

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 98- 20**

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING THE FORT MYERS BEACH "FLOODPLAIN MANAGEMENT AND FLOOD HAZARD MITIGATION PLAN."

WHEREAS, the Town of Fort Myers Beach is subject to the threat of flooding because of its characteristics as a barrier island; and,

WHEREAS, the damage caused by flooding continues to be a threat to the financial and economic stability of the community;and,

WHEREAS, it is in the best interest of the community to develop a comprehensive plan to address the issues associated with the flood hazard,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA,that:

1. The "Floodplain Management and Flood Hazard Mitigation Plan", attached hereto, is hereby adopted as the official plan of the Town of Fort Myers Beach.
2. That the respective parties and individuals identified in Section IV of the plan are hereby directed to implement the recommended activities and to continue to develop additional activities to be recommended for implementation.

The foregoing Resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result of which was as follows:

Anita Cereceda	<u>aye</u>
Ray Murphy	<u>aye</u>
Garr Reynolds	<u>aye</u>
John Mulholland	<u>aye</u>
Dan Hughes	<u>aye</u>

DULY ADOPTED this 14th day of September, 1998

ATTEST:

TOWN OF FORT MYERS BEACH

BY Marsha Segal-George
Marsha Segal-George, Town Clerk

BY Anita T. Cereceda
Anita T. Cereceda, Mayor

BY Richard V.S. Ropsa

Richard V.S. Ropsa, Town Attorney

**FLOODPLAIN MANAGEMENT
&
FLOOD HAZARD MITIGATION PLAN**

For the

TOWN OF FORT MYERS BEACH

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I. GENERAL INTRODUCTION:

When Fort Myers Beach incorporated in the summer and fall of 1995, and began its separate existence in January of 1996, there were many readily apparent tasks which the residents, Council and staff set out to address. The development of a cohesive plan to address the problem of flooding on this barrier island was not one of the articulated goals of the early months but rather it grew out of the diverse efforts of different groups, each involved in their own separate tasks. The need for, and the characteristics of a “Town Plan” to deal with the problem of floods and flood losses, evolved out of the combined experiences of;

1. The Comprehensive Plan process. This effort, spearheaded by the professional planners at Spikowski & Associates, was mandated by the terms of the Town Charter. In the course of their efforts to guide the Town through the process of developing our own Comprehensive Plan they engaged in numerous open public meetings at which time it was possible to obtain from the public valuable input and direction. The results of that process, as it relates to the ultimate development of this plan, was Element 4 (the Future Land Use Element), Element 5 (the Coastal Management Element), Element 6 (the Conservation Element) and Element 9 (the Stormwater Management Element). **See Exhibit A.**
2. The Local Planning Agency. This group of resident volunteers, appointed by the Town Council, sits as the primary reviewing agency for a multitude of land use cases and issues. It was also the lead agency in the development process for the Comprehensive Plan. The problems of land development and the re-development of blighted properties in flood prone areas became obvious to this group early on. This group has engaged in numerous public hearings and meetings throughout the course of this process. **See Exhibit B.**
3. The Marine Resources Task Force. This group of resident volunteers, also appointed by the Council, took on a variety of issues during the second year of the Town’s existence. The need for Beach and Dune restoration and protection was, and continues to be, one of their highest

priorities. Like the Local Planning Agency, this group has a long history of public hearing and meetings. **See Exhibit C.**

4. The Public Safety Task Force. Our latest group of volunteer appointments has taken on various issues related to the quality of life enjoyed by our residents. The aftermath of a natural weather related disaster has been, and continues to be, one of the areas of special attention for this group. Both the Sheriff's Office as well as the local Fire Control District have permanent staff appointments to this committee.
5. Inquiry from the general public. Based on the volume and types of calls that Town staff was dealing with it became obvious that the issues of flood hazard protection needed to be addressed as a separate item of interest. These inquiries, coupled with the proactive approach taken by the Council led Town staff to investigate the possibilities in this regard.
6. Interaction and Communication with other local governments. The regular day to day involvement with various aspects of the County government as well as with other neighboring cities revealed the need to begin to develop our own "Town Plan" for the problems associated with flooding.

As a result of the shared experiences of these groups and individuals a natural process took place in which the development of this plan occurred. The "Plan" which has resulted from these separate efforts has been designed to comply with the stated goals of the residents and Town Council as set out in the Town of Fort Myers Beach Comprehensive Plan. Public input on the final formalized version of the plan was solicited during a regularly scheduled meeting of the Town Council on 8-31-98. **See Exhibit D.** The "Plan" will be coordinated by the Deputy Town Manager but will be implemented by the various parties identified in Section IV herein.

II. ASSESSING THE HAZARD:

Attached you will find a map of the Island which indicates the location of the previously designated “repetitive loss properties”. These properties are also identified by address. **See Exhibit F.** The Town is located on Estero Island which is a barrier island located off the coast of Lee County. The entire Island is located within the floodplain. The Island is bounded on the west and south by the Gulf of Mexico and on the east and north by Estero Bay. It is approximately 7 miles long and averages ¼ mile wide. As is evident from the depiction, the entire Island can be considered to be within the area of the “known flood hazard”. An historical overview of the causes for the past flood losses reveals the following;

1. 8-21-81 Tropical Storm Dennis, a tropical system which passed to the east of the Town
2. 6-18-82 the No-Name Storm, a subtropical storm which produced unexpected high storm tides and over 8.5 inches of rain over a three day period.
3. 7-23-85 Tropical Storm Bob, a tropical system which produced storm tides and over 7 inches of rainfall in certain areas.
4. 8-30 thru 9-1-85 Hurricane Elena, a tropical system which produced just under 2 inches of rain and a storm tide due to an on-shore wind flow of tropical storm strength as it remained off shore.
5. 10-31-85 Hurricane Juan, an extra-tropical system which produced a storm tide as the storm’s center went ashore.
6. 12-31-86 & 1-1-87 Abnormally high tides, the highest tides recorded in a 10 year period.
7. 11-22 thru 23-88 Tropical Storm Keith, a storm with both tropical and extra-tropical characteristics which, combined within an astronomical high tide, produced a high storm tide.
8. 3-13-93 Storm of the Century, a cold core low from the continental U.S. which produced a “northeaster” type weather condition causing significant coastal erosion and flooding damage within the Town.

III. ASSESSING THE PROBLEM:

Within the borders of the Town there are approximately 7,000 single family and residential condominium units as well as approximately 200 commercial units. Critical facilities include a Fire Station, a Sheriff Office Sub-station, two bridges (one at either end of the Island),an Elementary School and four private medical centers as well as Town Hall. **See Exhibit G.** All of these structures should be considered to be within the known flood hazard area. The Town is almost entirely built out. As a result, an integral part of this plan is the ongoing assessment of structural re-development and population movement Island-wide and how it could affect the potential for flood losses in the future.

IV. THE ELEMENTS OF THE PLAN:

In order to assure that the problems associated with flooding are dealt with in the most comprehensive manner possible, the Town Plan consists of the following 7 essential elements. Each element identifies a particular type of activity, including both long-term and short-term activities, that have been recommended for implementation or are already in the process of being implemented.

1. Local Constraints. This local regulation activity is designed to prevent development and re-development in the flood prone area from becoming more of a problem. The Town has already adopted Town Ordinance 96-19, a post-disaster recovery ordinance, which is designed to guide reconstruction and mitigation following a natural disaster such as a flood. **See Exhibit H.** In addition to this ordinance the Town has undertaken a review of the Land Development Code relative to development within the Town. As a result of this review, the LDC has already been modified to tighten requirements relative to heights, modified to further restrict the allowable hotel/motel density calculations, modified to remove certain zoning exceptions relative to mobile homes and recreational vehicles, and modified to enhance and encourage the development of a dune system on the Island. **See Exhibits I & J.** It is anticipated that a complete revision of the LDC will be concluded by the summer of 1999. In addition to these efforts it has been our recommendation that the Town apply strict adherence to the Comprehensive Plan, elements 4,5,6 and 9. We also recommend strict compliance with the Coastal Construction Control Line Program and the building standards and regulations contained therein. We are also recommending strict compliance with the various Stormwater Management Regulations and Drainage System Maintenance Regulations set out in more detail in Activity 430 and 450 of the NFIP/CRS Application. Implementation of this element is primarily the responsibility of Code Enforcement and other permitting personnel operating within our Department of Community Development. Funding for these efforts is a function of the Town's general fund.
2. Beach Renourishment. This structural projects activity could greatly increase our ability to keep the floodwaters away from the vulnerable portions of the Island. The Town has recently completed an independent

evaluation of the feasibility studies commissioned by the County prior to our incorporation. We have now committed to move forward with the County and State in a joint project which should result in an Island wide renourishment. **See Exhibit K.** Funding for this project has become an integral part of our five year capital improvement budget. **See Exhibit L.** The entire length of the Island will then experience a dramatic increase in buffering sands and this will substantially improve our ability to mitigate flood damage. Implementation of this element is primarily the responsibility of the Town Staff. Funding for these efforts will be a joint effort between the county-wide Tourist Development Council, Lee County and the Town. The Town's portion will be provided either from the Town's general fund or a separate assessment. It is anticipated that the planning and design portion of this project will be completed by the summer of 1999.

3. Dune and Beach Maintenance. A natural resource protection activity that should help restore the natural function of the shoreline for flood protection. Together with the efforts set out in element 2 above, the Town has embarked in an effort to fortify the natural dune and beachfront areas within the Town. We have, and will continue to work with the County, through the Coastal Advisory Council, in efforts to develop and implement a 10 year beach erosion control plan. Implementation of this element is primarily the responsibility of Town Staff with the help of the Marine Resources Task Force. Funding for this element will be provided from the Town's general fund.
4. Retrofitting. This private property protection activity can be undertaken by property owners with the help and assistance of the Town. The Town is examining the feasibility of retrofitting, including but not limited to elevation and floodproofing , repetitive loss properties using local, state or federal resources. We have already initiated an outreach program to each of the repetitive loss property owners in order to better catalogue the extent and type of loss previously sustained as well as to better evaluate the nature of improvements made by property owners since the time of their last loss. **See Exhibit M.** This program has been very well received by the public. An additional part of this outreach program will be to periodically send the property owners information on ways to reduce the possibility of flood losses. We anticipate having a complete inventory and catalogue of our repetitive loss properties by the spring of 1999. Implementation of this element is primarily the responsibility of our Building and Permitting personnel as well as Code Enforcement and Town Staff. There is no significant funding obligation associated with

this element. Another property protection activity that has been investigated is land acquisition. Unfortunately, because of the high price of most improved island properties, purchase by the Town is unlikely.

5. Information Outreach. This public information activity is designed to advise property owners as well as potential property owners about the flood hazard associated with life on a barrier Island. The Town will continue its efforts to help disseminate information to the community on the issue of flood losses as well as the need for and availability of Flood Insurance. The primary vehicle for this outreach effort is the “Flood Facts” brochure. **See Exhibit N.** Implementation of this element will primarily be the responsibility of Town Staff together with the Public Safety Task Force, Funding for this element will be provided from the Town’s general fund.
6. Drainage System Maintenance. This structural project activity is designed to help maintain the beneficial results of existing drainage system in order to keep the flood waters away from vulnerable properties. The Town has an ongoing program for the inspection and repair of this system. **See Exhibit O.** Implementation of this element is primarily the responsibility of the volunteer Road Posse along with Town Staff and the Staff of Lee County D.O.T. Funding for this element is provided by the Town’s previously collected State Revenue Gas Tax.
7. Flood Warning Program. This emergency service activity is designed to receive and disseminate advance warning information relative to the potential for a multitude of hazards. The County run program provides county-wide protection and coverage and maintains a 24 hour-a-day capacity. Implementation of this element is primarily the responsibility of the staff of the Lee County Emergency Operations Department. Funding for this element is provided, in part, by Town taxpayers by way of the County ad valorem tax.

V. INTERGOVERNMENTAL COORDINATION

In order to insure that the Town's efforts have the greatest chance for success we have asked that neighboring agencies review and comment on a draft form of the Plan. **See Exhibit E.** In addition to the efforts which will be undertaken at the Town level, and which are enumerated as elements 1-6 of the Plan, the Town is also involved in many intergovernmental efforts in order to address this issue on a larger scale. We understand that no effort to deal with the problems associated with flooding can be truly successful unless approached on both a local level, and on a more regional level. This approach will allow us to bring to bear not only our resources, but the combined resources of the Town, the County as well as other neighboring municipalities. For that reason we have elected to participate in two separate efforts which will run concurrently with the local effort. These efforts are;

1. Local Mitigation Strategy. This is a pro-active program developed by the Department of Community Affairs. We have entered into a joint agreement with the County and our neighboring cities to participate in this program. This will allow us to develop, on a voluntary basis, a plan to promote hazard mitigation, manage post-disaster recovery, and promote long term redevelopment.
2. National Pollutant Discharge Elimination System (NPDES). This multi-jurisdictional effort is aimed, in part, at reducing and controlling the problem of stormwater runoff. Because of the topographic configuration of the Island we often experience flooding during even moderate storms. The ability to modify and or enhance our existing system for dealing with stormwater runoff would greatly improve our chance of avoiding flood damage associated with our seasonal storms.

Also, see Exhibit E.

VI. GOALS OF THE PLAN

While most of the goals of the Town are articulated in great detail in the Comprehensive Plan, those goals, as they relate to Floodplain Management and the Flood Hazard Mitigation Plan, can be summarized as follows:

1. Preserve, restore and renourish the beachfront in order to protect the Island from waves and tidal surges.
2. Protect lives and property from the flood hazards associated with rain and surges through education and communication of the nature of the hazard and the possible mitigation options.
3. Insure strict adherence to the existing and developing land use regulations in order to minimize the possibilities of flood damage.
4. Develop procedures and programs to insure a continuous cooperative effort between the Town and its neighbors to maximize the pre and post hazard event options.

VII. ADOPTION

The “plan”, which has evolved out of the various and diverse activities of the staff, resident volunteers and Council in their effort to address the needs of the community, will be presented to the public for consideration at a regularly scheduled meeting of the Town Council on 8-31-98. **See Exhibit D.** Adoption of this plan will be by Resolution of the Town Council at their next regularly held meeting on 9-14-98. **See Exhibit P.**

VIII. MONITORING

Ongoing monitoring of this plan is essential in order to insure that deadlines are met and that the progress of the plan is not impeded. A tracking system will be developed which will allow the Town Council to evaluate the progress of the plan and to revise and modify the plan, as needed, throughout the process. It will be the responsibility of the Deputy Town Manager and the staff liaison to each citizen group to monitor and report on the progress of the efforts spearheaded by those groups. Update reports will be delivered to the Town Council and made available to the public on a timetable to be established.