



**| ORDINANCE 34-24**  
**Planning and Zoning Presentation**  
**May 1, 2024**

# **Section 5.4.8 of the Land Development Code**

**The reason for the proposed change is to allow City owned properties with 85 linear feet or more of water frontage on a saltwater waterbody the opportunity to construct either a seawall bulkhead or a form of alternative shoreline stabilization.**

**This will allow the City to determine which form of shoreline stabilization will be best suited for City owned properties to minimize destruction to natural ecosystems.**

**Properties with less than 85 linear feet of water frontage are not included to provide continuity for shoreline stabilization methods in relation to adjacent sites.**

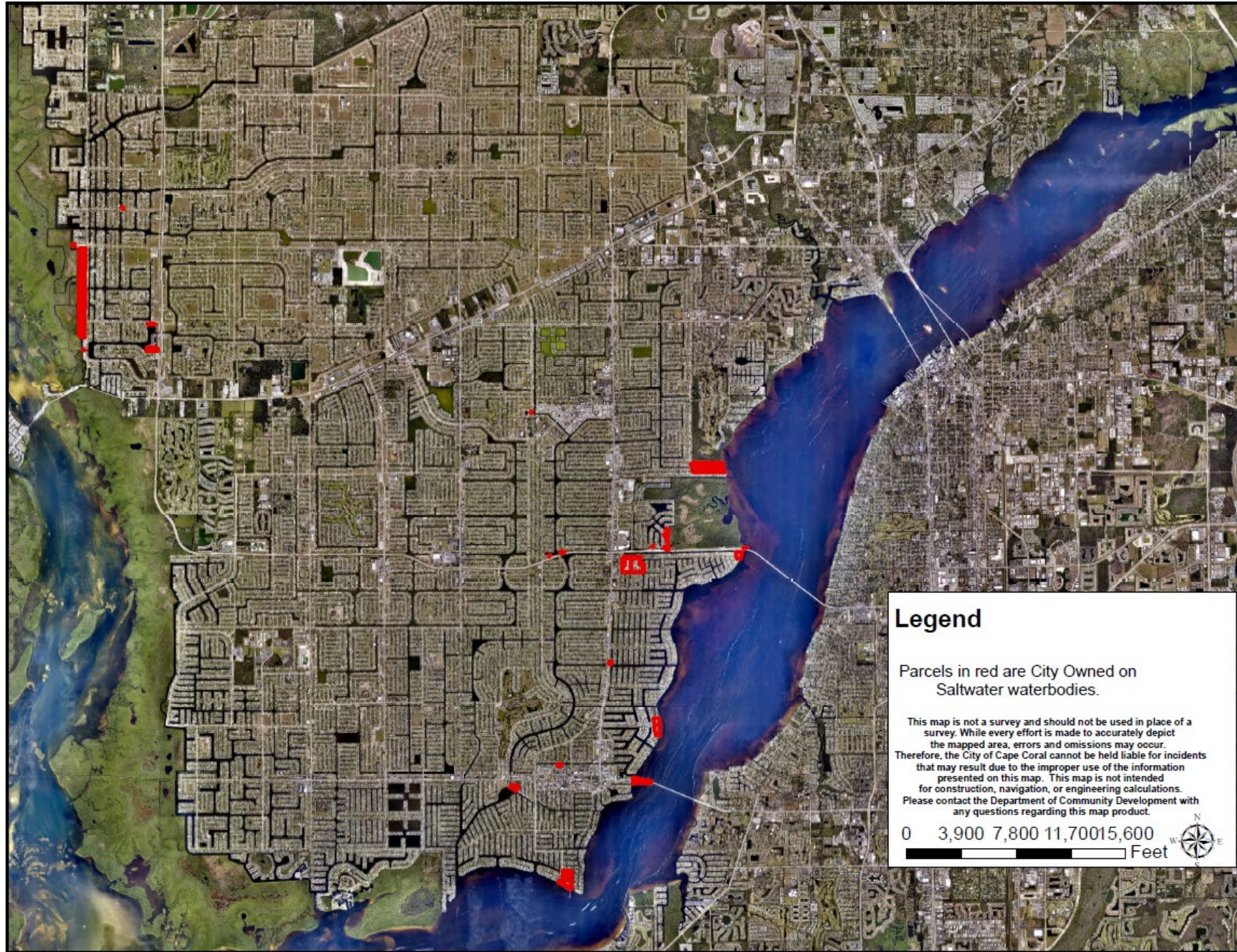
# Proposed change to Section 5.4.8 of the LDC.

## Section 5.4.8. Bulkheads, seawalls, and retaining walls.

A. Saline or brackish water; mandatory seawalls. ~~All~~ Except as provided in Subsection A.1., all parcels having frontage or direct and immediate access to frontage on any saline, brackish, or tidally influenced canal or other body of water within or bordering the boundaries of the city is are required to have constructed on ~~it~~ them, at the owner's expense, a seawall bulkheading the entire frontage exposed to contact with the water. Seawalls shall be structurally maintained at owner's expense so as not to cause a nuisance or hazard to safety.

1. Alternative shoreline stabilization: Parcels owned by the City of Cape Coral, or for projects in which the City is serving as the permit applicant, where the parcel has eighty-five (85) feet or more water frontage, are required to have constructed on them either a seawall bulkhead or alternative shoreline stabilization along the water frontage. Proposed plans shall be reviewed and may be approved by the Public Works Director for a seawall bulkhead or alternative shoreline stabilization. Notwithstanding the foregoing, all applicable permits from local, state, and federal agencies shall be obtained prior to the commencement of construction.

# City owned properties on saltwater waterbodies



# Comprehensive Plan

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 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 2.1.3: 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.

# **Recommendation:**

**Planning Staff recommends approval.**

# **Correspondence:**

**Prior to P&Z, staff did not receive any public correspondence.**

**The intro is scheduled for 05/15/2024**

**Public hearing date is scheduled for 06/05/2024**

Thank you

