

CONSERVATION AND COASTAL MANAGEMENT ELEMENT

GOAL I: TO PROMOTE PROTECTION, CONSERVATION AND USE OF NATURAL RESOURCES.

Objective A: The City of Freeport shall protect air quality by the continuous monitoring and enforcement of the adopted Land Development Code which contains specific measures for air quality protection.

Policy A.1: Streets shall be maintained at the level of service specified in the Traffic Circulation Element (See Goals, Objectives, and Policies) to ensure flow of traffic, reducing negative impacts on air quality.

Policy A.2: Industrial uses shall be limited to areas designated for industrial use as shown on the Future Land Use Map and described within the Future Land Use Element. Performance standards for industrial uses as stated in the Land Development Code shall be enforced.

Objective B: The City of Freeport shall protect water resources by the continuous monitoring and enforcement of the adopted Land Development Code and by complying with the applicable policies of the Northwest Florida Water Management District, Florida Administrative Code.

Policy B.1: Applicable water permits shall be obtained from the Northwest Florida Water Management District as required.

Policy B.2: The standards set in the Land Development Code for streams without established base flood elevations and/or floodways shall be enforced.

Policy B.3: The City shall cooperate with the Northwest Florida Management District in the event of Declaration of Water Resources Concern, as established in Rule 40A-2, 801, 802, Florida Administrative Code.

Policy B.4: The City shall demonstrate full consideration of the most current NFWMD Regional Water Supply Plan

when proposing and/or amending the Water Supply Facilities Work Plan.

Policy B-5: The City will continue to expand and encourage the use of reclaimed water in the City in order to discourage the use of potable water for irrigation purposes and thus reduce the dependence on the Floridan Aquifer.

Policy B-6: The City will continue to assess projected water needs and sources for at least a 10-year planning period in coordination with the NFWMD Regional Water Supply Plan.

Objective C: The City of Freeport shall conserve and protect soils and vegetative communities existing within the City by enforcement of the adopted Land Development Code which includes performance standards for development.

Policy C.1: Soil conservation practices shall be outlined in the Land Development Code, as suggested by the U.S. Department of Agriculture Soil Conservation Service, as part of the performance standards for development.

Policy C.2: Conservation practices regarding vegetative communities will be established and included in performance standards for development in the Land Development Code.

Objective D: The City of Freeport shall protect the wildlife and wildlife habitat within the City by the enforcement of the adopted Land Development Code which includes protective measures with the performance standards for development.

Policy D.1: Designated environmentally sensitive lands shall be protected based on locally determined criteria to be included in the Land Development Code.

Policy D.2: Nuisance, hazardous, or unsanitary conditions shall be controlled by enforcement of performance standards and level of service standards stated in the

Comprehensive Plan and in the Land Development Code.

Objective E: The City of Freeport shall protect environmentally sensitive resources by limiting development within and adjacent to those resources.

Policy E.1: Protected environmentally sensitive areas shall include wetland and shoreline habitat.

Policy E.2: Wetlands will be protected through the establishment of Wetland Protection Zones. These zones shall include areas within the wetland regulatory jurisdiction of the Florida Department of Environmental Protection and may also include areas within the jurisdiction of the U.S. Army Corps of Engineers.

Policy E.3: Shoreline habitat shall be protected through the establishment of Shoreline Protection Zones. These zones shall include that area from the point in waters where no emergent aquatic vegetation can grow landward to a point fifty (50) feet landward of the water's edge.

Policy E.4: No development activity shall be undertaken in Wetland Protections Zones or Shoreline Protection Zones, with the exception of:

- (a) activities presumed to have an insignificant adverse affect on the protected areas; and
- (b) water dependent activities.

Examples of activities presumed to have an insignificant adverse affect include, but are not limited to, wildlife preserves, cleared walking trails, wood piling bridges, and minor clearing of shoreline vegetation, and all activities in the Wetland Protection Zone and Shoreline Protection Zone shall be similar in extent and impact to these examples. Water dependent activities shall be designed, constructed, maintained and undertaken in a way that minimizes the adverse impact on the beneficial functions of the affected environmentally sensitive zone.

Policy E.5: When development cannot occur without degrading wetlands, the impacts shall be mitigated at a minimum ratio of replacement to destroyed wetlands of 1.5:1.

GOAL II: TO PROTECT THE FREEPORT COAST, THE BUILT ENVIRONMENT, AND THE CITIZENS THAT LIVE IN COASTAL AREAS OF THE CITY OF FREEPORT WHILE MAINTAINING AND IMPROVING THE NATURAL COASTAL ECOLOGY AND RESOURCES.

Objective II.1: Protect conserve and enhance coastal wetlands, living marine resources and other coastal wildlife habitats.

Policy II.1.1: Any stormwater detention or retention areas located near an estuary or estuarine systems or other water bodies within the City shall be designed so that the shorelines are sinuous rather than straight and so that water/land interfaces are curvilinear and maximize space for growth of littoral vegetation.

Policy II.1.2: Septic tanks shall not be permitted near any coastal wetlands, living marine resources and other coastal wildlife habitats until an applicant has received approval from the Florida Department of Health/County Health Department, and then only if there is no central sewer system available.

Policy II.1.3: The City shall coordinate and provide technical assistance to Federal and State agencies preparing applicable studies which will maintain and/or increase water quality, based on established water body classification.

Policy II.1.4: The City shall coordinate with the Choctawhatchee Basin Alliance (CBA), the Choctawhatchee Bay Estuary Coalition (CBEC) surrounding cities and counties to protect coastal wetlands, living marine resources and other coastal wildlife habitats that cross jurisdictions while providing adequate sites for water dependent uses, prevent estuarine pollution, control surface water runoff, reduce exposure to natural hazards and ensure public access.

Policy II.1.5: New developments shall restore and replace native vegetation that is displaced due to construction where appropriate.

Policy II.1.6: The City shall continue to protect Outstanding Florida waters located within the City. Components of this protection include but are not limited to public ownership of

conservation areas, stormwater management requirements and implementation of the coastal wetland provisions of this Element.

Objective II.2: During the development review process for development and redevelopment along shoreline areas, a shoreline use shall not be approved if it decreases the amount of legal public access to the Choctawhatchee Bay and its tributaries. Shoreline land uses shall not be allowed unless they ensure protection of Federal or State threatened, endangered or species of special concern and their associated habitat, grass beds, oyster beds, recreational and commercial fisheries, and improve or maintain estuarine, surface and groundwater quality.

Policy II.2.1: Priority for depicting coastal land uses on the Future Land Use Map Series shall be as follows:

1. Conservation or recreation
2. Public Access
3. Water-dependent commercial or industrial
4. Residential
5. Water-related commercial or industrial

Policy II.2.2: Development or redevelopment of coastal land uses shall:

1. Locate, to the extent possible, on existing upland areas.
2. Be constructed to conform to state and local coastline construction building codes.
3. Construction within the special flood hazard areas shall be consistent with the Freeport Floodplain Management Ordinance and other application policies and regulations of the freeport Comprehensive Plan and the Freeport Land Development Code.
4. Demonstrate that existing public utilities, infrastructure and services are in place to support the proposed use

Policy II.2.3: All new, expanded or redeveloped marinas shall comply with the following criteria:

1. Demonstrate the presence of upland areas that are large enough to accommodate all required utility and support facilities and provide enough parking to satisfy the projected demand based on the City's parking regulations.
2. Provide a hurricane mitigation and evacuation plan.

3. Be located in proximity to existing channels so that minimum or no dredging shall be required for provision of docking facilities.
4. Have available sewage treatment facilities to serve the anticipated volume of waste consistent with the City's adopted level of service standards for sanitary sewer facilities.
5. Delineate immediate access points with channel markers that indicate speed limits and any other applicable regulations.
6. Be sited in areas consistent with the Future Land Use Map (FLUM).
7. Locate in areas away from sea grass beds, oyster reefs, marsh grasses and other important fish and shellfish spawning and nursery areas; and require adequate water depth to accommodate the proposed boats use without disturbance of sea grasses and submerged habitat.
8. Demonstrate a public need.
9. Dry storage and other land-based alternatives are preferential to dredged basins wherever feasible.
10. Use of hazardous materials shall be located or stored on the uplands to the maximum extent possible.
11. Facilities accommodating live-a-boards shall have permanent built-in connections for sewage pump-outs as well as upland restrooms and laundry facilities.

Policy II.2.4: The City shall encourage existing development and require new development to plant or replant native vegetation where appropriate including sea grass beds and other types of shoreline, aquatic and upland vegetation.

Objective II.3: To coordinate with appropriate jurisdictions to protect coastal flood areas. Development and redevelopment within a coastal floodplain shall use construction techniques that protect the planned and existing development from flood hazards, maintain the natural function of the floodplain and the natural flow functions of wetlands and minimize development impacts to natural wildlife habitats.

Policy II.3.1: Construction that occurs within the FEMA regulated floodplain shall be regulated in the Land Development Code using the following guidelines:

1. Development in the FEMA V-Zone shall be consistent with the City's Floodplain Management Ordinance contained in the Freeport Land Development Code.
2. Requirements for construction that protect health, safety and property: Construction requirements shall be consistent with those recommended by the Federal Emergency Management Agency (FEMA) I Chapter 44 Code of Federal Regulations for V and VE zoned construction and the Florida Building Code. Requirements shall protect the natural functions of floodplains, including:
 - a. Structures and sewage disposal systems shall be clustered on the non-floodplain portions of the site unless the property owner would be denied reasonable use of their property.
 - b. All structures in V and VE zones shall be elevated to the Base Flood Elevation (BFE) established by the applicable FEMA Flood Insurance Rate Map (FIRM), consistent with the technical requirements of the Freeport Land Development Code. And FEMA's guidelines for implementation of the National Flood Insurance Program.
3. Consistency with water quality and quantity standards of the stormwater management level of service established by the City of Freeport.

Objective II.4: To protect the City's population from the effects of hurricane storm damage by limiting development within the Coastal High Hazard area (CHHA).

Policy II.4.1: The Coastal High Hazard Area (CHHA) is defined as the area below the elevation of the Category 1 storm surge established by a Sea, Lake and Overland Surges of Hurricanes (SLOSH) computerized storm surge model. The following provisions shall apply to development within the CHHA:

1. New assisted living developments, group living quarters, hospitals, correctional facilities or other similar developments are prohibited within the CHHA.
2. Except as provided in (1) above, there is no prohibition of development or redevelopment seaward of the Coastal Construction Control Line, provided that the development

- has received State and/or Federal permits for construction and development.
3. Any structure that sustains more than 50% damage from coastal storms may rebuild, provided the redevelopment meets the current building code and Land Development Code requirements.
 4. Sizing of infrastructure shall be consistent with that needed to support the densities and intensities stashed by the Plan for those areas within the CHHA.

Policy II.4.2: No public infrastructure shall be allowed in the CHHA, except for that needed to provide public access to the shoreline, to serve public parks that have been approved by the City or by state and federal agencies and to protect or enhance natural resources. Provision of water and sewer service at private expense to existing lots of record is permitted as long as such provision does not result in conflict with policies for FDERP permit requirements for the CCCL, criteria for determining when structures can be rebuilt; CPZ requirements in the Plan and land development regulations and the state policy to limit public expenditures that subsidize development permitted in the CHHA, except for enhancement of natural resources.

Policy II.4.3: New public infrastructure that is necessary within the CHHA shall be planned, sited and constructed in such a way to minimize impacts to wetlands, coastal marshes and surface waters.

Policy II.4.4: The creation of new lots or parcels (through platting, lot splits or other methods) that lie entirely within the CHHA is prohibited. The creation of new lots contiguous to or partially within the CHHA shall be prohibited unless the newly created lot contains sufficient buildable area outside the CHHA for the intended use. The extent of the CHHA on any property proposed for development shall be determined by a Florida licensed surveyor in accordance with the following criteria:

1. The CHHA shall be consistent with the definition of the CHHA in Section 163.3178(2)(h) F.S.; and
2. The location of the CHHA shall be consistent with the Category 1 hurricane surge area as depicted in the latest version of the Florida Statewide Regional Evacuation Study Program.

Policy II.4.5: Limit densities and intensities of land uses within the CHHA to protect people and property. Such limitations Such limitations will assure generalized low density use of land within the CHHA of the City of Freeport.

Policy II.4.6: New development and redevelopment shall comply with current Florida Building Code construction standards and with the Freeport Land Development Code's Conservation/Coastal Management provisions.

Policy II.4.7: The City shall consider the relocation, mitigation or replacement of infrastructure currently present within the CHHA where state funding is anticipated to be needed as identified in the Local Mitigation Strategy (LMS) Priority List.

Policy II.4.8: Reduce the exposure of human life and public and private property to natural hazards through implementation of the current Local Mitigation Strategy Plan.

Policy II.4.9: The City shall maintain an inventory of areas within the City that have experienced repeated damage from coastal storms and shall seek grant funding or assist property owners to limit redevelopment in these areas.

Policy II.4.10: If a cultural, archeological or structural resource identified on the Florida Master Site File is located within the area to be developed, the City shall require a site-specific survey and avoidance during construction or mitigation. The City will require the cessation of land disturbing activities anytime artifacts with potential historical significance are revealed during construction activities. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. The cessation may be lifted upon such determination. Normally, determination will be made by those approved to make such determination by the Office of the Secretary of State, Division of Historic Resources.

Policy II.4.11: The City shall allow no new development in the Coastal Area (or elsewhere) unless Level-of-Service (LOS) standards are maintained, and infrastructure needs are fulfilled in compliance with the City's concurrency management system.

Policy II.4.12: The City shall work with the Local Mitigation Strategy Working Group to identify and prioritize coastal properties

so that they may be acquired as part of the state's land acquisition programs subject to property availability by willing sellers. Priority will be given to properties subject to repetitive flood losses, environmentally sensitive properties subject to development pressure, and properties subject to coastal flooding.

Objective II.5: To enable timely and safe hurricane evacuation. In order to reduce hurricane evacuation times, the City shall cooperate with the Florida Department of Transportation (FDOT) in the widening of SR 20. Priority will be given to this critical roadway link.

Policy II.5.1: The City shall ensure that the roadway improvements, identified in the Infrastructure Element are consistent with the Capital Improvement Element of the Freeport Comprehensive Plan and are constructed in order to reduce hurricane evacuation times.

Policy II.5.2: The City of Freeport shall annually review evacuation routes to assess what improvements should be included in the Capital Improvement Program, amended to the Capital Improvement Element and Transportation Element, as well as the FDOT Five-Year Work Program.

Policy II.5.3: The City shall continue to support critical road segment improvements through participation with the Florida - Alabama Transportation Planning Organization and interaction with the Florida Department of Transportation to further reduce and improve hurricane evacuation times.

Objective II.6: To enhance and accommodate post disaster redevelopment in order to reduce or eliminate exposure of human life and public and private property to natural and manmade hazards, the City shall implement the recommendations of the County's Local Mitigation Strategy (LMS) and prepare a post-disaster redevelopment plan.

Policy II.6.1: The following post-disaster actions shall be considered short-term recovery measures:

1. Damage assessment to meet post-disaster assistance requirements and to aid in post-disaster redevelopment decisions;
2. Debris removal;

3. Emergency protection measures including repairs to water, sewer, electric and other public utilities to restore service;
4. Public assistance including temporary housing, provision of food, water, toilets, and clothing.

Policy II.6.2: The City shall ensure that all new construction and structures that are substantially altered or repaired are in conformance with the City's Floodplain Management Ordinance, the Florida Building Code.

Policy II.6.3: The City shall encourage and facilitate the retrofitting of existing habitable structures to comply with or exceed the current windborne debris and flood protection standards of the Florida Building Code through public information and education that informs property owners of the benefits of retrofitting structures with shutters and elevating existing structures within flood zones.

Policy II.6.4: The City shall encourage construction of safe rooms in new and existing residential structures that are outside the hurricane vulnerability zone.

Policy II.6.5: The City shall enforce all provisions of the Florida Building Code in addition to provisions of local construction standards.

Policy II.6.6: The City, during post-disaster redevelopment, shall mitigate the potential threats of disaster to the greatest extent possible in order to avoid future loss of life, property and investment.

Policy II.6.7: The City shall actively seek funding for, participate in and implement post-disaster redevelopment plans and mitigation planning programs.

Policy II.6.8: The City shall utilize various local, regional, state and federal funding sources to develop and implement the Local Mitigation Strategy project priorities.

Objective II.7: Maintain Freeport's Emergency Management Plan to reduce or eliminate the exposure of human life and public and/or private property to natural hazards.

Policy II.7.1: Freeport's Emergency Management Plan shall be used as the operational guide to prepare for the response to and

recover from, a tropical storm, hurricane and/or other natural or manmade disasters.

Policy II.7.2: Freeport shall review and update the Freeport Emergency management Plan every four years or as needed and shall reevaluate the Plan for its efficiency after a major natural disaster event. Appropriate modifications shall be adopted upon findings in the review.

Policy II.7.3: The City shall coordinate the Freeport Emergency Management Pan with surrounding counties and communities.