster requiring emergency actions by local government officials.

Policy 4.1.3: Development review for projects within the coastal high hazard area shall consider significant impacts upon evacuation routes and sheltering, and shall require appropriate mitigation, if deemed necessary.

Policy 4.1.4: The City shall encourage early hurricane evacuation by residents in the Category A Evacuation Zone through cooperation with Lee County Emergency Management officials and the print and broadcast media in public awareness programs.

Policy 4.1.5: Critical roadway links causing congestion or subject to flooding or blockage on the City's evacuation routes shall receive high priority for capital improvement expenditures.

Policy 4.1.6: The City shall continue to lobby for the establishment or expansion of strategic routes within unincorporated Lee County or the region, which alleviate congestion and improve the City of Cape Coral's hurricane evacuation clearance times.

Policy 4.1.7: All future improvements to City maintained evacuation routes shall include solutions to roadway segments known to be prone to flooding, as identified in the Surface Water Master Plan or through other records.

Policy 4.1.8: The City shall encourage all City residents to know the Evacuation Zone and storm surge flooding zone of their dwelling unit.

Objective 4.2: SHELTER. The City will continue to coordinate with County and State emergency officials, the City of Cape Coral Charter School System and the Lee County Public School System to increase the amount of shelter space that is available to meet the needs of the City's general evacuation and special needs populations.

Policy 4.2.1: In order to mitigate evacuation shelter impacts caused by new development, the City of Cape Coral shall continue to participate in the Lee County All-Hazards Program. The Program includes a municipal services taxing unit (MSTU). Proceeds from the MSTU are used to meet emergency management and evacuation needs in unincorporated Lee County and member municipalities.

Policy 4.2.2: The Lee County Office of Emergency Management shall identify the special needs and special care populations of the City of Cape Coral, shall maintain an inventory of such special needs and special care populations, and shall endeavor to have the special needs of these populations met. The City of Cape Coral shall assist the Lee County Office of Emergency Management relative to special care and special needs populations and continue its procedures to inform persons with special needs of evacuation transportation and shelter services that may be available to them.

Policy 4.2.3: The City will continue to coordinate with County, State and Red Cross public education programs concerned with hurricane preparedness. City staff will periodically meet and work with Emergency Preparedness officials from the Red Cross, the Florida Division of Emergency Management and Lee County to exchange information and to assure that all information provided in the programs is valid. The hurricane preparedness programs shall include, but not be limited to, public presentations and publications.

Objective 4.3: Coastal High-Hazard Area. New public expenditures within the Coastal High-Hazard Area shall be limited to those needed for public health and safety, recreation and open space uses, public land acquisition, and the enhancement and protection of natural resources.

Policy 4.3.1: Cape Coral shall designate the coastal high hazard area as the sum of all of those areas which are within the storm surge flooding zone for a Category 1 hurricane as illustrated on Figure 4: *Coastal High Hazard Areas with Hurricane Evacuation Routes*, based on the *Southwest Florida Region, Statewide Regional Evacuation Study Program for Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties*, prepared by the Southwest Florida Regional Planning Council in 2010.

Policy 4.3.2: As of the adoption date of the City of Cape Coral 2050 Comprehensive Plan, new public expenditures within the Coastal High-Hazard Area shall be limited to those needed for public health and safety, recreation and open space uses, public land acquisition, and the enhancement and protection of natural resources.

Policy 4.3.3: The City shall not approve any future land use map amendment that would increase the maximum residential density within the coastal high-hazard area, unless one of the following criteria is met, in accordance with Section 163.3178(9), F.S.:

1. The proposed amendment would not exceed a 16-hour out-of-county hurricane evacuation time for a category 5 storm event, as measured on the Saffir-Simpson scale; or

2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

3. Appropriate mitigation is provided that will satisfy the provisions of either of the previous two paragraphs. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. For future land use map amendments initiated by a developer, the City and the developer shall enter into a binding agreement to memorialize the mitigation plan prior to adoption of the amendment.

Policy 4.3.4: The City shall maintain requirements for structural wind resistance at least as restrictive as those stated in the latest approved edition of the Florida Building Code.

Policy 4.3.5: In its evaluation of a zoning amendment for a property located within the coastal high-hazard area the City shall consider the objective of hazard mitigation, in addition to other planning considerations, such as, but not limited to, suitability or compatibility.

Objective 4.4: POST DISASTER REDEVELOPMENT. The purpose of the City post-disaster redevelopment programs shall be to speed post disaster recovery and reduce or eliminate the future risk to human life and property from natural hazards through recovery and redevelopment strategies, which ensure improved hurricane/disaster preparedness and recovery in the future. The implementation of such post-disaster redevelopment programs shall be the responsibility of the Development Services Department.

Policy 4.4.1: By December 31, 2023, the City will prepare a post-disaster redevelopment plan, and will recommend any appropriate amendments to the comprehensive plan, Local Comprehensive Emergency Management Plan, and other policies and procedures.

Policy 4.4.2: In responding to natural disasters, the City will prioritize activities consistent with guidelines contained in the Lee County and Cape Coral Comprehensive Emergency Management Plans.

Policy 4.4.3: As part of the post-disaster redevelopment plan, the City will establish guidelines to address the removal, relocation, or structural modification of damaged infrastructure, and the City's role in addressing privately owned unsafe structures. The City will also establish policies limiting redevelopment in areas of repeated damage.

Policy 4.4.4: The City shall continue to participate in the National Flood Insurance Program and shall conduct all activities necessary to meet the requirements of the program.

Policy 4.4.5: The post-disaster redevelopment plan will establish guidelines and procedures for evaluating the effectiveness of current hazard mitigation measures at preventing damage.

Policy 4.4.6: The post-disaster redevelopment plan shall include the establishment of guidelines and procedures for utilizing information obtained from damage assessment teams to expedite post-disaster recovery.

Policy 4.4.7: The post-disaster redevelopment plan shall include provisions for enactment of a temporary restriction on issuing permits for reconstruction and repair not immediately needed to protect the public health, safety and welfare.

Policy 4.4.8: The City shall prohibit rebuilding or redevelopment on any property within the coastal high-hazard area containing damaged structures if such rebuilding or redevelopment would increase the maximum residential density above that allowed for the subject property on the Future Land Use Map. Further, the maximum density allowed on any property shall be determined based upon the future land use classification of the subject property, as shown on the future land use map.

Policy 4.4.9: The post-disaster redevelopment plan shall establish criteria for evaluating the options for repairing, replacing, modifying or relocating public and private facilities and infrastructure within the coastal high-hazard area. Any actions chosen by the City of Cape Coral to repair, replace, modify, or relocate public facilities and infrastructure within the coastal high-hazard area shall be consistent with federal and state funding standards.

Policy 4.4.10: The post-disaster redevelopment Plan shall include guidelines and criteria for determining priorities for the acquisition of storm-damaged property in the coastal high-hazard area. These guidelines shall:

- 1) Give priority to eliminating unsafe conditions and inappropriate uses;
- 2) Be used to prioritize potential coastal acquisitions through the State's land acquisition program; and,
- 3) Be used to recognize pristine coastal properties or properties of significant or important environmental sensitivity.

Policy 4.4.11: The City of Cape Coral shall continue to implement its existing hazard mitigation programs that include building code and floodplain regulations, Land Development Code, zoning requirements, and the goals, objectives and policies of the City of Cape Coral Comprehensive Plan, as well as other applicable hazard mitigation measures. Recommendations of damage assessment teams, interagency hazard mitigation reports, or City, County, State or Federal emergency management agencies may be incorporated into one or more of these hazard mitigation programs at the discretion of the City. These mitigation programs shall be periodically amended to remain consistent with State and Federal requirements.

Objective 4.5: PERIL OF FLOOD. The City shall take extra precautions, listed below, to reduce the community's flood vulnerability in accordance with the State Peril of Flood Act.

Policy 4.5.1: The City of Cape Coral shall encourage the removal of coastal real property from the Special Flood Hazard Area, as defined in the Flood Insurance Rate Map, as may be amended. This shall be accomplished through the use of development and redevelopment best practices, strategies, and engineering solutions.

Policy 4.5.2: The City of Cape Coral shall be consistent with or more stringent than the flood resistant construction requirements of the Florida Building Code and federal floodplain management regulations set forth in 44 C.F.R., part 60.

Policy 4.5.3: The City of Cape Coral shall require that construction that is undertaken seaward of the coastal construction control line be done consistent with Chapter 161, Florida Statutes.

Policy 4.5.4: The City of Cape Coral shall identify site development techniques and best practices that may reduce losses due to flooding and claims made under issued flood insurance policies,

Policy 4.5.5: Development and redevelopment within Cape Coral shall include principles, strategies, and engineering solutions that reduce flood risk in coastal areas which result from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.

GOAL 5: Infrastructure. Public facilities will be adequate and available to serve the residents and visitors to Cape Coral.

Objective 5.1: Levels of Service. Maintain levels of service, service areas, and phasing of improvements for Cape Coral consistent with the other elements of this plan.

Policy 5.1.1: The levels of service, service areas, and phasing improvements for roadways will be those contained within the Transportation Element.

Policy 5.1.2: The levels of service, service areas, and phasing of improvements for sanitary sewer, solid waste, surface water management, potable water, and natural groundwater aquifer recharge will be those contained within the Infrastructure Element of this plan.

GOAL 6: Intergovernmental Coordination. The City will use intergovernmental coordination to protect environmental and coastal resources.

Objective 6.1: Natural Resource Management. Environmental and coastal resource management will address natural ecosystems on a system wide basis regardless of political boundaries by using existing formal and informal coordination mechanisms, or by establishing new formal mechanisms to ensure coordination.

Policy 6.1.1: The City will continue to cooperate with other government agencies concerning conservation issues via jointly funded research and management projects, coordinated review of development projects, and regularly scheduled or special meetings. Examples of coordination shall include, but not be limited to, jointly funded coastal research and management studies, and regularly scheduled or special meetings.

Policy 6.1.2: The City will continue to adhere to the Charlotte Harbor Management Plan and carry out its responsibilities under this plan. This shall include, but not be limited to a program evaluating and improving the effectiveness and function of the spreader waterway system with regard to the environmental impacts of surface water discharge from Cape Coral into Matlacha Pass State Aquatic Preserve, and a determination if improvements are needed in the spreader system to reduce any negative impacts on the Matlacha Pass and Charlotte Harbor ecosystem.

Policy 6.1.3: The management of bays, estuaries, harbors, and unique vegetative communities that cross Cape Coral's borders will be coordinated with adjacent local governments including, but not limited to, Lee County, Charlotte County, and the City of Fort Myers. Coordination may include, but not necessarily be limited to, interlocal agreements, public meetings, staff interaction, written notifications, participation in the Charlotte Harbor National Estuary Program, and joint committees.