



**CPA2006-26**  
**CONSERVATION LANDS UPDATE**  
**BoCC SPONSORED**  
**AMENDMENT TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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LPA Public Hearing Document  
for  
November 19, 2007 Public Hearing

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*Lee County Planning Division*  
*1500 Monroe Street*  
*P.O. Box 398*  
*Fort Myers, FL 33902-0398*  
*(239) 533-8585*

November 9, 2007

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-26**

☐

Text Amendment

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Map Amendment

✓	<b>This Document Contains the Following Reviews:</b>
✓	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 9, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING &  
DIVISION OF ENVIRONMENTAL SCIENCES

**2. REQUEST:**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners (BOCC) transmit this proposed amendment to the Future Land Use Element, Map 1, Future Land Use Map (FLUM).

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Conservation Lands land use categories were created to accurately depict the use of lands for conservation purposes.



- The Lee Plan Future Land Use element currently includes conservation areas owned by various agencies that have been designated as Conservation Lands.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has received 401 willing seller applications for properties to be purchased through the Conservation 2020 Program.
- Seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580 through the Conservation 2020 Program.
- On June 3, 1998, the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classify approximately 50,000 acres into this FLUM category by amendment PAMT96-08, which became effective on July 30, 1998.
- The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, “2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances”, which became effective on March 27, 2002.
- In addition, the Conservation Lands categories were amended to include 2,550± acres purchased by the Conservation 2020 Program as of August 1, 2001. The 1,245± acre Sahdev property, purchased by Trust for Internal Improvement Trust Fund State of Florida (TIITF), was also included into these categories.
- The Conservation Lands categories were amended by CPA2001-15 to include 1,019± acres purchased by the Conservation 2020 Program, 8,617± acres purchased by TIITF and 1,130± acres purchased by the Calusa Land Trust, which became effective April 1, 2003.
- The Conservation Lands categories were amended by CPA2002-08 to include 3,391± acres purchased by the Conservation 2020 Program, 1,095 acres purchased by the South Florida Water Management District (SFWMD), 2,057± acres purchased by TIITF and 255± acres jointly owned by SFWMD and TIITF, which became effective January 21, 2004.
- The Conservation Lands categories were amended by CPA2005-28 to include 1,357± acres purchased by the Conservation 2020 Program and 1,204 acres purchased by Lee County for other mitigation purposes, which became effective August 14, 2007.
- In addition, the Conservation Lands categories were amended to remove 717± acres (including Coon Key, Corkscrew Water Treatment Facility, Cape Coral Park, and Harnes Marsh) that were erroneously included in the Conservation Lands categories by PAMT96-08 without the property owner’s permission.
- Currently, there are a total of 73,216± acres in the conservation lands categories.

- Currently, 14% of Lee County is designated in the conservation future land use categories.
- Lee County purchased 12 nominations, totaling 1,314± acres, through the Conservation 2020 Program since August 2006.
- October 11, 2007, CLASAC approved the inclusion of 223± acres or 5 of the 12 acquired nominations that have management plans, to the conservation land use categories.
- Lee County purchased 6,239± acres of the Babcock Ranch through the Conservation 2020 Program on July 31, 2006.
- The County Attorney's opinion that the Babcock Ranch should not be included in the conservation lands use categories at this time.
- Lee County Port Authority mitigated wetland impacts the Midfield Terminal construction by the creation and restoration of wetlands on 4,175± acres of land within the Imperial Marsh.
- A conservation easement was granted to the South Florida Water Management District over these six sections of land in 1996.
- Lee County has purchased more lands within the Flint Pen Strand for conservation purposes.
- On October 17, 2007, the Calusa Land Trust agreed to include 234± acres into the conservation land use categories.
- On October 4, 2004, the City of Fort Myers amended their comprehensive plan to create the conservation lands district.
- As of August 30, 2007, there are 1,041± acres within the conservation lands district of the City of Fort Myers Comprehensive Plan.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

## **C. BACKGROUND INFORMATION**

### **1. COMPREHENSIVE PLAN BACKGROUND**

On June 3, 1998, the Board of County Commissioners (BOCC) adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classified approximately 50,000 acres in this FLUM category, by the comprehensive plan amendment PAMT96-08. On January 10, 2002, the BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6.

The FLUM was revised annually from 2002 to 2004 to update the Conservation Lands categories. Map amendments CPA2000-09, CPA2001-15 and CPA2002-08 changed the land uses of 21,359 acres purchased by the Conservation 2020 Program, the State of Florida and the Calusa Land Trust.

The annual amendments were postponed until the Evaluation and Appraisal Report (EAR) was completed. The FLUM was revised in 2007 by CPA2005-28 to update the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, lands acquired for mitigation purposes and remove lands included in the conservation lands category that were changed without approval of the property owner or have non-compliant uses

## **2. EXISTING CONSERVATION LANDS**

Currently, about 73,216± acres are classified in the Conservation Lands categories including: Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Cayo Costa, Charlie's Marsh Mitigation Area, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Eco Park, Estero Bay Buffer Preserve, Flag Pond Preserve, Flint Pen Strand, Florida Rock Western Slough Preserve, Galt Preserve, Gator Hole Preserve, Harn's Marsh, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh, Imperial River Preserve, J.N. Ding Darling National Wildlife Refuge, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, San Carlos Bay Bunche Beach Preserve, Six Mile Cypress Preserve, Wild Turkey Strand Preserve, Yellow Fever Creek Preserve and Yucca Pens. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 19,493 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 53,723 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

## **3. CONSERVATION 2020 PROGRAM**

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The Board of County Commissioners (BOCC) established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities.

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and

stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 401 willing seller applications. As of September 14, 2006, seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580. After purchase, Lee County Parks and Recreation Land Stewardship staff draft management plans for CLASAC review. CLASAC makes recommendations to staff and the Board of County Commissioners for site restoration, mitigation funds sources, government agencies partnership potential, acceptable passive recreational uses and appropriate zoning and comprehensive plan categories. The table on Exhibit B lists which preserves have an approved management plan.

#### **4. AIRPORT MITIGATION LANDS**

These parcels were purchased from the City of Fort Myers in April 1994 for the purpose of mitigating future wetland impacts due to Southwest Florida International Airport expansion. A conservation easement was granted to the South Florida Water Management District on 1996 over these six sections of land. Construction of the Midfield Terminal was permitted in 2002 and was completed in 2005. Currently, the Port Authority is monitoring the mitigation areas as required by the South Florida Water Management District permit.

#### **5. FLINT PEN STRAND**

Lee County began the purchase of lands within Flint Pen Strand in the early 1990's as an agreement with the South Florida Water Management District as part of the CREW Trust. Most of these lands purchased within the Flint Pen Strand already have been included within the conservation lands categories.

#### **6. CALUSA LAND TRUST**

The Calusa Land Trust is a nonprofit environmental group, which has volunteers who donate their time, talent, and financial support to protect natural resources. It was started in 1976 by four Calusa Island residents who wanted to protect their island from development. It was expanded in 1989 to include all of Pine Island and now has about 900 members. Membership dues are used toward the purchase of land purchases. The Trust has been a very active organization in the Conservation 2020 Program by targeting properties on Pine Island for acquisition, inquiring if the property owners are willing sellers and nominating those properties for purchase. The Calusa Land Trust has also partnered with Lee County in purchasing those lands by making contributions of up to \$25,000.

The purpose of the Calusa Land Trust is to protect the natural diversity and beauty of the Pine Island region by acquiring, managing and preserving in perpetuity environmentally sensitive or historically important land and to foster appreciation for and understanding of the environment and our past. The Calusa Land Trust agreed in 2001 to reclassify 1,129 acres to conservation lands categories by amendment CPA2001-15.

#### **7. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

On October 4, 2004, the City of Fort Myers amended their comprehensive plan section of the City Development Code to create the conservation lands district with Ordinance #3222. The City staff have required developments amending their comprehensive plan land uses, designate wetland preserves and conservation easements into the conservation land district.

## **8. BABCOCK RANCH**

6239 acres of the Babcock Ranch were purchased by Conservation 2020 on July 31, 2006. The Management Agreement for the Babcock Ranch was created with the State of Florida, Kitson & Partners and Lee County. The County Attorney's office stated uses approved within the Management Agreement would most likely conflict with the conservation lands use categories and the FLUM for Babcock not be changed until the County Attorney's office has contacted applicable State agencies and Kitson & Partners.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and, water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks. The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.

#### **3. LANDS TO BE RECLASSIFIED**

This amendment contains lands purchased by Lee County through the Conservation 2020 Program after August 2006, other lands owned by Lee County for conservation purposes, the Calusa Land Trust and lands included within the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

#### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 223.98± acres

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Exhibit A).

**EXISTING USES:** The subject properties contain former agricultural uses, vacant land, uplands with native vegetation, mangroves and other wetland vegetation.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Rural, Coastal Rural and Wetlands. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

After multiple meetings with CLASAC Management Subcommittee on August 27, September 24, October 11, 2007 and the regular CLASAC committee on September 20 and October 11, 2007 staff agreed to include only the acquired nominations that had approved management plans or were adjacent to preserves with management plans. CLASAC was concerned that the conservation lands use categories would prohibit certain uses as detailed in the management plans. Their direction to staff was to wait until the management plans were approved before including them into these land use categories. Out of the twelve nominations acquired since August 2006, only five fulfilled that criteria.

## **5. EXISTING CONDITIONS OF THE AIRPORT MITIGATION LANDS**

**TOTAL ACREAGE:** 4,175.34 ± acres

**LOCATIONS:** Six sections of land south of SR82, north of Corkscrew Road and east of Alico Road within the Imperial Marsh (see attached maps).

**EXISTING USES:** The subject property are created wetlands, existing wetlands and fallow farm fields

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided by the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

At the December 13, 2006 transmittal hearing for the previous conservation lands amendment, CPA2005-28, the Board of County Commissioners questioned staff about the Airport Mitigation Lands. Planning staff replied that these lands would most likely be included in the next conservation lands amendment. Planning staff met with Port Authority staff on October 10 and 24, 2007 to

discuss amending the all of the Airport Mitigation Lands into the conservation lands land use categories. Port Authority staff are concerned that including these lands into the conservation lands categories will hamper future mitigation for the parallel runway construction impacts. However, it is Planning staff's opinion that the mitigation has been completed and there already exists a conservation easement over six sections of land within the Imperial Marsh.

## **6. EXISTING CONDITIONS OF THE FLINT PEN STRAND LANDS**

**TOTAL ACREAGE:** 295± acres

**LOCATIONS:** These properties are located south of Corkscrew Road, north of Bonita Beach Road, east of I-75 and west of the eastern County line (see attached maps).

**EXISTING USES:** The subject properties are preserves with uplands and wetlands.

**CURRENT ZONING CLASSIFICATIONS:** AG-2. Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

In August 2007, Planning staff met with County Lands staff to discuss the parcels within the Flint Pen Strand not currently classified in the conservation lands categories. Robert Clemens of County lands stated that they have waited for the South Florida Water Management District to buy these lands from Lee County, but no action has been taken in the last ten years. He stated that most of these County lands land uses could be amended, but was concerned about including lands south of the Kehl Canal because of the Future 951 Road Extension and future CREW Critical Mitigation areas.

## **7. EXISTING CONDITIONS OF CALUSA LAND TRUST PROPERTIES**

**TOTAL ACREAGE:** 234.5 ± acres

**LOCATIONS:** North Captiva, Pine Island and islands within San Carlos Bay (see attached maps).

**EXISTING USES:** The subject properties are preserved beaches, mangroves and pine flatwoods with passive recreation uses.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit B details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject

to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **8. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

**TOTAL ACREAGE:** 1,041.33± acres

**LOCATIONS:** These properties occur within the developments of Reflection Isles, Paseo, Botanica Lakes, Arborwood, Heritage Lakes and (see attached maps).

**EXISTING USES:** The subject properties are preserved wetlands in conservation easements within existing and proposed developments.

**CURRENT ZONING CLASSIFICATIONS:** The zoning classifications are not applicable since these parcels occur within the City of Fort Myers.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Tradeport, New Community, Rural and Wetlands Future Land Use Categories. Exhibits C & D of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **9. ALLOWABLE USES AND ACTIVITIES**

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.



3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

## **10. ZONING**

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

## **11. WETLANDS**

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

## **12. GRANTS**

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

## **B. CONCLUSIONS**

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 104, and Policy 104.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Exhibit E). These goals, objectives, and policies read as follows:

**Objective 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

**Policy 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject

to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

**Goal 104: COASTAL RESOURCE PROTECTION.** To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

**Policy 104.1.2:** The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

#### **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

**PART III - LOCAL PLANNING AGENCY  
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

**A. LOCAL PLANNING AGENCY REVIEW**

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT  
SUMMARY**

**1. RECOMMENDATION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**NOEL ANDRESS**

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**DEREK BURR**

\_\_\_\_\_

**LES COCHRAN**

\_\_\_\_\_

**RONALD INGE**

\_\_\_\_\_

**CARLETON RYFFEL**

\_\_\_\_\_

**LELAND M. TAYLOR**

\_\_\_\_\_

**RAE ANN WESSEL**

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**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**BRIAN BIGELOW**

**TAMMARA HALL**

**BOB JANES**

**RAY JUDAH**

**FRANK MANN**

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## DATE OF ORC REPORT:

## B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**BRIAN BIGELOW**

**TAMMARA HALL**

**BOB JANES**

**RAY JUDAH**

**FRANK MANN**

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**Proposed Additions to the Conservation Lands Land Use Categories  
by FLUM Amendment CPA2006-26**

**Parcels purchased since August 2006 that CLASAC has approved to be included into conservation lands categories**

2020_Preserve	STRAP	Acres	Acquired	Zoning	Current FLUM	Future FLUM
185-2	35-45-22-00-00001.0000 34-45-22-00-00003.0000	105.2	7/13/2007	AG-2	Coastal Rural & Wetlands Wetlands & Coastal Rural	Conservation Lands Uplands & Conservation Lands Wetlands
239-2	23-44-25-P4-00062.0000 26-44-25-P1-00068.0000	105.64	9/14/2007	City of Fort Myers Zoning	Mixed Use (Ft Myers) Intensive Development/Wetlands (Co	Conservation Lands Uplands & Conservation Lands Wetlands
298	10-45-25-00-00006.0150	2.5	4/20/2007	AG-2	Rural	Conservation Lands Uplands &
326	30-43-27-00-00003.0010 30-43-27-00-00008.0010	5.4 5	8/2/2007	AG-2 & RM-2	Urban Community	Conservation Lands Uplands
331	05-44-27-14-00209.0150	0.24		RS-1	Urban Community	Conservation Lands Uplands
<b>TOTAL</b>		<b>223.98</b>				

**Other Parcels Owned by Lee County**

Parcel Name	STRAP	Acres	Zoning	Current FLUM	Future FLUM
Airport Mitigation Lands (Port Authority)	05-46-27-00-00001.0000	807.64	AG-2	Wetlands & Public Facilities	Conservation Lands Uplands/
	06-46-27-00-00001.0000	809.7	AG-2	Wetlands & Public Facilities	Conservation Lands Wetlands
	07-46-27-00-00001.0000	639	AG-2	Wetlands & Public Facilities	
	08-46-27-00-00001.0000	640	AG-2	Wetlands & Public Facilities	
	17-46-27-00-00001.0000	640	AG-2	Wetlands & Public Facilities	
	18-46-27-00-00001.0000	639	AG-2	Wetlands & Public Facilities	
Flint Pen Strand (Land Stewardship)	09-47-26-00-00001.0120	40	AG-2	Wetlands & DR/GR	Conservation Lands Uplands/
	13-47-26-00-00001.0150	5	AG-2	Wetlands	Conservation Lands Wetlands
	14-47-26-00-00001.0100	40	AG-2	Wetlands & DR/GR	
	16-47-26-00-00002.006C	5	AG-2	Wetlands	
	16-47-26-00-00002.0290	5	AG-2	Wetlands	
	21-47-26-00-00001.6010	2.5	AG-2	Wetlands	
	21-47-26-00-00001.6050	2.5	AG-2	Wetlands	
	21-47-26-00-00001.605B	2.5	AG-2	Wetlands	
	21-47-26-00-00001.607A	2.5	AG-2	Wetlands	
	21-47-26-00-00001.6080	2.5	AG-2	Wetlands	
	21-47-26-00-00001.6100	2.5	AG-2	Wetlands	
	21-47-26-00-00001.610B	2.5	AG-2	Wetlands	
	21-47-26-00-00001.610C	2.5	AG-2	Wetlands	
	22-47-26-00-00001.0120	5	AG-2	Wetlands	
	22-47-26-00-00003.0130	10	AG-2	Wetlands & DR/GR	
	22-47-26-00-00003.0320	5	AG-2	Wetlands	
	24-47-26-00-00002.0000	125	AG-2	Wetlands	
	24-47-26-00-00002.0010	10	AG-2	Wetlands	
	24-47-26-00-00002.001A	15	AG-2	Wetlands	
	24-47-26-00-00008.0000	10	AG-2	Wetlands	
<b>TOTAL</b>		<b>4470.34</b>			

Authorized Additions to the Conservation Lands Land Use Categories					
by FLUM Amendment CPA2006-26					
CALUSA LAND TRUST + NATURE PRESERVE ON PINE ISLAND, INC					
Preserve/Location	STRAP	Acres	Zoning	Current "future land use map"	CHANGE TO: Future_FLUM
North Captiva	<a href="#">324421010000A0060</a>	0.12	RS-1	Outer Islands	Conservation Lands Uplands
	<a href="#">324421010000A0070</a>	0.12	RS-1	Outer Islands	Conservation Lands Uplands
	<a href="#">324421010000B0010</a>	0.27	TFC-2	Outer Islands	Conservation Lands Uplands
Pine Island Sound Buffer	<a href="#">2044220000009001A</a>	7.44	AG-2	Wetlands & Coastal Rural	Conservation Lands Wetlands/Uplands
Pine Island Flatwoods	<a href="#">154522000000100000</a>	10.00	AG-2	Wetlands	Conservation Lands Wetlands
St. James Creek	<a href="#">35452217000060010</a>	0.11	RS-1	Wetlands	Conservation Lands Wetlands
Preserve Additions	<a href="#">35452217000060430</a>	1.38	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452217000060640</a>	1.46	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452217000060830</a>	1.14	C-1	Wetlands & Outlying Suburban	Conservation Lands Wetlands/Uplands
	<a href="#">35452217000240010</a>	0.37	C-1	Outlying Suburban	Conservation Lands Uplands
	<a href="#">3545222100000A000</a>	3.98	C-1 & RS-1	Wetlands & Outlying Suburban	Conservation Lands Wetlands/Uplands
	<a href="#">35452221000060010</a>	1.15	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000060120</a>	2.66	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000060390</a>	0.62	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060430</a>	0.51	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060460</a>	0.48	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060490</a>	0.39	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060520</a>	0.49	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060550</a>	0.45	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000160440</a>	0.34	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160480</a>	0.17	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160500</a>	0.17	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160520</a>	0.16	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160540</a>	0.15	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160560</a>	0.15	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
Back Bay Preserve	<a href="#">01462200000010000</a>	185.73	AG-2	Wetlands	Conservation Lands Wetlands
St. James Cove RPD	<a href="#">02462200000012000</a>	7.00	RPD	Wetlands	Conservation Lands Wetlands
Twin Sisters Island	<a href="#">06462300000030000</a>	7.50	AG-2	Outer Islands & Wetlands	Conservation Lands Uplands/Wetlands
	<b>TOTAL ACREAGE</b>	<b>234.50</b>			

**Exhibit B**



**Proposed Additions to the Conservation Lands Land Use Categories  
by FLUM Amendment CPA2006-26  
Parcels Classified Under the Conservation Lands District by the City of Fort Myers**

ParcelName-PropertyOwner	STRAP	Acres	Current_Lee_County_FLUM	Future_FLUM
Heritage Lakes (C-Hack LLC)	13-44-25-P1-00001.0000	319	Rural Community Preserve	Conservation Lands Uplands/ Conservation Lands Wetlands
(C-Hack LLC)	14-44-25-P4-00002.1000	80	Wetlands & Urban Community	Conservation Lands Uplands/ Conservation Lands Wetlands
	15-44-25-P3-00032.0000	135.6	Wetlands & Urban Community	
	22-44-25-P2-00009.0020	97.12	Intensive Development & Wetlands	
Paseo CDD c/o Dorrill Management Inc	09-45-25-P3-0010D.01CE	144.09	Rural & Wetlands	Conservation Lands Uplands/ Conservation Lands Wetlands
Reflection Isles (Acacia Credit Fund 9-A LLC)	10-45-25-P1-0230C.01CE	19.68	Rural & New Community	Conservation Lands Uplands/ Conservation Lands Wetlands
	10-45-25-P1-0230C.02CE	31.93	Wetlands, Rural & New Community	
	03-45-25-P4-0230C.03CE	39.06	Rural, Wetlands & New Community	
Reflection Isles (Worthington Holdings LLC)	03-45-25-P4-0230C.04CE	156.10	New Community, Wetlands & Rural	Conservation Lands Uplands/ Conservation Lands Wetlands
Botanica Lakes (Lee County Homes Associates II LLLP)	10-45-25-P2-026CA.01CE	23.93	Wetlands	Conservation Lands Uplands/ Conservation Lands Wetlands
	11-45-25-P1-026CA.02CE	11.86	New Community	
	11-45-25-P1-026CA.03CE	30.87	New Community	
	11-45-25-P1-026CA.04CE	6.82	New Community	
	11-45-25-P4-026CA.11CE	3.7	Wetlands	
	14-45-25-P1-026CA.17CE	0	Tradeport	
	14-45-25-P1-026CA.18CE	1.08	Tradeport	
	14-45-25-P1-026CA.19CE	0	Tradeport	
	15-45-25-P2-026CA.16CE	9.47	Tradeport	
<b>TOTAL</b>		<b>1110.31</b>		

**Proposed Additions to the Conservation Lands Land Use Categories  
by FLUM Amendment CPA2006-26**

**Parcels Classified Under the Conservation Lands District by the City of Fort Myers**

<b>ParcelName-PropertyOwner</b>	<b>STRAP</b>	<b>Acres</b>	<b>Current_Lee_County_FLUM</b>	<b>Future_FLUM</b>
Arborwood CDD	11-45-25-P2-00003.0010	2.75	Rural	Conservation Lands Uplands/
Severn Trent Management Svcs	11-45-25-P2-0010U.0000	7.85	Rural & New Community	Conservation Lands Wetlands
	11-45-25-P2-002II.I0CE	24.57	Rural	
	11-45-25-P3-027YY.50CE	24.86	Wetlands & Rural	
	12-45-25-P1-00001.0010	1.07	Rural	
	12-45-25-P1-00001.0030	61.27	Rural & Wetlands	
	12-45-25-P3-00006.0110	9.2	Wetlands & Rural	
	12-45-25-P3-00006.0120	1.13	Wetlands & Rural	
	12-45-25-P3-00006.0130	2.27	Rural	
	12-45-25-P3-00006.0140	8.07	Rural	
	12-45-25-P1-002JJ.J0CE	22.94	Rural & Wetlands	
	12-45-25-P4-002KK.K000	53.72	Wetlands & Rural	
	12-45-25-P4-002LL.L0CE	5.96	Rural	
	13-45-25-P1-00001.0040	91.9	Wetlands & Tradeport	
	13-45-25-P3-00002.0020	26.08	Wetlands & Tradeport	
	13-45-25-P4-00001.2000	26.15	Wetlands & Tradeport	
	13-45-25-P4-00001.3000	2.06	Tradeport	
	14-45-25-P2-0060C.0020	1.39	Tradeport	
	14-45-25-P2-0060C.0030	49.58	Wetlands & Tradeport	
	14-45-25-P2-0060C.0040	85.27	Wetlands & Tradeport	
	14-45-25-P1-0060C.0050	3.57	Tradeport	
	14-45-25-P2-027AA.60CE	21.5	Wetlands & Tradeport	
	23-45-25-P1-0060C.0080	5.08	Tradeport	
Waterman at Daniels Pkwy LLC	23-45-25-P2-00005.0000	66.89	Tradeport & Wetlands	Conservation Lands Uplands/ Conservation Lands Wetlands
<b>TOTAL</b>		<b>605.13</b>		

Acreages are based upon parcel information from the Property Appraiser's website and may not be the actual acreage of the mapped areas.

**Exhibit D**

# **CONSERVATION 2020 LANDS**

**EXHIBIT E**

**MEMORANDUM  
FROM  
LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT  
DIVISION OF ENVIRONMENTAL SCIENCES**

**Date:** October 11, 2007

**To:** CLASAC Management Sub-Committee Members

**From:** Robert Irving, Senior Environmental Planner *RBI*

**Copy:** Cathy Olson, Conservation20/20 Senior Supervisor  
Lynda Thompson, Conservation20/20 Program Coordinator  
Matt Noble, Principal Planner

**Subject:** Reclassification of Conservation 2020 to the Conservation Lands Future Land Use Categories

The Lee County Division of Environmental Sciences (ES) staff would like to address several issues raised during the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) Meeting on September 20, 2007. CLASAC was concerned that roads, utility infrastructure and certain uses would be prohibited in the conservation lands future land use categories.

On September 24, 2007, the CLASAC Management Sub-committee (MSC) met to discuss the issues raised during the September 20<sup>th</sup> meeting. MSC recommended the following revision to the Policy 1.4.6 language, "2020 lands designated as conservation are also subject to ~~more stringent~~ the use provisions of 2020 Program or the 2020 ordinances." MSC also recommended that only 20/20 parcels with approved management plans be reclassified into the conservation lands land use categories. The following parcels purchased since August 2006 have management plans or are contiguous with parcels that do.

Nomination 185-2 (North of Galt)  
Nomination 239-2 (northern part of Six Mile Cypress Slough)  
Nomination 298 (portion of the arm of Six Mile Cypress Slough)  
Nomination 331 (Outparcel of Greenbriar Swamp)  
Nomination 326 (Outparcel of Hickey's Creek Mitigation Park)

Today, I discussed with Matt Noble with Division of Planning CLASAC's concerns regarding infrastructure improvements within the conservation land use categories and allowable uses. He stated that roads and utility infrastructure are permitted in every land use category. It was his opinion that the existing language in Policy 1.4.6 already allows whatever uses the management plans state. Matt also stated that the Comprehensive Plan policy language could not be revised this year (absent of further BoCC action), but could be done in the 2008 amendment cycle (two years).

Attached is a spreadsheet with 20/20 parcels purchased since August 2006, their zoning districts and current land use categories.



**Proposed Additions to the Conservation Lands Land Use Categories  
by FLUM Amendment CPA2006-26**

**Parcels Purchased Through Conservation 2020 Program through 10/11/2007**

2020_Preserve	STRAP	Acres	Acquired	Zoning	Current_FLUM	Future_FLUM
161-3	05-43-21-00-00001.0000 06-43-21-00-00001.0000	126.21	2/1/2007	AG-2	Wetlands	Conservation Lands Wetlands
185-2	35-45-22-00-00001.0000 34-45-22-00-00003.0000	105.2	7/13/2007	AG-2	Coastal Rural & Wetlands Wetlands & Coastal Rural	Conservation Lands Uplands & Conservation Lands Wetlands
239-2	23-44-25-P4-00062.0000 26-44-25-P1-00068.0000	105.64	9/14/2007	City of Fort Myers Zoning	Mixed Use (Ft Myers) Intensive Development/Wetlands (Co	Conservation Lands Uplands & Conservation Lands Wetlands
288	04-46-27-00-00002.0000 09-46-27-00-00002.0000 16-46-27-00-00001.0010	404	9/5/2002	AG-2	DR/GR & Wetlands	Conservation Lands Uplands & Conservation Lands Wetlands
298	10-45-25-00-00006.0150	2.5	4/20/2007	AG-2	Rural	Conservation Lands Uplands &
303	17-46-25-00-00002.0080	4.3	7/20/2007	RM-2 & RPD	Urban Community & Wetlands	Conservation Lands Uplands & Conservation Lands Wetlands
315	33-43-22-00-00001.0020	110.42	6/12/2007	AG-2	Wetlands & Coastal Rural	Conservation Lands Uplands & Conservation Lands Wetlands
321	25-45-26-00-00001.2000	153.8	7/6/2007	AG-2	DR/GR & Wetlands	Conservation Lands Uplands & Conservation Lands Wetlands
324 Babcock Ranch	01-43-26-0000001.0000 02-43-26-0000001.0000 12-43-26-00-00001.0000 04-43-27-00-00001.0000 05-43-27-00-00001.0000 06-43-27-00-00001.0000 07-43-27-00-00007.0000 08-43-27-00-00001.0000 09-43-27-00-00001.0000 17-43-27-00-00001.0000 18-43-27-00-00001.0000	640 640 640 640 640 640 640 640 560 240 319	7/31/2006	AG-2 AG-2 AG-2 AG-2 AG-2 AG-2 AG-2 AG-2 AG-2 AG-2 AG-2	DR/GR, Open Lands & Wetlands DR/GR & Wetlands Open Lands, DR/GR & Wetlands Open Lands & Wetlands Wetlands & Open Lands Open Lands & Wetlands Open Lands & Wetlands Open Lands & Wetlands Open Lands & Wetlands Rural & Wetlands Rural & Wetlands	Conservation Lands Uplands & Conservation Lands Wetlands
325	34-43-27-00-00008.1000 03-44-27-00-00002.0020	97.35 100.2	7/31/2007	AG-2, RS-1, RM-2, CT, C-1A	Rural & Wetlands Rural, Wetlands & Urban Community	Conservation Lands Uplands & Conservation Lands Wetlands
326	30-43-27-00-00003.0010 30-43-27-00-00008.0010	5.4 5	8/2/2007	AG-2 & RM-2	Urban Community	Conservation Lands Uplands
331	05-44-27-14-00209.0150	0.24		RS-1	Urban Community	Conservation Lands Uplands
334	25-45-26-00-00001.3000	78.2	6/28/2007	AG-2	DR/GR & Wetlands	Conservation Lands Uplands & Conservation Lands Wetlands

**TOTAL 7537.46**

Nominations that have existing management plans that MSC recommended to be included in the conservation lands categories on September 24th

**Exhibit A**

# **AIRPORT MITIGATION LANDS**

**EXHIBIT F**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

LEE COUNTY, FLORIDA

Transcript of proceedings had at the public hearings conducted by the Lee County Board of County Commissioners, Lee County, Florida, at Board of County Commission Chambers, Lee County Courthouse, Fort Myers, Florida, on December 13, 2006, commencing at 9:30 a.m.

MEMBERS OF THE BOARD:

Robert P. Janes, Chairman  
Ray Judah  
Brian Bigelow  
Frank Mann  
Tammy Hall

ALSO PRESENT:

Timothy Jones, Assistant County Attorney  
Donna Marie Collins, Assistant County Attorney  
Paul O'Connor, Planning Director  
Matt Noble, Planning Department  
Rick Burris, Planning Department  
Jim Mudd, Planning Department

MARTINA REPORTING SERVICES  
2069 First Street, Suite 201  
Fort Myers, Florida, 33901  
(239) 334-6545  
FAX (239) 332-2913

P25  
C7037.10  
BOCC  
12-13-06

ORIGINAL

# I N D E X

	<u>AGENDA ITEM</u>	<u>PAGE</u>
3	Consent Agenda:	
4	Revision of Item W	5
5	Items 2-B, 2-C, 2-G, 2-H, 2-J, 2-M,	
6	2-N, 2-P, 2-Q, 2-U, 2-V, 2-Y	13
7	No. 2-A CPA2005-08	14
8	No. 2-D CPA2005-13	16
9	No. 2-E CPA2005-16	18
10	No. 2-F CPA2005-17	21
11	No. 2-I CPA2005-20	24
12	No. 2-K CPA2005-22	26
13	No. 2-L CPA2005-23	31
14	No. 2-O CPA2005-28	32
15	No. 2-R CPA2005-35	35
16	No. 2-S CPA2005-39	39
17	No. 2-T CPA2005-40	41
18	No. 2-W CPA2005-43	42
19	No. 2-X CPA2005-45	49
20	Administrative Agenda:	
21	No. 3-A CPA2005-02	57
22	No. 3-B CPA2005-05	93
23	No. 3-C CPA2005-07	110
24	No. 3-G CPA2005-26	168
25	No. 3-D CPA2005-09	216
	No. 3-E CPA2005-11	219
	No. 3-F CPA2005-24	222
	No. 3-H CPA2005-37	225
	No. 3-I CPA2005-46	245
	No. 3-J CPA2005-49	263



1 THE CHAIRMAN: Okay. Two-0.

2 MR. JUDAH: Paul, on 2-0, this is an issue that --  
3 it's the conservation lands update; and, you know, we  
4 have only 6,000 acres of land that were acquired for  
5 mitigation of the expansion of the international  
6 airport, but it's never been put on our comprehensive  
7 land use plan as conservation lands. And I understand  
8 the airport has some trepidation because they feel  
9 these lands may still be or could be used for  
10 mitigation in the future; but I don't see how even to  
11 be used for mitigation in the future is going to  
12 undermine if we went ahead and designated these lands  
13 as conservation lands on our land use plan map. It's  
14 like a big hole in the doughnut right now.

15 MR. O'CONNOR: I'll let Matt address that.

16 MR. NOBLE: Matt Noble, Division of Planning.

17 This has been an ongoing conversation with the  
18 Port Authority staff, oh, probably three, four years.  
19 I believe it is our intent that the next time that you  
20 see this update to conservation lands, which will be  
21 next year, that those lands will be dealt with in that  
22 amendment.

23 There were some issues with some of the mitigation  
24 activities that we needed to settle in our own mind as  
25 to the requirements of the conservation lands category

1 versus those activities. I think we'll be there this  
2 next year and you will see the airport mitigation land.

3 MR. JUDAH: Matt -- and you all have pointed out  
4 in this document that it benefits the community  
5 because, one, it provides an added level of protection;  
6 and, two, it adds to the inventory for grant funds for  
7 the Florida community trust, so it really behooves us  
8 to incorporate these lands into the conservation lands  
9 category. If you're saying that we'll see that in  
10 another year --

11 MR. NOBLE: I believe so. We are working towards  
12 that.

13 MR. JUDAH: All right. Move to transmit.

14 THE CHAIRMAN: Move to transmit Item O on the  
15 agenda. Is there a second?

16 MR. MANN: Sure.

17 MR. JUDAH: By the way, I apologize. I'm sorry,  
18 I'm sorry. Matt, Paul, are we including the lands that  
19 were acquired from Babcock on this round of amendments?

20 MR. O'CONNOR: No, I don't believe we are. At the  
21 time that the LPA reviewed this, there were some issues  
22 I believe from the County Attorney's Office where they  
23 didn't want to quite move forward with that yet; but  
24 we'll probably see that next year also.

25 MR. JUDAH: Sorry.

1 THE CHAIRMAN: okay. All those in favor signify  
2 by saying aye.

3 BOARD MEMBERS: Aye.

4 THE CHAIRMAN: Opposed?

5 So moved.  
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THIS INSTRUMENT PREPARED BY  
AND SHOULD BE RETURNED TO:

R. Duke Woodson, Esq.  
FOLEY & LARDNER  
111 North Orange Avenue, Suite 1800  
Post Office Box 2193  
Orlando, FL 32802-2193  
(407) 423-7656

4338981

Parcel Identification (Folio) Number(s):

05-46-27-00-00001.0000  
06-46-27-00-00001.0000  
07-46-27-00-00001.0000  
08-46-27-00-00001.0000  
17-46-27-00-00001.0000  
18-46-27-00-00001.0000

City of Fort Myers Parcel

Documentary Tax Pd. \$ 70  
Intangible Tax Pd. \$  
By [Signature] Deputy Clerk  
LEE COUNTY

For Recording Purposes Only

OR2928 Pg 1792

DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT is made this 1<sup>st</sup> day  
of November, 1996, by LEE COUNTY, a political subdivision  
of the State of Florida, having an address at 16000 Chamberlin  
Parkway, Suite 8671, Fort Myers, Florida 33913-8899 ("Grantor"), in  
favor of the SOUTH FLORIDA WATER MANAGEMENT DISTRICT, a public body  
existing under Chapter 373, Florida Statutes, having a mailing  
address at P. O. Box 24680, West Palm Beach, Florida 33416  
("Grantee").

W I T N E S S E T H:

WHEREAS, Grantor solely owns in fee simple certain real  
property in Lee County, Florida, more particularly described in

RECORDED BY  
TRUDY SHERWOOD, D.C.

not 196 1100 4/6

Exhibit "A" attached hereto and incorporated by this reference (the "Property"); and

WHEREAS, the Property possesses environmental value of great importance to the Grantor, the people of the State of Florida, and to the people of Lee County, Florida; and

WHEREAS, Grantor intends as the Property owner, to convey to Grantee the right to preserve and protect the environmental value of the Property in perpetuity;

NOW THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, and pursuant to the provisions of 704.06, Florida Statutes, Grantor hereby voluntarily grants and conveys to Grantee a conservation easement in perpetuity over the Property of the nature and character and to the extent hereinafter set forth (the "Easement"). Grantor fully warrants the title to said Property and will warrant and defend the same against the lawful claims of all persons whomsoever.

1. Purpose. This Easement's purpose is to assure that the Property will be retained forever, except as herein provided, in its existing natural condition and to prevent any use of the Property that will impair or interfere with the environmental value of the Property.

2. Rights of Grantee. To accomplish the purposes stated above, the following rights are conveyed to Grantee by this Easement:

OR2928 Pg 1794

(a) To preserve and protect the environmental value of the Property;

(b) To prevent any activity on or use of the Property that is inconsistent with the purpose of this Easement, and to require the restoration of areas or features of the Property that may be damaged by any inconsistent activity or use.

(c) To enter upon and inspect the Property in a reasonable manner and at reasonable times to determine if the Grantor or its successors and assigns are complying with the covenants and prohibitions contained in this Conservation Easement; and

(d) To proceed at law or in equity to enforce the provisions of this Conservation Easement and the covenants set forth herein, and to prevent the occurrence of any of the prohibited activities hereinafter set forth. Any costs incurred by Grantee in enforcing, judicially or otherwise, the terms and restrictions of this Conservation Easement against Grantor, its heirs, successors or assigns, shall be borne by and recoverable against Grantor, its heirs, successors or assigns, as long as Grantee is the prevailing party in such proceedings.

3. Prohibited Uses. Any activity on or use of the Property inconsistent with the purpose of this Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

- (a) Construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
- (b) Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive materials;
- (c) Removal or destruction of trees, shrubs, or other vegetation;
- (d) Excavation, dredging or removal of loam, peat, gravel, soil, rock or other material substances in such a manner as to affect the surface;
- (e) Surface use, except for purposes that permit the land or water area to remain predominantly in its natural condition;
- (f) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conversation, or fish and wildlife habitat preservation; and
- (g) Acts or uses detrimental to such retention of land or water areas.

4. Grantee's Discretion. Grantee may enforce the terms of this Easement at its discretion, but if Grantor breaches any term of this Easement and Grantee does not exercise its rights under this Easement, Grantee's forbearance shall not be construed to be a waiver by Grantee of such term, or of any subsequent breach of the same, or any other term of this Easement, or of any of the Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Easement. No person or entity shall have the right to require Grantee to enforce the provisions of this Easement.

5. Grantee's Liability. Neither Grantor, nor any person or entity claiming by or through Grantor, shall hold Grantee liable for any damage or injury to person or personal property which may occur on the property to the Property.

6. Acts Beyond Grantor's Control. Nothing contained in this Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including, without limitation, fire, flood, storm and earth movement, or from any action taken by Grantor under emergency conditions to prevent,



0R2928 Pg 1797

abate or mitigate significant injury to the Property resulting from such causes.

7. Assignment. This Easement is transferable, but Grantee may assign its rights and obligations under this Easement only to an organization that is authorized to acquire and hold environmental easements under the statutes of the State of Florida (or any successor provision then applicable).

8. Recordation. Grantor shall record this instrument in timely fashion in the Official Records of Lee County, Florida, and shall rerecord it at any time as Grantee may require to preserve its rights in this Easement. Grantor shall pay all recording costs and taxes necessary to record this Easement in the public records. Grantor will hold Grantee harmless from any recording costs or taxes necessary to record this Easement in the public records.

9. Successors. The covenants, terms, conditions and restrictions of this Easement shall be binding upon, and inure to the benefit of the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property. The terms, conditions, restrictions and purposes of this Conservation Easement shall be inserted by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the

Property. Any future purchaser of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement.

10. Severability. If any provision of this Conservation Easement is found to be invalid, the remaining provisions and application of such provisions shall not be affected, unless specifically also found invalid.

11. Notice. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed property if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

OR2928 PG1798

0R2928 P611799

IN WITNESS WHEREOF, Grantor has set its hand on the day  
and year first above written.

WITNESSES:

Mary L. Armentrout

Name: Mary L. Armentrout

Dinah L. Johnson

Name: DINAH L. JOHNSON

GRANTOR:

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF CITY COMMISSIONERS

By: [Signature]

CHAIRMAN OR VICE CHAIRMAN

ATTEST: [Signature]

Clerk

APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY

[Signature]  
Lee County Attorney's Office

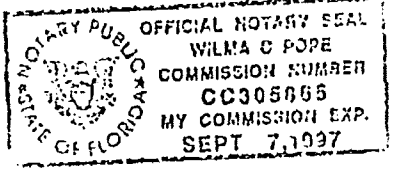
STATE OF FLORIDA  
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer  
duly authorized in the State aforesaid and in the County aforesaid  
to take acknowledgements, personally appeared  
Douglas B. St. Cerny to me known to be  
the individual described in and who executed the foregoing  
instrument and, if Grantor of the foregoing instrument is a  
corporation, that the seal affixed thereto is the corporate seal of  
said corporation and that it was affixed to said instrument by due  
and regular corporate authority, and that said instrument is the  
free act and deed of said corporation.

WITNESS my hand and official seal in the County and State  
last aforesaid on this 1<sup>st</sup> day of November, 1996.

Wilma C. Pope  
Notary Public, State of Florida,  
at large.  
My Commission Expires: \_\_\_\_\_

(NOTARIAL SEAL)



## EXHIBIT "A"

All of Sections 5, 6, 7, 8, 17, and 18, of Township 46 South, Range 27 East, Lee County, Florida, TOGETHER WITH a nonexclusive easement for ingress and egress over, across, and under the following described real property:

- 1) The East 30 feet of Section 14, Township 45 South, Range 26 East, South of State Road 82.
- 2) The West 30 feet of Section 13, Township 45 South, Range 26 East, South of State Road 82.
- 3) The East 30 feet of Section 23, Township 45 South, Range 26 East.
- 4) The West 30 feet of Section 24, Township 45 South, Range 26 East.
- 5) The East 30 feet of Section 26, Township 45 South, Range 26 East.
- 6) The West 30 feet of Section 25, Township 45 South, Range 26 East.
- 7) The East 30 feet of Section 35, Township 45 South, Range 26 East.
- 8) The West 30 feet of Section 36, Township 45 South, Range 26 East.
- 9) The East 30 feet of Section 2, Township 46 South, Range 26 East.
- 10) The West 30 feet of Section 1, Township 46 South, Range 26 East.
- 11) The South 30 feet of Section 2, Township 46 South, Range 26 East.
- 12) The North 30 feet of Section 11, Township 46 South, Range 26 East.
- 13) The North 60 feet of Section 11, Township 46 South, Range 26 East, subject to existing easements to Florida Cities Water Company.

0R2928 1811800

# **BABCOCK RANCH**

**EXHIBIT G**

Irving, Robert B.

---

**From:** Jones, Timothy J.  
**Sent:** Tuesday, September 18, 2007 4:35 PM  
**To:** Irving, Robert B.  
**Cc:** Noble, Matthew A.; Owen, David M.; Fraser, Andrea R.  
**Subject:** FLUM change for County Babcock Lands

Rob,

David asked me to respond to your inquiry.

If the proposed change is made, it will likely conflict with the Management Agreement. I do not think the FLUM designation of the Babcock lands should be changed, or any other similar action taken with regard to this property, until we have consulted with the Kitson representatives and applicable state agencies. Otherwise, significant conflicts can occur.

Timothy Jones  
Chief Assistant County Attorney  
Lee County Attorney's Office  
Phone: 239-533-2236  
Fax: 239-485-2106  
[jonest@leegov.com](mailto:jonest@leegov.com)

*Please note: Florida has a very broad public records law. Most written communications to or from County Employees and Officials regarding County business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.*

9/20/2007

# **CALUSA LAND TRUST LANDS**

**EXHIBIT H**

Irving

RECEIVED  
OCT 19 2007

# LETTER OF AUTHORIZATION

COMMUNITY DEVELOPMENT

The undersigned swears and affirms under oath to be the owner, or the authorized representative of the owner, of the property(s) and that:

1. I authorize the Director of Lee County Division of Planning to amend the comprehensive plan Future Land Use Map for the subject parcel(s) included in the attached exhibit (Exhibit A) to Conservation Lands Uplands and/or Conservation Lands Wetlands as in Lee County Comprehensive Plan Policy 1.4.6 which states:

The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. I have full authority to secure the approval(s) requested in accordance with this letter.

William M. Spikowski

Signature

WILLIAM M. SPIKOWSKI, TREASURER

Type or printed name

CALUSA LAND TRUST & NATURAL PRESERVE  
Name of Entity/Corporation OF PINE ISLAND INC.

(Please notarize all signatures)

State of FLORIDA

County of LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 17th  
(date) by October (name of person providing oath or affirmation), who is personally  
known to me or has produced Fl. Dr. License (type of identification) as identification.

Talisha Faber

Signature of person taking oath or affirmation

Notary  
Title or rank



Name typed - printed and stamped

Serial number, if any



# EXHIBIT A

## Authorized Additions to the Conservation Lands Land Use Categories by FLUM Amendment CPA2006-26 CALUSA LAND TRUST + NATURE PRESERVE ON PINE ISLAND, INC

Preserve/Location	STRAP	Acres	Zoning	Current "future land use map"	CHANGE TO: Future_FLUM
North Captiva	<a href="#">324421010000A0060</a>	0.12	RS-1	Outer Islands	Conservation Lands Uplands
	<a href="#">324421010000A0070</a>	0.12	RS-1	Outer Islands	Conservation Lands Uplands
	<a href="#">324421010000B0010</a>	0.27	TFC-2	Outer Islands	Conservation Lands Uplands
Pine Island Sound Buffer	<a href="#">2044220000009001A</a>	7.44	AG-2	Wetlands & Coastal Rural	Conservation Lands Wetlands/Uplands
Pine Island Flatwoods	<a href="#">15452200000100000</a>	10.00	AG-2	Wetlands	Conservation Lands Wetlands
St. James Creek Preserve Additions	<a href="#">35452217000060010</a>	0.11	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452217000060430</a>	1.38	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452217000060640</a>	1.46	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452217000060830</a>	1.14	C-1	Wetlands & Outlying Suburban	Conservation Lands Wetlands/Uplands
	<a href="#">35452217000240010</a>	0.37	C-1	Outlying Suburban	Conservation Lands Uplands
	<a href="#">3545222100000A000</a>	3.98	C-1 & RS-	Wetlands & Outlying Suburban	Conservation Lands Wetlands/Uplands
	<a href="#">35452221000060010</a>	1.15	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000060120</a>	2.66	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000060390</a>	0.62	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060430</a>	0.51	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060460</a>	0.48	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060490</a>	0.39	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060520</a>	0.49	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000060550</a>	0.45	RS-1	Wetlands	Conservation Lands Wetlands
	<a href="#">35452221000160440</a>	0.34	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160480</a>	0.17	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160500</a>	0.17	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160520</a>	0.16	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160540</a>	0.15	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
	<a href="#">35452221000160560</a>	0.15	RS-1	Outlying Suburban & Wetlands	Conservation Lands Uplands/Wetlands
Back Bay Preserve	<a href="#">01462200000010000</a>	185.73	AG-2	Wetlands	Conservation Lands Wetlands
St. James Cove RPD	<a href="#">02462200000012000</a>	7.00	RPD	Wetlands	Conservation Lands Wetlands
Picnic Island	<a href="#">06462300000030000</a>	7.50	AG-2	Outer Islands & Wetlands	Conservation Lands Uplands/Wetlands
<b>TOTAL ACREAGE</b>		<b>234.50</b>			

Highlighted parcel was included in table for FLUM Amendment CPA2001-00015 but not mapped  
RPD Portion of parcel donated to Calusa Land Trust in 2005

**CITY OF FORT MYERS  
CONSERVATION LANDS DISTRICT**

**EXHIBIT I**

**ORDINANCE NO. 3222**

AN ORDINANCE  
To Be Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AMENDING THE CITY CODE, SUB-PART B, GROWTH MANAGEMENT CODE; CHAPTER 25, LAND USE REGULATIONS; ARTICLE II, DISTRICTS, BY CREATING DIVISION 16. CONSERVATION LANDS DISTRICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:**

**SECTION 1.** The City Code of the City of Fort Myers, Florida, Sub-Part B, Growth Management Code; Chapter 25, Land Use Regulations; Article II, Districts, is hereby amended by creating Division 16 Conservation lands district to read as follows:

**DIVISION 16. CONSERVATION LANDS DISTRICT**

**SECTION 25-270.111. Purpose and intent.**

(a) The conservation lands district (CON) is intended to designate, conserve, and protect from incompatible uses, the regionally significant wetlands and/or uplands within the city that are, or will be, owned and used for long-term conservation purposes. It is intended that areas in the CON be utilized as water management areas, lakes, open space, and passive recreation areas and/or nature parks with limited recreational use.

**Section 25-270.112. Interpretation.**

(a) The provisions herein apply to the development of land designated CON on the Future Land Use Map. The requirements of the Growth Management Code (GMC) shall apply if this division does not otherwise address the area of regulation, as it may be amended. In the event of conflict

**ORDINANCE NO. 3222**

between the provisions of this division and the requirements of the GMC, the provisions of this division shall govern.

(b) The interpretation and application of the CON district will be reasonably and uniformly applied to all property within the city that is designated CON.

**Section 25-270.113. Permitted Uses.**

(a) Permitted principal uses and structures in conservation land district lands are limited to:

- (1) Conservation management activities
- (2) Conservation and preserves
- (3) Wildlife preserves
- (4) Wetland and upland mitigation areas and banks
- (5) Mitigation maintenance activities
- (6) Passive recreation, recreational shelters, gazebos, nature observation platforms, wood planed trails, and other similar uses
- (7) Hiking trails, pedestrian/golf cart boardwalks and bridges, nature trails (elevated and at grade) and interpretative signage, biking and riding trails, and other such facilities constructed for the purpose of passage through or enjoyment of the site's natural attributes, subject to approval by permitting agencies.
- (8) Water conservation lands such as aquifer recharge areas, flowways, flood

**ORDINANCE NO. 3222**

prone areas, well fields, and water management facilities

- (9) Single-family dwellings. The maximum density for single family uses is one (1) dwelling unit (du) per twenty (20) acres (1 du/20 acres).
- (10) Utilities
- (11) Temporary construction access road
- (12) Any other conservation and related open space activity or use which is comparable in nature with the foregoing uses, subject to administrative approval by the development services manager with the consent of the community development director, public works director, and engineering division designee.

**Section 25-270.114. Density transfer.**

(a) If there are adjacent upland areas that are under common ownership within the areas designated conservation land district (CON), the density of the CON lands shall be the same as the adjacent upland area, but the units must be developed on the adjacent upland areas.

(b) For areas located east of Interstate 75, residential density transfer from CON lands to adjacent upland areas will not exceed 1.33 times the maximum allowable gross density of the adjacent uplands (non-CON), i.e., the net upland density may not exceed 1.33 times the maximum allowable gross density for the property. (For example, for MDP-3.0 land, the maximum allowable density

**ORDINANCE NO. 3222**

on adjacent uplands will be  $3.0 \times 1.33 = 3.99$  units per acre, for A-2 land the allowable density will be  $12.0 \times 1.33 = 15.95$  units per acre.).

**Section 25-270.115. Establishment of the boundaries.**

(a) The conservation lands district (CON) boundaries on the future land use map are based on the best available information at the time the future land use map is adopted.

(b) The exact location of CON boundaries will be based on the boundaries approved in the regulating agency's permit and will be adjusted to conform to the final issued permits.

**Sections 25-270.116 - 25-2170.120. Reserved.**

**SECTION 2. Severability.**

If for any reason, any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance.

**SECTION 3.** This ordinance shall become effective immediately upon adoption.

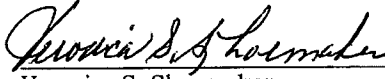
**ORDINANCE NO. 3222**

**PASSED IN PUBLIC SESSION** of the City Council of the City of Fort  
Myers, Florida, this 4<sup>th</sup> day of October, A.D., 2004.

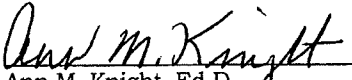
Aye

  
Tammara Hall

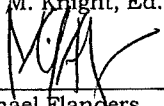
Aye

  
Veronica S. Shoemaker

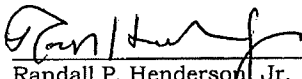
Aye

  
Ann M. Knight, Ed.D.

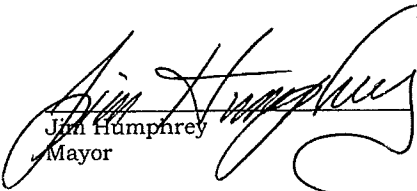
Aye

  
Michael Flanders

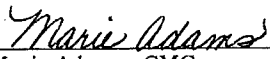
Aye

  
Randall P. Henderson, Jr.  
Council Members

**APPROVED** this 4<sup>th</sup> day of October, A.D., 2004, at  
5:38 o'clock p.m.

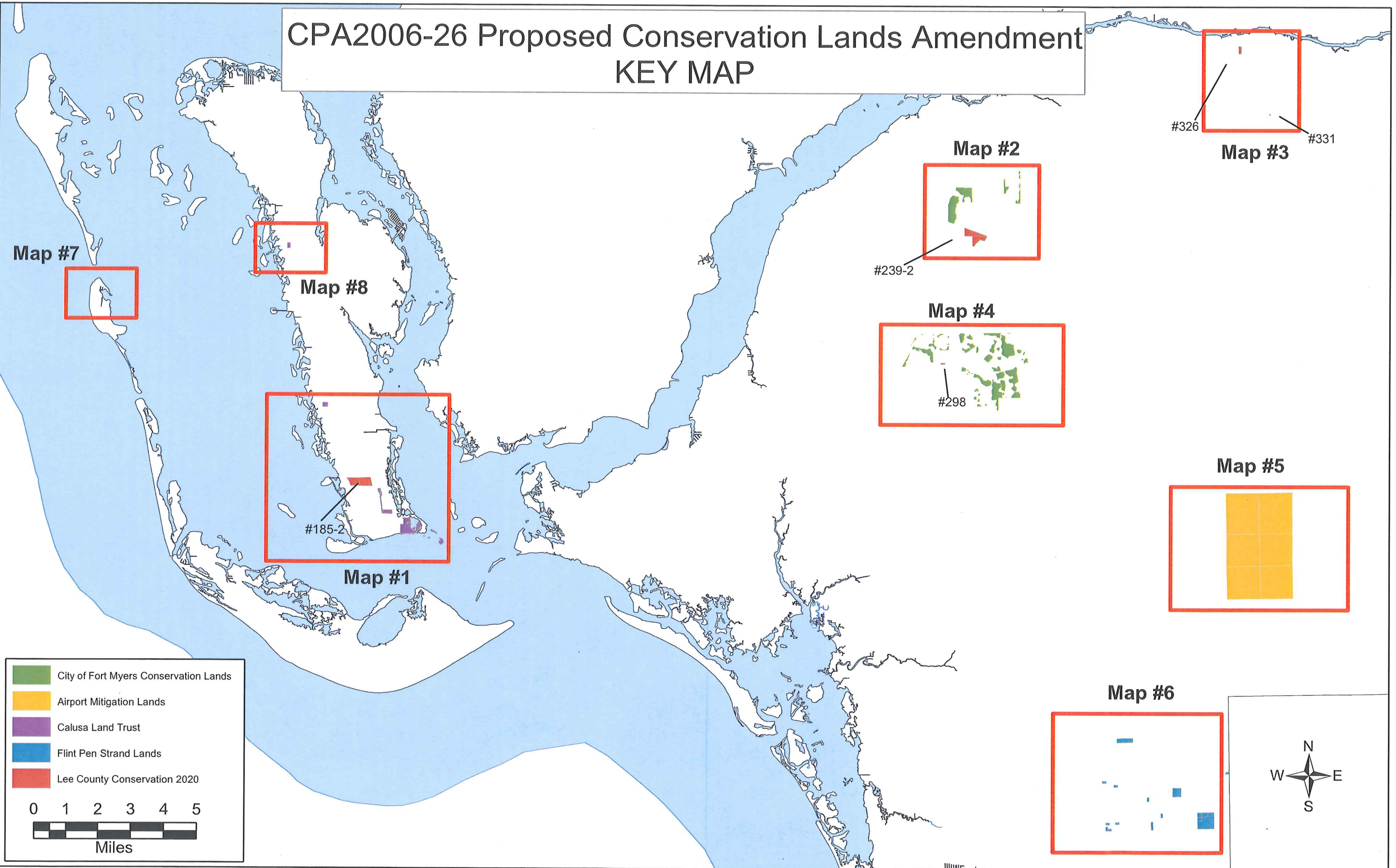
  
Jim Humphrey  
Mayor

**FILED** in the Office of the City Clerk this 4<sup>th</sup> day of October,  
A.D., 2004.

  
Marie Adams, CMC  
City Clerk

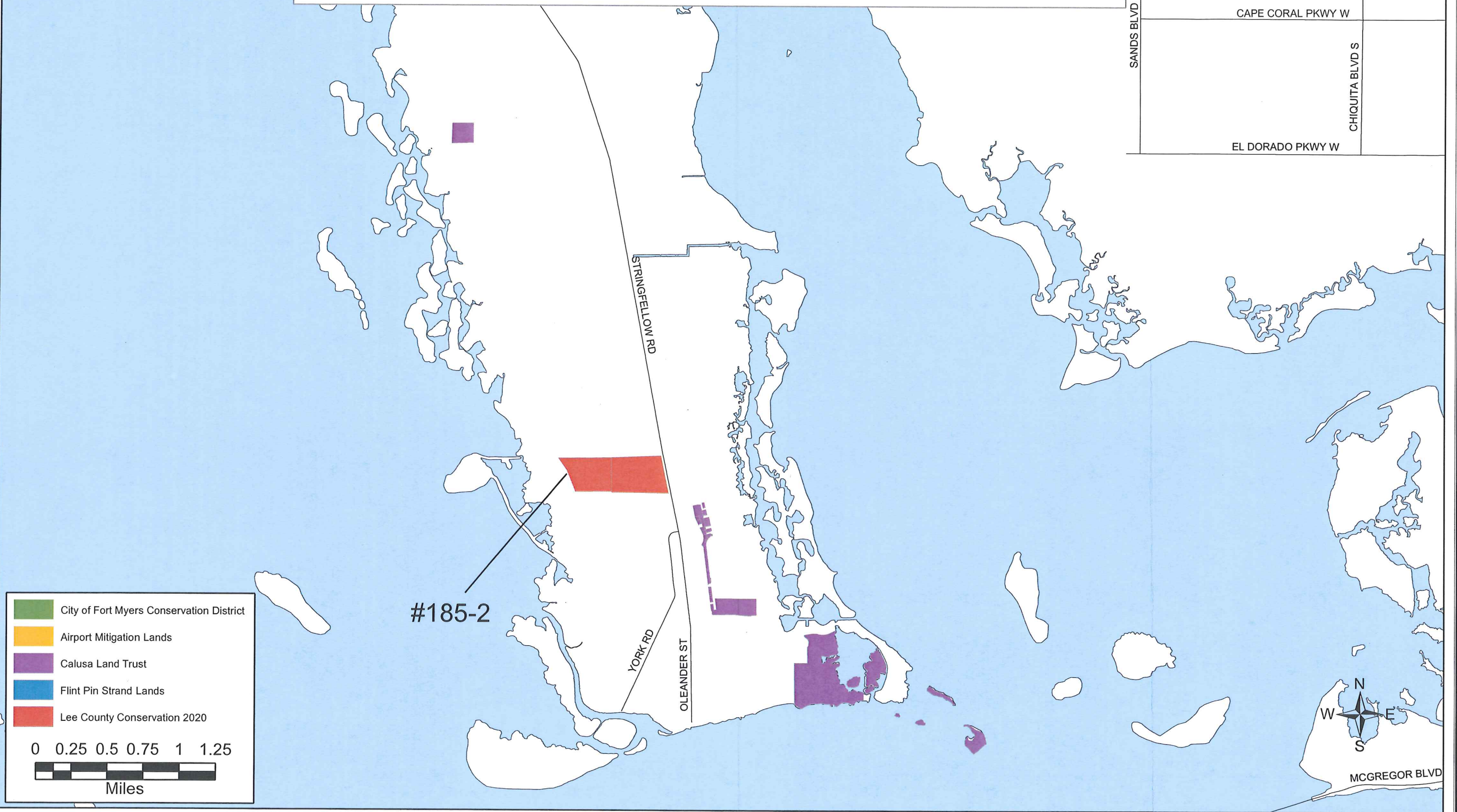


# CPA2006-26 Proposed Conservation Lands Amendment KEY MAP



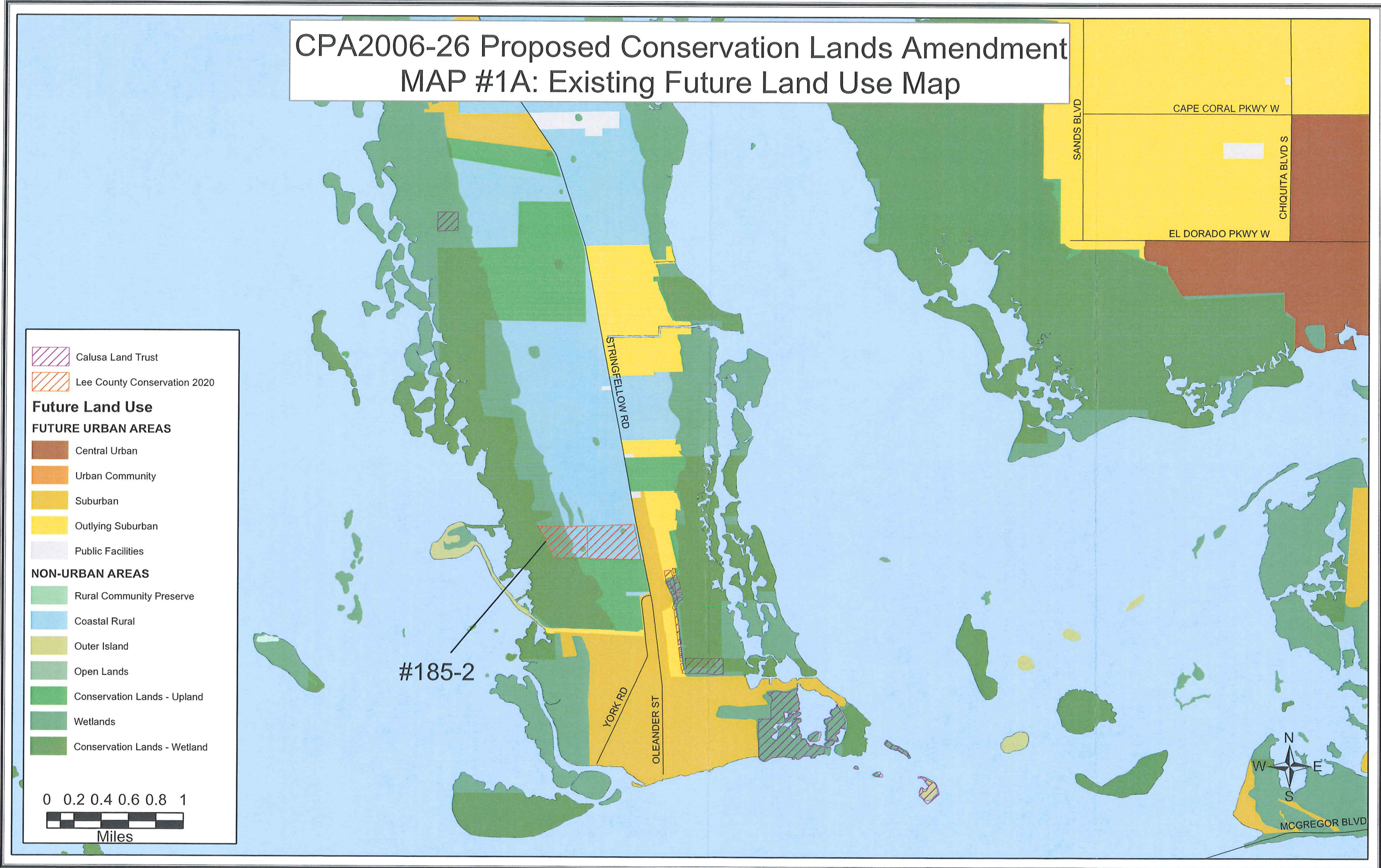


# CPA2006-26 Proposed Conservation Lands Amendment MAP #1







CPA2006-26 Proposed Conservation Lands Amendment  
MAP #1A: Existing Future Land Use Map










# CPA2006-26 Proposed Conservation Lands Amendment

## MAP #1B: Proposed Future Land Use Map

-  Calusa Land Trust
-  Lee County Conservation 2020

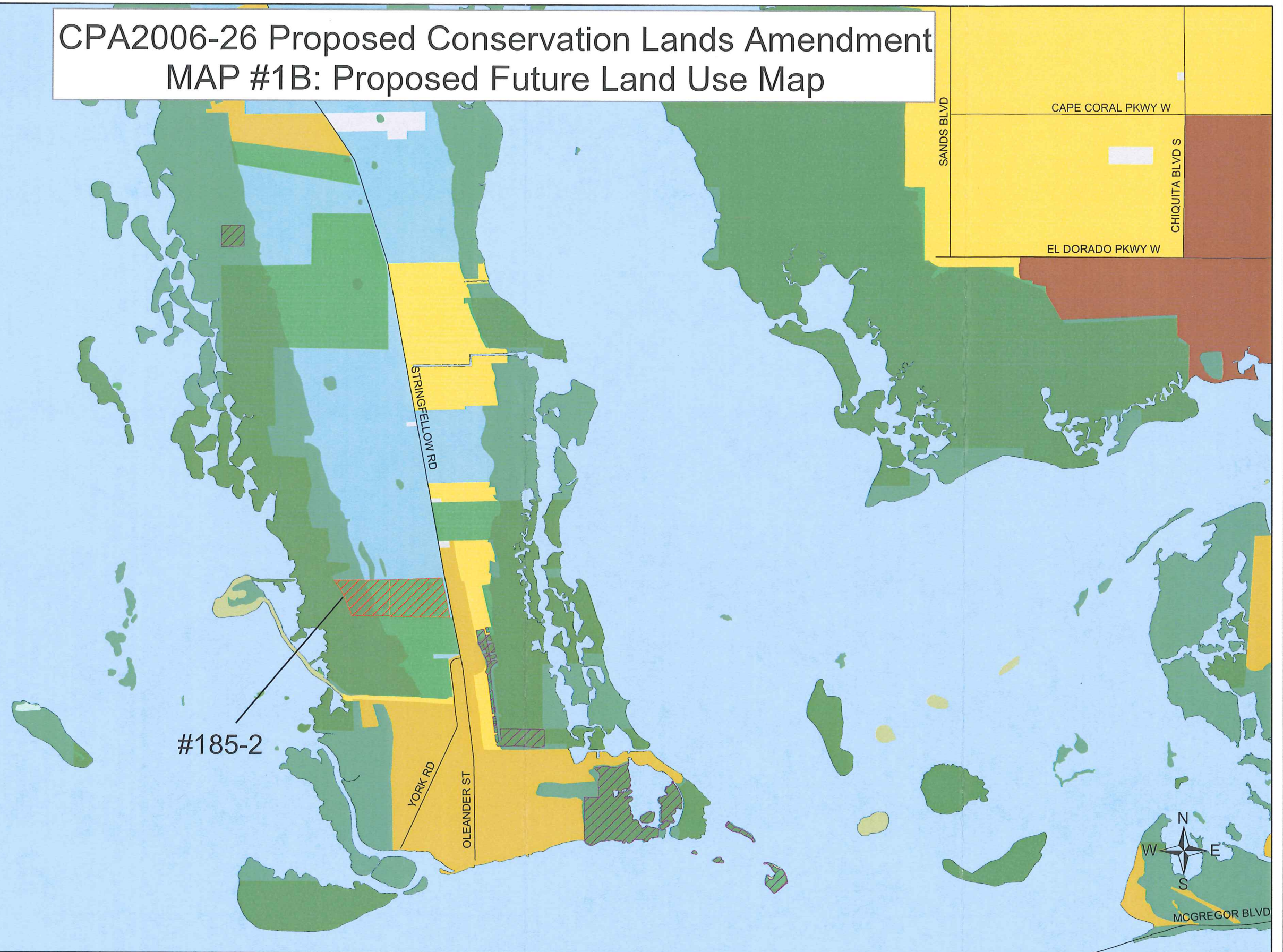
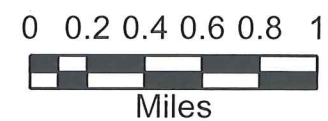
### Future Land Use

#### FUTURE URBAN AREAS

-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Public Facilities

#### NON-URBAN AREAS

-  Rural Community Preserve
-  Coastal Rural
-  Outer Island
-  Open Lands
-  Conservation Lands - Upland
-  Wetlands
-  Conservation Lands - Wetland





# CPA2006-26 Proposed Conservation Lands Amendment

## MAP #2A: Existing Future Land Use Map

City of Fort Myers Conservation District

Lee County Conservation 2020

**Future Land Use**

**FUTURE URBAN AREAS**

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Industrial
- Public Facilities
- University Community

**INTERCHANGE AREAS**

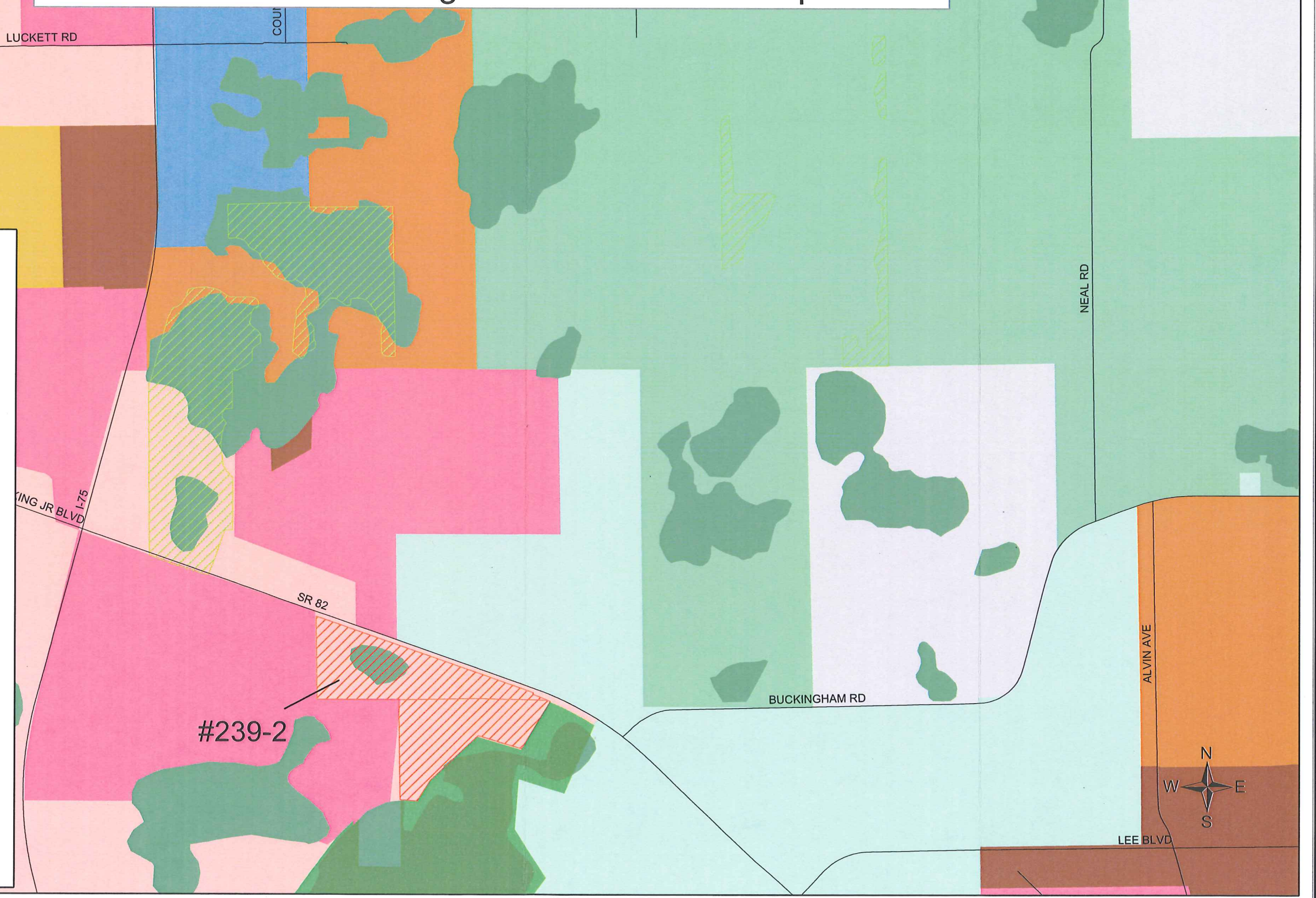
- Industrial Interchange

**NON-URBAN AREAS**

- Rural
- Rural Community Preserve
- Open Lands
- Conservation Lands - Upland
- Wetlands
- Conservation Lands - Wetland

0 0.1 0.2 0.3 0.4 0.5

Miles





# CPA2006-26 Proposed Conservation Lands Amendment

## MAP #2B: Proposed Future Land Use Map

City of Fort Myers Conservation District

Lee County Conservation 2020

**Future Land Use**

**FUTURE URBAN AREAS**

Intensive Development

Central Urban

Urban Community

Suburban

Industrial

Public Facilities

University Community

**INTERCHANGE AREAS**

Industrial Interchange

**NON-URBAN AREAS**

Rural

Rural Community Preserve

Open Lands

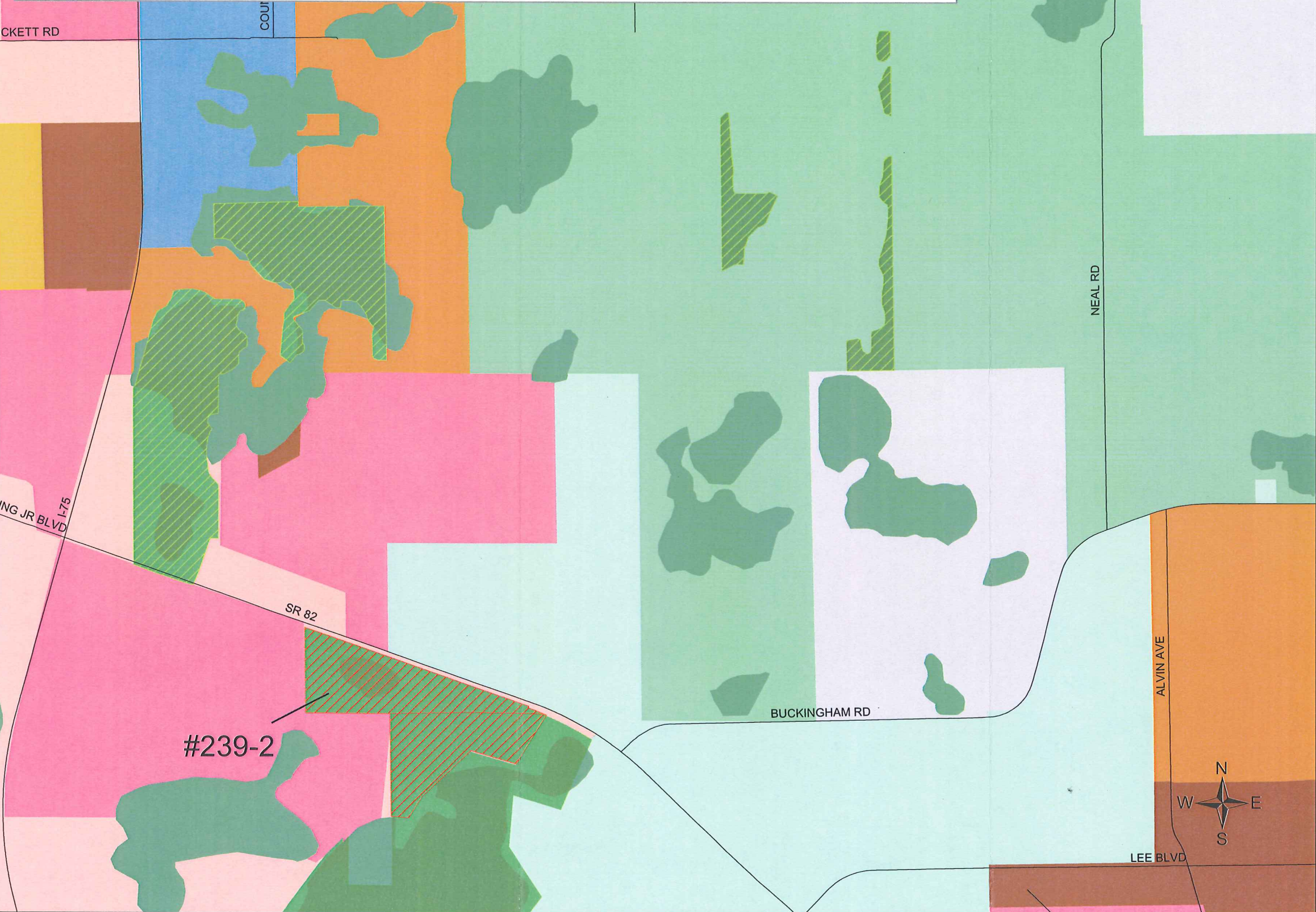
Conservation Lands - Upland

Wetlands

Conservation Lands - Wetland

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Miles















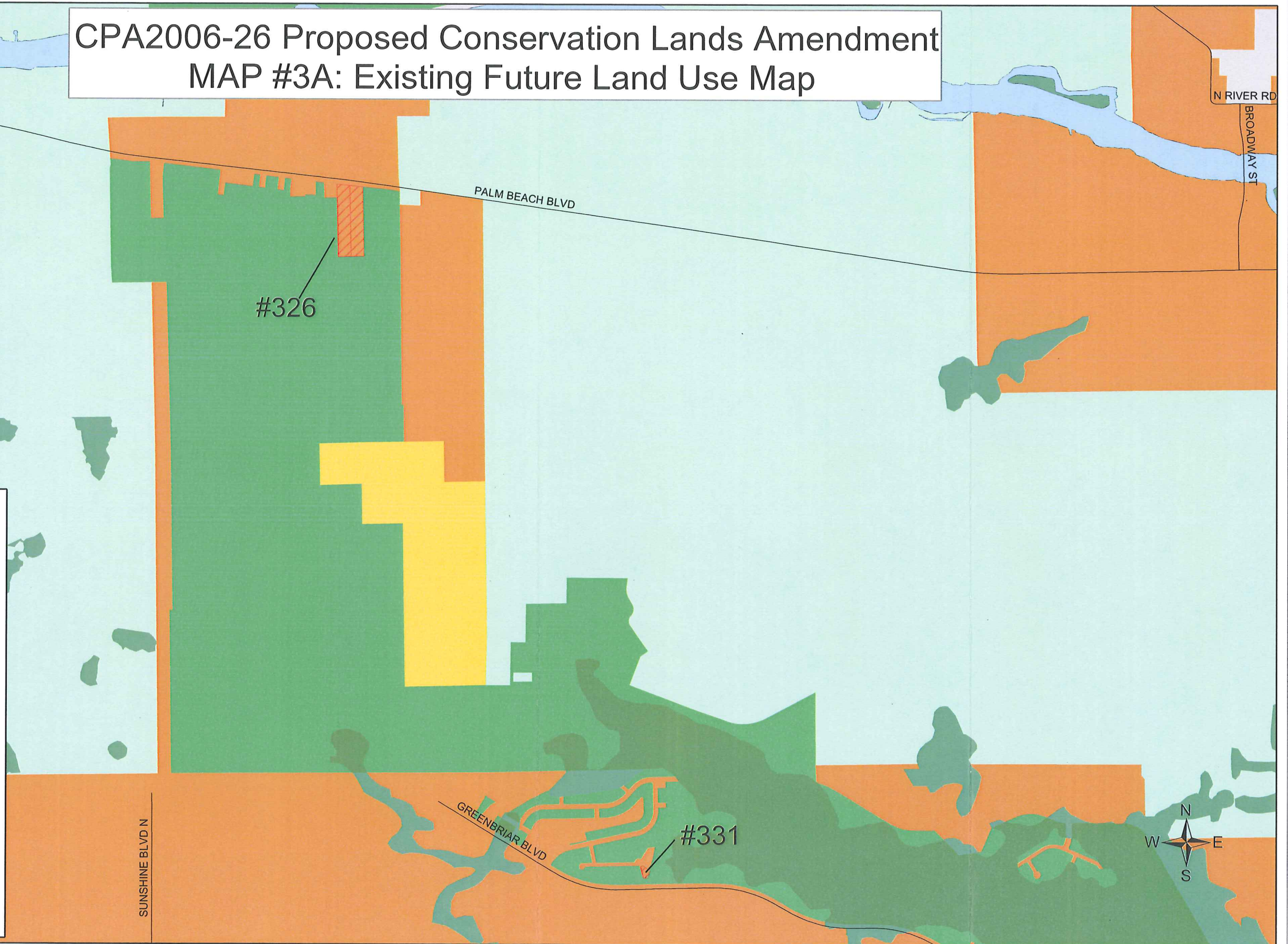
# CPA2006-26 Proposed Conservation Lands Amendment

## MAP #3A: Existing Future Land Use Map

 Lee County Conservation 2020

**Future Land Use**  
**FUTURE URBAN AREAS**  
 Urban Community  
 Outlying Suburban  
 Public Facilities  
**NON-URBAN AREAS**  
 Rural  
 Rural Community Preserve  
 Open Lands  
 Conservation Lands - Upland  
 Wetlands  
 Conservation Lands - Wetland

0 0.1 0.2 0.3 0.4 0.5  
  
 Miles





# CPA2006-26 Proposed Conservation Lands Amendment MAP #3B: Proposed Future Land Use Map

 Lee County Conservation 2020

## Future Land Use

### FUTURE URBAN AREAS

-  Urban Community
-  Outlying Suburban
-  Public Facilities

### NON-URBAN AREAS

-  Rural
-  Rural Community Preserve
-  Open Lands
-  Conservation Lands - Upland
-  Wetlands
-  Conservation Lands - Wetland

0 0.1 0.2 0.3 0.4 0.5

  
Miles

SUNSHINE BLVD N

GREENBRIAR BLVD

PALM BEACH BLVD

N RIVER RD

BROADWAY ST

#326

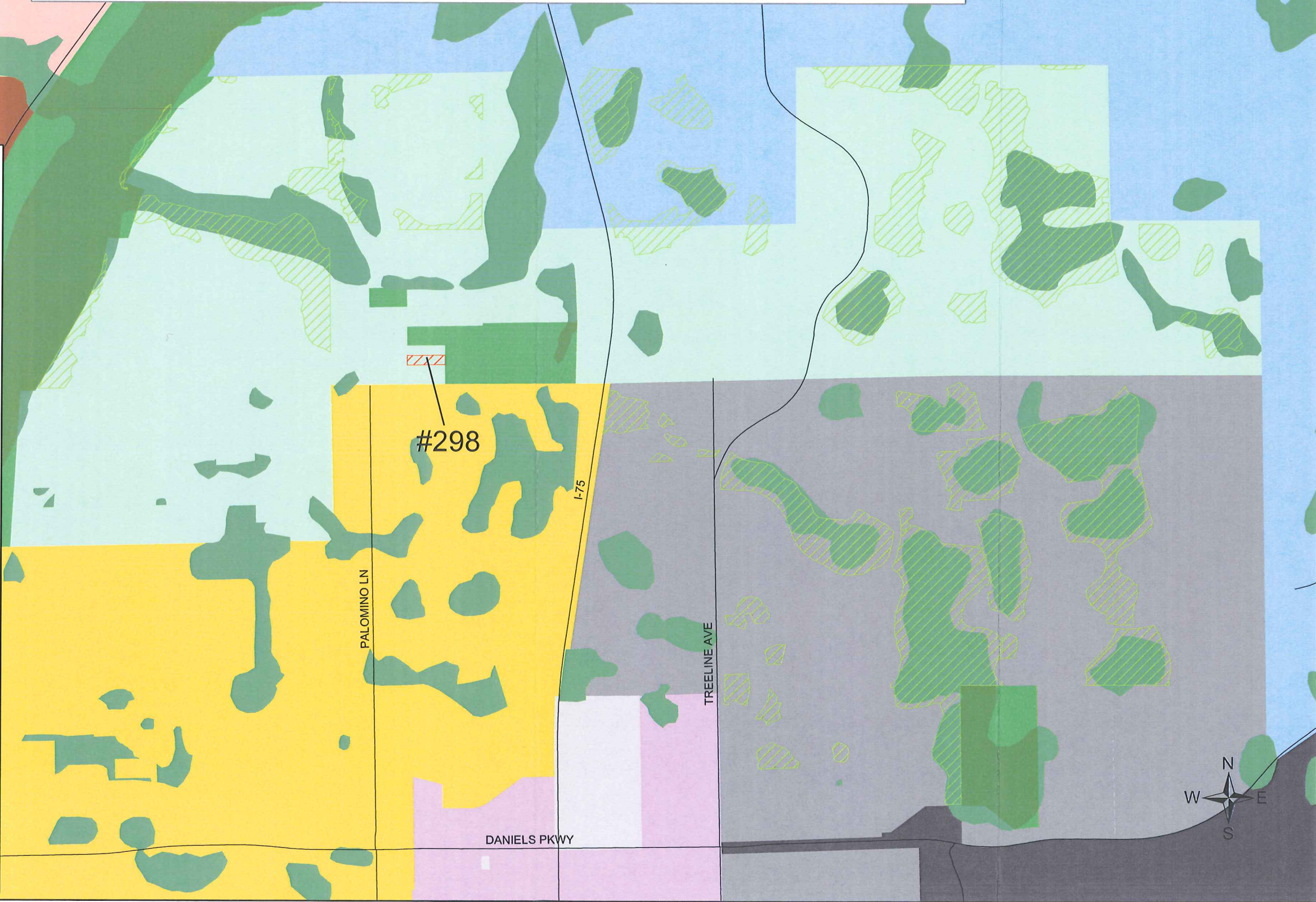
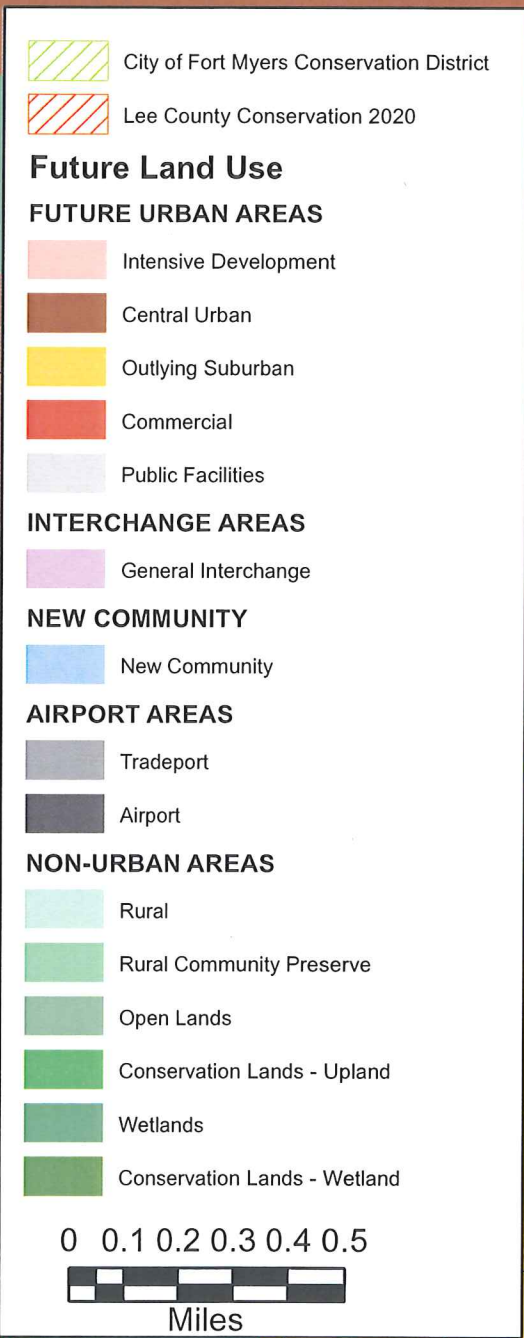
#331





# CPA2006-26 Proposed Conservation Lands Amendment



## MAP #4A Existing Land Use Map










# CPA2006-26 Proposed Conservation Lands Amendment

## MAP #4B Proposed Land Use Map


 City of Fort Myers Conservation District
  Lee County Conservation 2020

**Future Land Use**


**FUTURE URBAN AREAS**

 Intensive Development
  Central Urban
  Outlying Suburban
  Commercial
  Public Facilities



**INTERCHANGE AREAS**

 General Interchange







**NEW COMMUNITY**

 New Community


**AIRPORT AREAS**

 Tradeport
  Airport

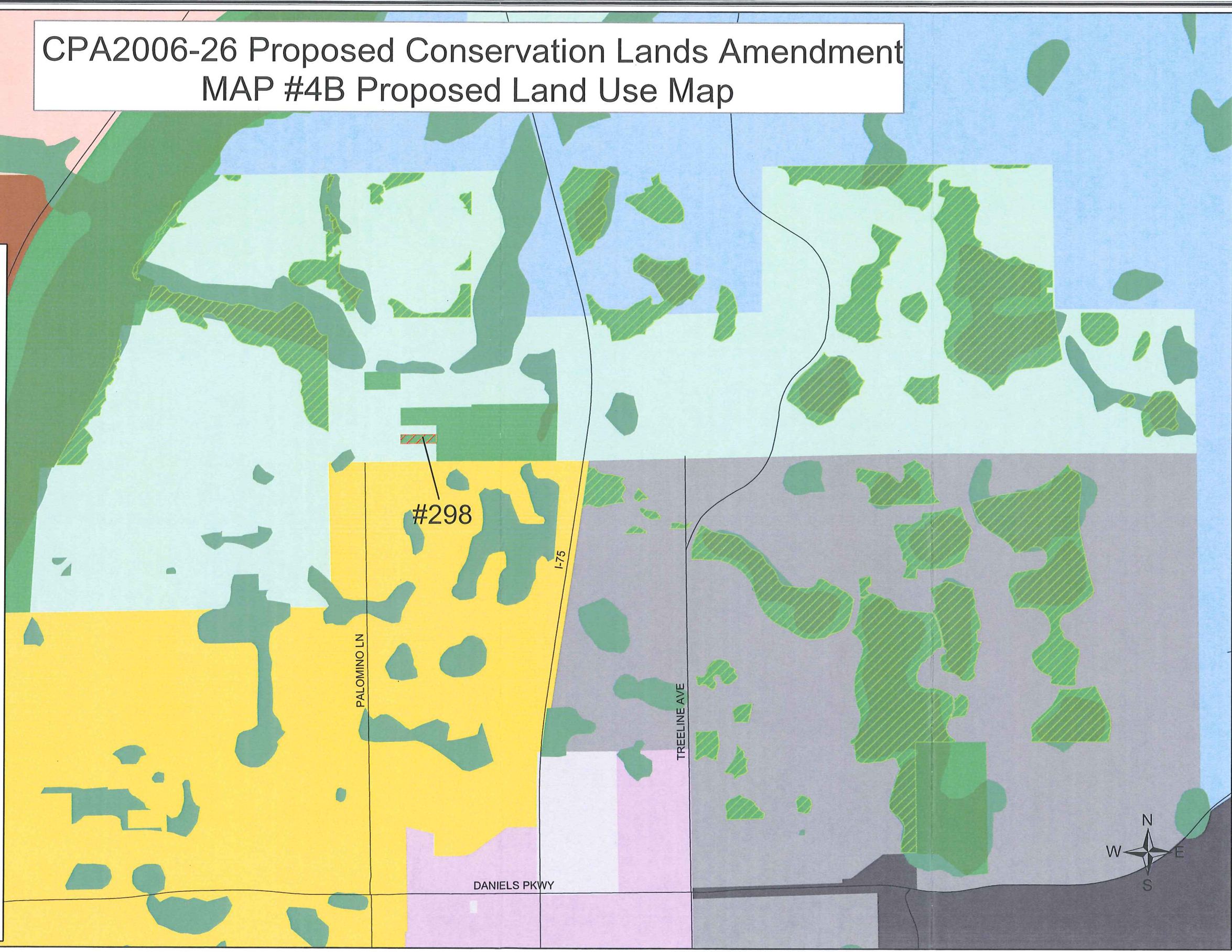
**NON-URBAN AREAS**

 Rural
  Rural Community Preserve
  Open Lands
  Conservation Lands - Upland
  Wetlands
  Conservation Lands - Wetland

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Miles






CPA2006-26 Proposed Conservation Lands Amendment  
MAP #5A Existing Land Use Map


SR 82

 Airport Mitigation Lands


**Future Land Use**


**FUTURE URBAN AREAS**


 Urban Community


 Public Facilities


**NON-URBAN AREAS**

 Open Lands


 Density Reduction/Groundwater Resource

 Conservation Lands - Upland

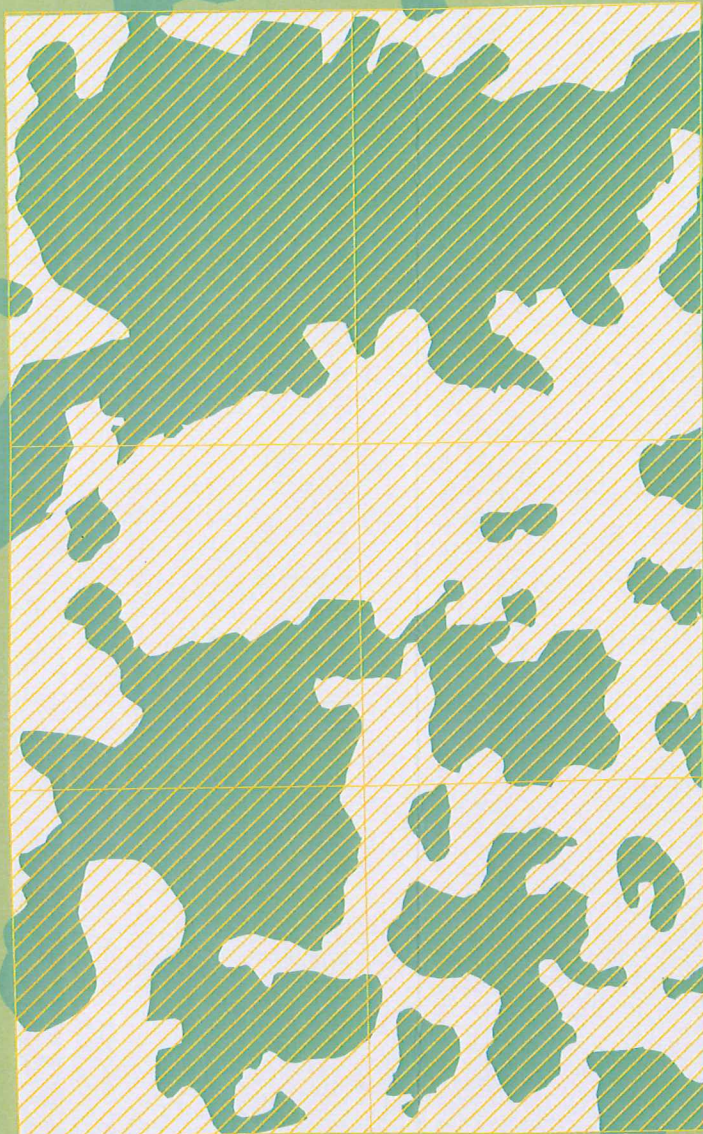
 Wetlands

 Conservation Lands - Wetland

0 0.2 0.4 0.6 0.8 1



Miles




CORKSCREW RD






# CPA2006-26 Proposed Conservation Lands Amendment MAP #5B Proposed Land Use Map


SR 82

 Airport Mitigation Lands


**Future Land Use**


**FUTURE URBAN AREAS**


 Urban Community


 Public Facilities


**NON-URBAN AREAS**

 Open Lands


 Density Reduction/Groundwater Resource

 Conservation Lands - Upland

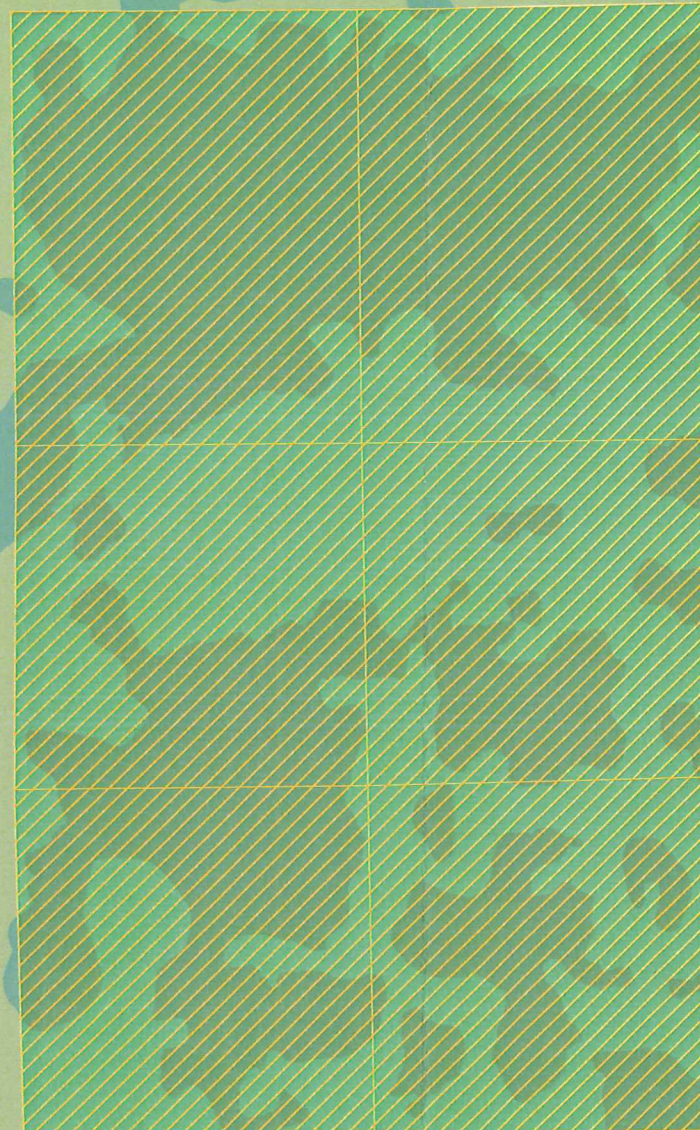
 Wetlands

 Conservation Lands - Wetland

0 0.2 0.4 0.6 0.8 1



Miles

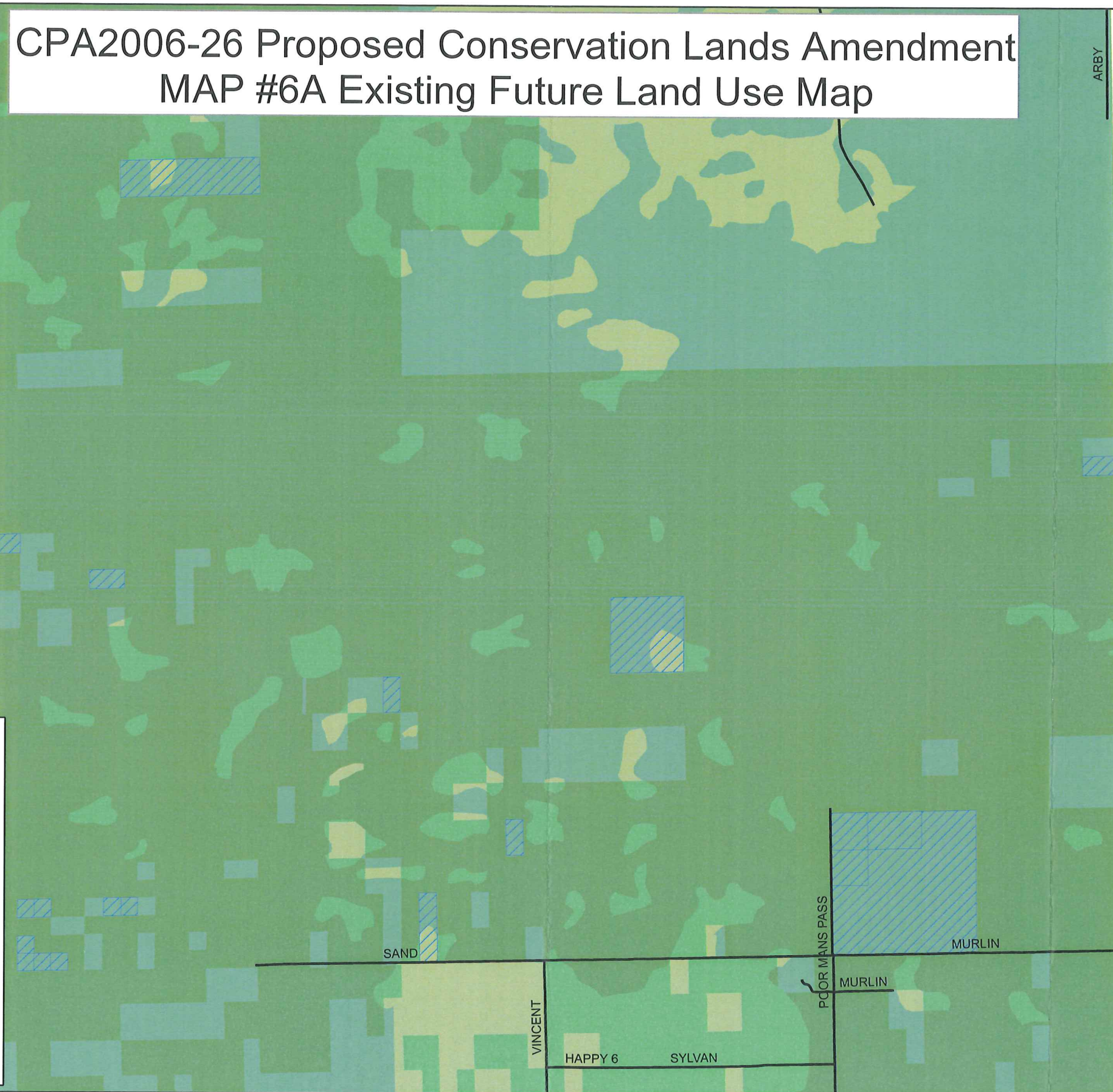
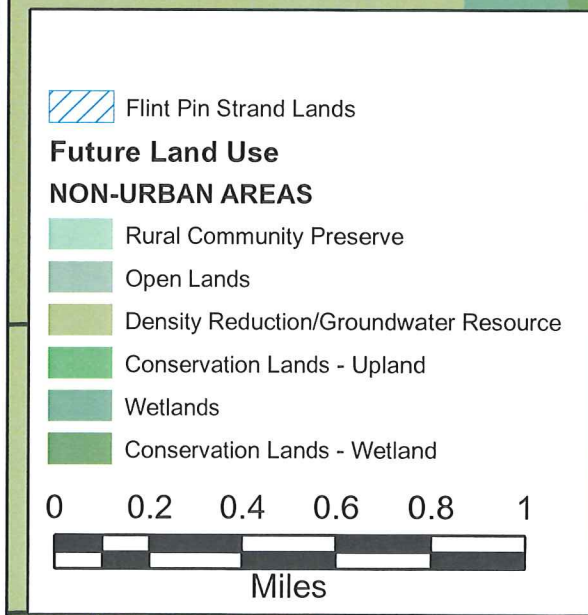


CORKSCREW RD






# CPA2006-26 Proposed Conservation Lands Amendment MAP #6A Existing Future Land Use Map











# CPA2006-26 Proposed Conservation Lands Amendment MAP #6B Proposed Future Land Use Map


 Flint Pin Strand Lands

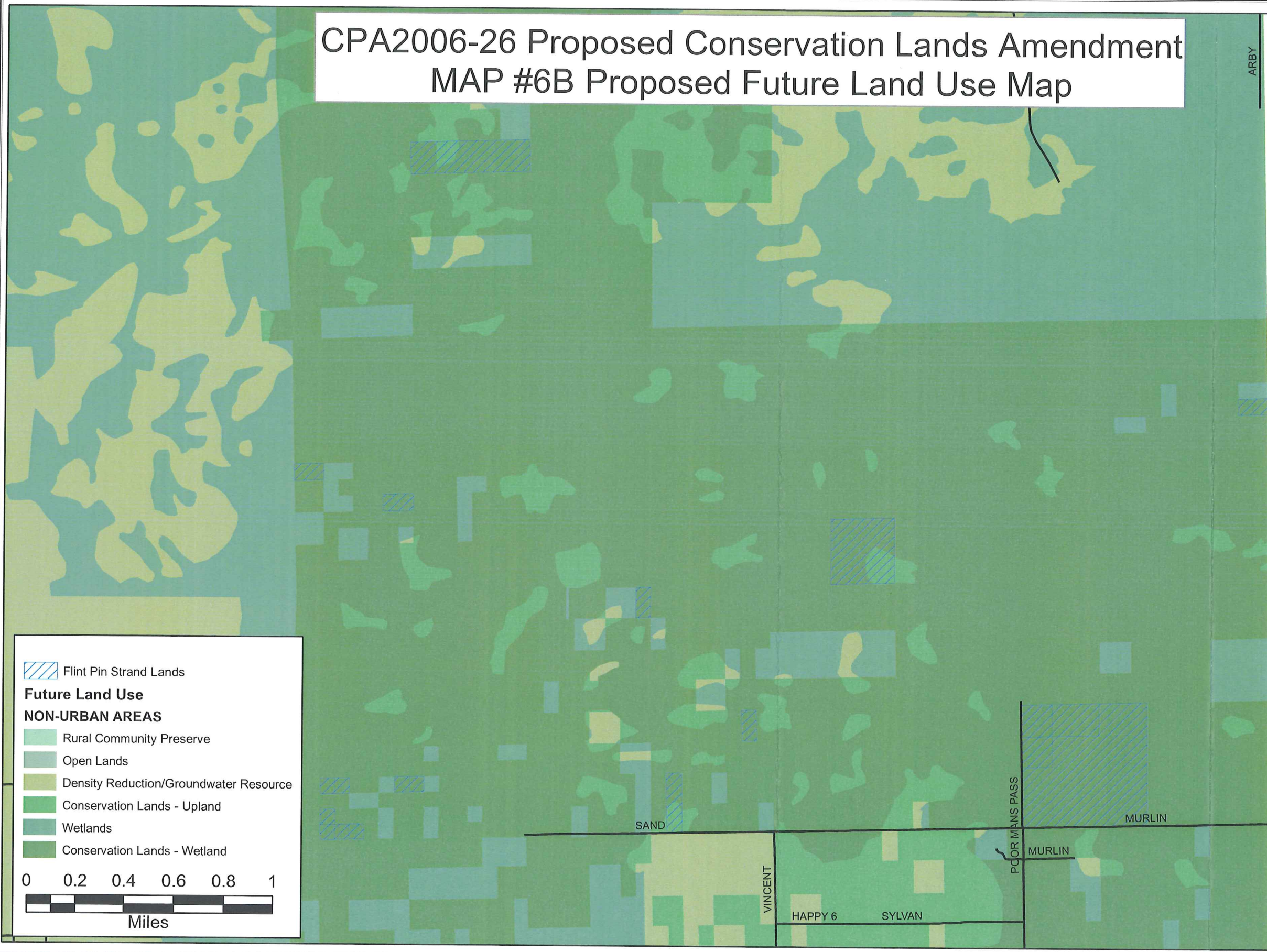
**Future Land Use**

**NON-URBAN AREAS**

-  Rural Community Preserve
-  Open Lands
-  Density Reduction/Groundwater Resource
-  Conservation Lands - Upland
-  Wetlands
-  Conservation Lands - Wetland

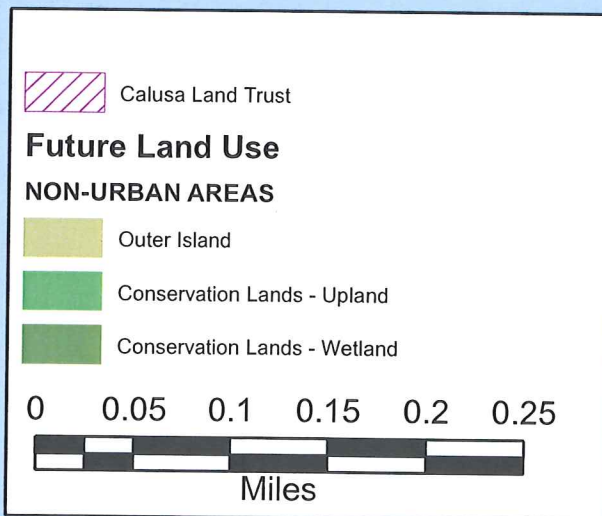
0 0.2 0.4 0.6 0.8 1

 Miles





# CPA2006-26 Proposed Conservation Lands Amendment MAP #7A Existing Land Use Map






CPA2006-26 Proposed Conservation Lands Amendment  
MAP #7B Proposed Land Use Map





# CPA2006-26 Proposed Conservation Lands Amendment MAP #8A Existing Land Use Map

 Calusa Land Trust

## Future Land Use

### FUTURE URBAN AREAS

 Urban Community

 Public Facilities

### NON-URBAN AREAS

 Coastal Rural

 Conservation Lands - Upland

 Wetlands

 Conservation Lands - Wetland

0 0.05 0.1 0.15 0.2 0.25



Miles


STRINGFELLOW RD

PINE ISLAND RD NW







# CPA2006-26 Proposed Conservation Lands Amendment MAP #8B Proposed Land Use Map

 Calusa Land Trust


**Future Land Use**


**FUTURE URBAN AREAS**


 Urban Community


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**NON-URBAN AREAS**


 Coastal Rural

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Miles

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**CPA2006-26**  
**CONSERVATION LANDS UPDATE**  
**BoCC SPONSORED**  
**AMENDMENT TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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BoCC Public Hearing Document  
for the  
December , 2007 Public Hearing

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

November 9, 2007  
LEE COUNTY



**DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-26**

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Text Amendment

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Map Amendment

<input checked="" type="checkbox"/>	<b>This Document Contains the Following Reviews:</b>
<input checked="" type="checkbox"/>	Staff Review
<input checked="" type="checkbox"/>	Local Planning Agency Review and Recommendation
<input type="checkbox"/>	Board of County Commissioners Hearing for Transmittal
<input type="checkbox"/>	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
<input type="checkbox"/>	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 9, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING &  
DIVISION OF ENVIRONMENTAL SCIENCES

**2. REQUEST:**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners (BOCC) transmit this proposed amendment to the Future Land Use Element, Map 1, Future Land Use Map (FLUM).

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Conservation Lands land use categories were created to accurately depict the use of lands for conservation purposes.
- The Lee Plan Future Land Use element currently includes conservation areas owned by various agencies that have been designated as Conservation Lands.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.

- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has received 401 willing seller applications for properties to be purchased through the Conservation 2020 Program.
- Seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580 through the Conservation 2020 Program.
- On June 3, 1998, the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classify approximately 50,000 acres into this FLUM category by amendment PAMT96-08, which became effective on July 30, 1998.
- The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, “2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances”, which became effective on March 27, 2002.
- In addition, the Conservation Lands categories were amended to include 2,550± acres purchased by the Conservation 2020 Program as of August 1, 2001. The 1,245± acre Sahdev property, purchased by Trust for Internal Improvement Trust Fund State of Florida (TIITF), was also included into these categories.
- The Conservation Lands categories were amended by CPA2001-15 to include 1,019± acres purchased by the Conservation 2020 Program, 8,617± acres purchased by TIITF and 1,130± acres purchased by the Calusa Land Trust, which became effective April 1, 2003.
- The Conservation Lands categories were amended by CPA2002-08 to include 3,391± acres purchased by the Conservation 2020 Program, 1,095 acres purchased by the South Florida Water Management District (SFWMD), 2,057± acres purchased by TIITF and 255± acres jointly owned by SFWMD and TIITF, which became effective January 21, 2004.
- The Conservation Lands categories were amended by CPA2005-28 to include 1,357± acres purchased by the Conservation 2020 Program and 1,204 acres purchased by Lee County for other mitigation purposes, which became effective August 14, 2007.
- In addition, the Conservation Lands categories were amended to remove 717± acres (including Coon Key, Corkscrew Water Treatment Facility, Cape Coral Park, and Harnes Marsh) that were erroneously included in the Conservation Lands categories by PAMT96-08 without the property owner’s permission.
- Currently, there are a total of 73,216± acres in the conservation lands categories.
- Currently, 14% of Lee County is designated in the conservation future land use categories.
- Lee County purchased 12 nominations, totaling 1,314± acres, through the Conservation 2020 Program since August 2006.

- October 11, 2007, CLASAC approved the inclusion of 223± acres or 5 of the 12 acquired nominations that have management plans, to the conservation land use categories.
- Lee County purchased 6,239± acres of the Babcock Ranch through the Conservation 2020 Program on July 31, 2006.
- The County Attorney's opinion that the Babcock Ranch should not be included in the conservation lands use categories at this time.
- Lee County Port Authority mitigated wetland impacts the Midfield Terminal construction by the creation and restoration of wetlands on 4,175± acres of land within the Imperial Marsh.
- A conservation easement was granted to the South Florida Water Management District over these six sections of land in 1996.
- Lee County has purchased more lands within the Flint Pen Strand for conservation purposes.
- On October 17, 2007, the Calusa Land Trust agreed to include 234± acres into the conservation land use categories.
- On October 4, 2004, the City of Fort Myers amended their comprehensive plan to create the conservation lands district.
- As of August 30, 2007, there are 1,041± acres within the conservation lands district of the City of Fort Myers Comprehensive Plan.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

## **C. BACKGROUND INFORMATION**

### **1. COMPREHENSIVE PLAN BACKGROUND**

On June 3, 1998, the Board of County Commissioners (BOCC) adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classified approximately 50,000 acres in this FLUM category, by the comprehensive plan amendment PAMT96-08. On January 10, 2002, the BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6.

The FLUM was revised annually from 2002 to 2004 to update the Conservation Lands categories. Map amendments CPA2000-09, CPA2001-15 and CPA2002-08 changed the land uses of 21,359 acres purchased by the Conservation 2020 Program, the State of Florida and the Calusa Land Trust. The annual amendments were postponed until the Evaluation and Appraisal Report (EAR) was completed. The FLUM was revised in 2007 by CPA2005-28 to update the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, lands acquired for mitigation purposes and remove lands included in the conservation lands category that were changed without approval of the property owner or have non-compliant uses

## 2. EXISTING CONSERVATION LANDS

Currently, about 73,216± acres are classified in the Conservation Lands categories including: Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Cayo Costa, Charlie's Marsh Mitigation Area, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Eco Park, Estero Bay Buffer Preserve, Flag Pond Preserve, Flint Pen Strand, Florida Rock Western Slough Preserve, Galt Preserve, Gator Hole Preserve, Harn's Marsh, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh, Imperial River Preserve, J.N. Ding Darling National Wildlife Refuge, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, San Carlos Bay Bunche Beach Preserve, Six Mile Cypress Preserve, Wild Turkey Strand Preserve, Yellow Fever Creek Preserve and Yucca Pens. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 19,493 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 53,723 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

## 3. CONSERVATION 2020 PROGRAM

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The Board of County Commissioners (BOCC) established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities.

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 401 willing seller applications. As of September 14, 2006, seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580. After purchase, Lee County Parks and Recreation Land Stewardship staff draft management plans for CLASAC review. CLASAC makes recommendations to staff and the Board of County Commissioners for site restoration, mitigation funds sources, government agencies partnership

potential, acceptable passive recreational uses and appropriate zoning and comprehensive plan categories. The table on Exhibit B lists which preserves have an approved management plan.

**4. AIRPORT MITIGATION LANDS**

These parcels were purchased from the City of Fort Myers in April 1994 for the purpose of mitigating future wetland impacts due to Southwest Florida International Airport expansion. A conservation easement was granted to the South Florida Water Management District on 1996 over these six sections of land. Construction of the Midfield Terminal was permitted in 2002 and was completed in 2005. Currently, the Port Authority is monitoring the mitigation areas as required by the South Florida Water Management District permit.

**5. FLINT PEN STRAND**

Lee County began the purchase of lands within Flint Pen Strand in the early 1990's as an agreement with the South Florida Water Management District as part of the CREW Trust. Most of these lands purchased within the Flint Pen Strand already have been included within the conservation lands categories.

**6. CALUSA LAND TRUST**

The Calusa Land Trust is a nonprofit environmental group, which has volunteers who donate their time, talent, and financial support to protect natural resources. It was started in 1976 by four Calusa Island residents who wanted to protect their island from development. It was expanded in 1989 to include all of Pine Island and now has about 900 members. Membership dues are used toward the purchase of land purchases. The Trust has been a very active organization in the Conservation 2020 Program by targeting properties on Pine Island for acquisition, inquiring if the property owners are willing sellers and nominating those properties for purchase. The Calusa Land Trust has also partnered with Lee County in purchasing those lands by making contributions of up to \$25,000.

The purpose of the Calusa Land Trust is to protect the natural diversity and beauty of the Pine Island region by acquiring, managing and preserving in perpetuity environmentally sensitive or historically important land and to foster appreciation for and understanding of the environment and our past. The Calusa Land Trust agreed in 2001 to reclassify 1,129 acres to conservation lands categories by amendment CPA2001-15.

**7. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

On October 4, 2004, the City of Fort Myers amended their comprehensive plan section of the City Development Code to create the conservation lands district with Ordinance #3222. The City staff have required developments amending their comprehensive plan land uses, designate wetland preserves and conservation easements into the conservation land district.

**8. BABCOCK RANCH**

6239 acres of the Babcock Ranch were purchased by Conservation 2020 on July 31, 2006. The Management Agreement for the Babcock Ranch was created with the State of Florida, Kitson & Partners and Lee County. The County Attorney's office stated uses approved within the Management Agreement would most likely conflict with the conservation lands use categories and the FLUM for Babcock not be changed until the County Attorney's office has contacted applicable State agencies and Kitson & Partners.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and, water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks. The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.

#### **3. LANDS TO BE RECLASSIFIED**

This amendment contains lands purchased by Lee County through the Conservation 2020 Program after August 2006, other lands owned by Lee County for conservation purposes, the Calusa Land Trust and lands included within the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

#### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 223.98± acres

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Exhibit A).

**EXISTING USES:** The subject properties contain former agricultural uses, vacant land, uplands with native vegetation, mangroves and other wetland vegetation.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Rural, Coastal Rural and Wetlands. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.



After multiple meetings with CLASAC Management Subcommittee on August 27, September 24, October 11, 2007 and the regular CLASAC committee on September 20 and October 11, 2007 staff agreed to include only the acquired nominations that had approved management plans or were adjacent to preserves with management plans. CLASAC was concerned that the conservation lands use categories would prohibit certain uses as detailed in the management plans. Their direction to staff was to wait until the management plans were approved before including them into these land use categories. Out of the twelve nominations acquired since August 2006, only five fulfilled that criteria.

## **5. EXISTING CONDITIONS OF THE AIRPORT MITIGATION LANDS**

**TOTAL ACREAGE:** 4,175.34 ± acres

**LOCATIONS:** Six sections of land south of SR82, north of Corkscrew Road and east of Alico Road within the Imperial Marsh (see attached maps).

**EXISTING USES:** The subject property are created wetlands, existing wetlands and fallow farm fields

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided by the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

At the December 13, 2006 transmittal hearing for the previous conservation lands amendment, CPA2005-28, the Board of County Commissioners questioned staff about the Airport Mitigation Lands. Planning staff replied that these lands would most likely be included in the next conservation lands amendment. Planning staff met with Port Authority staff on October 10 and 24, 2007 to discuss amending the all of the Airport Mitigation Lands into the conservation lands land use categories. Port Authority staff are concerned that including these lands into the conservation lands categories will hamper future mitigation for the parallel runway construction impacts. However, it is Planning staff's opinion that the mitigation has been completed and there already exists a conservation easement over six sections of land within the Imperial Marsh.

## **6. EXISTING CONDITIONS OF THE FLINT PEN STRAND LANDS**

**TOTAL ACREAGE:** 295± acres

**LOCATIONS:** These properties are located south of Corkscrew Road, north of Bonita Beach Road, east of I-75 and west of the eastern County line (see attached maps).

**EXISTING USES:** The subject properties are preserves with uplands and wetlands.

**CURRENT ZONING CLASSIFICATIONS:** AG-2. Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

In August 2007, Planning staff met with County Lands staff to discuss the parcels within the Flint Pen Strand not currently classified in the conservation lands categories. Robert Clemens of County lands stated that they have waited for the South Florida Water Management District to buy these lands from Lee County, but no action has been taken in the last ten years. He stated that most of these County lands land uses could be amended, but was concerned about including lands south of the Kehl Canal because of the Future 951 Road Extension and future CREW Critical Mitigation areas.

## **7. EXISTING CONDITIONS OF CALUSA LAND TRUST PROPERTIES**

**TOTAL ACREAGE:** 234.5 ± acres

**LOCATIONS:** North Captiva, Pine Island and islands within San Carlos Bay (see attached maps).

**EXISTING USES:** The subject properties are preserved beaches, mangroves and pine flatwoods with passive recreation uses.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit B details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **8. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

**TOTAL ACREAGE:** 1,041.33± acres

**LOCATIONS:** These properties occur within the developments of Reflection Isles, Paseo, Botanica Lakes, Arborwood, Heritage Lakes and (see attached maps).

**EXISTING USES:** The subject properties are preserved wetlands in conservation easements within existing and proposed developments.

**CURRENT ZONING CLASSIFICATIONS:** The zoning classifications are not applicable since these parcels occur within the City of Fort Myers.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Tradeport, New Community, Rural and Wetlands Future Land Use Categories. Exhibits C & D of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **9. ALLOWABLE USES AND ACTIVITIES**

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

## **10. ZONING**

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981

to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

## **11. WETLANDS**

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

## **12. GRANTS**

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

## **B. CONCLUSIONS**

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 104, and Policy 104.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Exhibit E). These goals, objectives, and policies read as follows:

**Objective 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

**Policy 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

**Goal 104: COASTAL RESOURCE PROTECTION.** To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

**Policy 104.1.2:** The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

**C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

**PART III - LOCAL PLANNING AGENCY  
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

**A. LOCAL PLANNING AGENCY REVIEW**

Environmental Sciences staff gave a brief presentation of the case and reviewed the staff report. A LPA member questioned staff if conservation easements and fee simple properties were distinguished differently in the conservation lands categories. Staff stated that they were not, but explained that conservation easements and other preserves required by permits have not been included in the conservation land use categories in the past. The City of Fort Myers included preserves and conservation easements into their Conservation Lands district and this amendment update of their Future Land Use Map.

Another LPA member questioned why the airport mitigation lands were not included. Staff explained that there was future mitigation work still to be done on the property and there was concern by the Port Authority that these land uses would restrict this work.

The only public comment was from Emily Underhill with Lee County Port Authority. She Imperial Marsh and Flint Pen Strand Addition properties contained within the Airport's Mitigation Park Lands shall also include the following allowable uses: (1) installation of ASR wells and related infrastructure and utility appurtenances mutually agreed upon by both Lee County Utilities and the Lee County Port Authority that will provide public water supply and recharge benefits; (3) continued creation, enhancement, and restoration of wetlands and other site improvements pursuant to existing and future local, state, and federal permit obligations and special conditions; (4) continued necessary wildlife removal activities (hog removal, etc.) as deemed necessary to ensure continued survival rate and success of created plantings and restoration efforts; (5) continued exotic vegetation control and removal of invasive species, mowing, and prescribed burn activities as required to meet success criteria as outlined in current and future local, state, and federal permit obligations and special conditions; (6) installation of needed perimeter and boundary fencing and related signage; (7) implementation of drainage flow ways and storage areas to restore historic drainage flow patterns and/or improve surface water management as needed in accordance with respective surface water management approvals

The LPA recommended transmittal of the proposed amendment passed 5-0.

#### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

1. **RECOMMENDATION:** The Local Planning Agency recommends that the BoCC transmit the proposed amendment, CPA2005-28.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Local Planning Agency accepted the findings of fact as advanced by staff.

#### **C. VOTE:**

NOEL ANDRESS	<u>AYE</u>
DEREK BURR	<u>AYE</u>
LES COCHRAN	<u>AYE</u>
RONALD INGE	<u>ABSENT</u>
CARLETON RYFFEL	<u>AYE</u>
LELAND M. TAYLOR	<u>AYE</u>
RAE ANN WESSEL	<u>AYE</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**BRIAN BIGELOW**

**TAMMARA HALL**

**BOB JANES**

**RAY JUDAH**

**FRANK MANN**

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**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**
  
- B. STAFF RESPONSE**



**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**BRIAN BIGELOW**

**TAMMARA HALL**

**BOB JANES**

**RAY JUDAH**

**FRANK MANN**

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**CONSERVATION LANDS UPDATE**  
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**AMENDMENT TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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BoCC Public Hearing Document  
for the  
October 22<sup>nd</sup>, 2008 Public Hearing

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*Lee County Planning Division*  
*1500 Monroe Street*  
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*Fort Myers, FL 33902-0398*  
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October 8, 2008

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-26**

☐

Text Amendment

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Map Amendment

✓	<b>This Document Contains the Following Reviews:</b>
✓	<b>Staff Review</b>
✓	<b>Local Planning Agency Review and Recommendation</b>
	<b>Board of County Commissioners Hearing for Transmittal</b>
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STAFF REPORT PREPARATION DATE: November 9, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING &  
DIVISION OF ENVIRONMENTAL SCIENCES

**2. REQUEST:**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners (BOCC) transmit this proposed amendment to the Future Land Use Element, Map 1, Future Land Use Map (FLUM).

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Conservation Lands land use categories were created to accurately depict the use of lands for conservation purposes.

- The Lee Plan Future Land Use element currently includes conservation areas owned by various agencies that have been designated as Conservation Lands.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has received 401 willing seller applications for properties to be purchased through the Conservation 2020 Program.
- Seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580 through the Conservation 2020 Program.
- On June 3, 1998, the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classify approximately 50,000 acres into this FLUM category by amendment PAMT96-08, which became effective on July 30, 1998.
- The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, “2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances”, which became effective on March 27, 2002.
- In addition, the Conservation Lands categories were amended to include 2,550± acres purchased by the Conservation 2020 Program as of August 1, 2001. The 1,245± acre Sahdev property, purchased by Trust for Internal Improvement Trust Fund State of Florida (TIITF), was also included into these categories.
- The Conservation Lands categories were amended by CPA2001-15 to include 1,019± acres purchased by the Conservation 2020 Program, 8,617± acres purchased by TIITF and 1,130± acres purchased by the Calusa Land Trust, which became effective April 1, 2003.
- The Conservation Lands categories were amended by CPA2002-08 to include 3,391± acres purchased by the Conservation 2020 Program, 1,095 acres purchased by the South Florida Water Management District (SFWMD), 2,057± acres purchased by TIITF and 255± acres jointly owned by SFWMD and TIITF, which became effective January 21, 2004.
- The Conservation Lands categories were amended by CPA2005-28 to include 1,357± acres purchased by the Conservation 2020 Program and 1,204 acres purchased by Lee County for other mitigation purposes, which became effective August 14, 2007.
- In addition, the Conservation Lands categories were amended to remove 717± acres (including Coon Key, Corkscrew Water Treatment Facility, Cape Coral Park, and Harnes Marsh) that were erroneously included in the Conservation Lands categories by PAMT96-08 without the property owner’s permission.
- Currently, there are a total of 73,216± acres in the conservation lands categories.

- Currently, 14% of Lee County is designated in the conservation future land use categories.
- Lee County purchased 12 nominations, totaling 1,314± acres, through the Conservation 2020 Program since August 2006.
- October 11, 2007, CLASAC approved the inclusion of 223± acres or 5 of the 12 acquired nominations that have management plans, to the conservation land use categories.
- Lee County purchased 6,239± acres of the Babcock Ranch through the Conservation 2020 Program on July 31, 2006.
- The County Attorney's opinion that the Babcock Ranch should not be included in the conservation lands use categories at this time.
- Lee County Port Authority mitigated wetland impacts the Midfield Terminal construction by the creation and restoration of wetlands on 4,175± acres of land within the Imperial Marsh.
- A conservation easement was granted to the South Florida Water Management District over these six sections of land in 1996.
- Lee County has purchased more lands within the Flint Pen Strand for conservation purposes.
- On October 17, 2007, the Calusa Land Trust agreed to include 234± acres into the conservation land use categories.
- On October 4, 2004, the City of Fort Myers amended their comprehensive plan to create the conservation lands district.
- As of August 30, 2007, there are 1,041± acres within the conservation lands district of the City of Fort Myers Comprehensive Plan.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

## **C. BACKGROUND INFORMATION**

### **1. COMPREHENSIVE PLAN BACKGROUND**

On June 3, 1998, the Board of County Commissioners (BOCC) adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classified approximately 50,000 acres in this FLUM category, by the comprehensive plan amendment PAMT96-08. On January 10, 2002, the BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6.

The FLUM was revised annually from 2002 to 2004 to update the Conservation Lands categories. Map amendments CPA2000-09, CPA2001-15 and CPA2002-08 changed the land uses of 21,359 acres purchased by the Conservation 2020 Program, the State of Florida and the Calusa Land Trust.

The annual amendments were postponed until the Evaluation and Appraisal Report (EAR) was completed. The FLUM was revised in 2007 by CPA2005-28 to update the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, lands acquired for mitigation purposes and remove lands included in the conservation lands category that were changed without approval of the property owner or have non-compliant uses

## **2. EXISTING CONSERVATION LANDS**

Currently, about 73,216± acres are classified in the Conservation Lands categories including: Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Cayo Costa, Charlie's Marsh Mitigation Area, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Eco Park, Estero Bay Buffer Preserve, Flag Pond Preserve, Flint Pen Strand, Florida Rock Western Slough Preserve, Galt Preserve, Gator Hole Preserve, Harn's Marsh, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh, Imperial River Preserve, J.N. Ding Darling National Wildlife Refuge, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, San Carlos Bay Bunche Beach Preserve, Six Mile Cypress Preserve, Wild Turkey Strand Preserve, Yellow Fever Creek Preserve and Yucca Pens. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 19,493 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 53,723 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

## **3. CONSERVATION 2020 PROGRAM**

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The Board of County Commissioners (BOCC) established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities.

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and

stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 401 willing seller applications. As of September 14, 2006, seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580. After purchase, Lee County Parks and Recreation Land Stewardship staff draft management plans for CLASAC review. CLASAC makes recommendations to staff and the Board of County Commissioners for site restoration, mitigation funds sources, government agencies partnership potential, acceptable passive recreational uses and appropriate zoning and comprehensive plan categories. The table on Exhibit B lists which preserves have an approved management plan.

#### **4. AIRPORT MITIGATION LANDS**

These parcels were purchased from the City of Fort Myers in April 1994 for the purpose of mitigating future wetland impacts due to Southwest Florida International Airport expansion. A conservation easement was granted to the South Florida Water Management District on 1996 over these six sections of land. Construction of the Midfield Terminal was permitted in 2002 and was completed in 2005. Currently, the Port Authority is monitoring the mitigation areas as required by the South Florida Water Management District permit.

#### **5. FLINT PEN STRAND**

Lee County began the purchase of lands within Flint Pen Strand in the early 1990's as an agreement with the South Florida Water Management District as part of the CREW Trust. Most of these lands purchased within the Flint Pen Strand already have been included within the conservation lands categories.

#### **6. CALUSA LAND TRUST**

The Calusa Land Trust is a nonprofit environmental group, which has volunteers who donate their time, talent, and financial support to protect natural resources. It was started in 1976 by four Calusa Island residents who wanted to protect their island from development. It was expanded in 1989 to include all of Pine Island and now has about 900 members. Membership dues are used toward the purchase of land purchases. The Trust has been a very active organization in the Conservation 2020 Program by targeting properties on Pine Island for acquisition, inquiring if the property owners are willing sellers and nominating those properties for purchase. The Calusa Land Trust has also partnered with Lee County in purchasing those lands by making contributions of up to \$25,000.

The purpose of the Calusa Land Trust is to protect the natural diversity and beauty of the Pine Island region by acquiring, managing and preserving in perpetuity environmentally sensitive or historically important land and to foster appreciation for and understanding of the environment and our past. The Calusa Land Trust agreed in 2001 to reclassify 1,129 acres to conservation lands categories by amendment CPA2001-15.

#### **7. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

On October 4, 2004, the City of Fort Myers amended their comprehensive plan section of the City Development Code to create the conservation lands district with Ordinance #3222. The City staff have required developments amending their comprehensive plan land uses, designate wetland preserves and conservation easements into the conservation land district.

## **8. BABCOCK RANCH**

6239 acres of the Babcock Ranch were purchased by Conservation 2020 on July 31, 2006. The Management Agreement for the Babcock Ranch was created with the State of Florida, Kitson & Partners and Lee County. The County Attorney's office stated uses approved within the Management Agreement would most likely conflict with the conservation lands use categories and the FLUM for Babcock not be changed until the County Attorney's office has contacted applicable State agencies and Kitson & Partners.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and, water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks. The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.

#### **3. LANDS TO BE RECLASSIFIED**

This amendment contains lands purchased by Lee County through the Conservation 2020 Program after August 2006, other lands owned by Lee County for conservation purposes, the Calusa Land Trust and lands included within the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

#### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 223.98± acres

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Exhibit A).

**EXISTING USES:** The subject properties contain former agricultural uses, vacant land, uplands with native vegetation, mangroves and other wetland vegetation.



**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Rural, Coastal Rural and Wetlands. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

After multiple meetings with CLASAC Management Subcommittee on August 27, September 24, October 11, 2007 and the regular CLASAC committee on September 20 and October 11, 2007 staff agreed to include only the acquired nominations that had approved management plans or were adjacent to preserves with management plans. CLASAC was concerned that the conservation lands use categories would prohibit certain uses as detailed in the management plans. Their direction to staff was to wait until the management plans were approved before including them into these land use categories. Out of the twelve nominations acquired since August 2006, only five fulfilled that criteria.

## **5. EXISTING CONDITIONS OF THE AIRPORT MITIGATION LANDS**

**TOTAL ACREAGE:** 4,175.34 ± acres

**LOCATIONS:** Six sections of land south of SR82, north of Corkscrew Road and east of Alico Road within the Imperial Marsh (see attached maps).

**EXISTING USES:** The subject property are created wetlands, existing wetlands and fallow farm fields

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided by the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

At the December 13, 2006 transmittal hearing for the previous conservation lands amendment, CPA2005-28, the Board of County Commissioners questioned staff about the Airport Mitigation Lands. Planning staff replied that these lands would most likely be included in the next conservation lands amendment. Planning staff met with Port Authority staff on October 10 and 24, 2007 to

discuss amending the all of the Airport Mitigation Lands into the conservation lands land use categories. Port Authority staff are concerned that including these lands into the conservation lands categories will hamper future mitigation for the parallel runway construction impacts. However, it is Planning staff's opinion that the mitigation has been completed and there already exists a conservation easement over six sections of land within the Imperial Marsh.

## **6. EXISTING CONDITIONS OF THE FLINT PEN STRAND LANDS**

**TOTAL ACREAGE:** 295+ acres

**LOCATIONS:** These properties are located south of Corkscrew Road, north of Bonita Beach Road, east of I-75 and west of the eastern County line (see attached maps).

**EXISTING USES:** The subject properties are preserves with uplands and wetlands.

**CURRENT ZONING CLASSIFICATIONS:** AG-2. Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

In August 2007, Planning staff met with County Lands staff to discuss the parcels within the Flint Pen Strand not currently classified in the conservation lands categories. Robert Clemens of County lands stated that they have waited for the South Florida Water Management District to buy these lands from Lee County, but no action has been taken in the last ten years. He stated that most of these County lands land uses could be amended, but was concerned about including lands south of the Kehl Canal because of the Future 951 Road Extension and future CREW Critical Mitigation areas.

## **7. EXISTING CONDITIONS OF CALUSA LAND TRUST PROPERTIES**

**TOTAL ACREAGE:** 234.5 ± acres

**LOCATIONS:** North Captiva, Pine Island and islands within San Carlos Bay (see attached maps).

**EXISTING USES:** The subject properties are preserved beaches, mangroves and pine flatwoods with passive recreation uses.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit B details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject

to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **8. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

**TOTAL ACREAGE:** 1,041.33+ acres

**LOCATIONS:** These properties occur within the developments of Reflection Isles, Paseo, Botanica Lakes, Arborwood, Heritage Lakes and (see attached maps).

**EXISTING USES:** The subject properties are preserved wetlands in conservation easements within existing and proposed developments.

**CURRENT ZONING CLASSIFICATIONS:** The zoning classifications are not applicable since these parcels occur within the City of Fort Myers.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Tradeport, New Community, Rural and Wetlands Future Land Use Categories. Exhibits C & D of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **9. ALLOWABLE USES AND ACTIVITIES**

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.

3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

## **10. ZONING**

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

## **11. WETLANDS**

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

## **12. GRANTS**

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

## **B. CONCLUSIONS**

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 104, and Policy 104.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Exhibit E). These goals, objectives, and policies read as follows:

**Objective 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

**Policy 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject

to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

**Goal 104: COASTAL RESOURCE PROTECTION.** To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

**Policy 104.1.2:** The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

#### **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

### **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

#### **A. LOCAL PLANNING AGENCY REVIEW**

Environmental Sciences staff gave a brief presentation of the case and reviewed the staff report. A LPA member questioned staff if conservation easements and fee simple properties were distinguished differently in the conservation lands categories. Staff stated that they were not, but explained that conservation easements and other preserves required by permits have not been included in the conservation land use categories in the past. The City of Fort Myers included preserves and conservation easements into their Conservation Lands district and this amendment update of their Future Land Use Map.

Another LPA member questioned why the airport mitigation lands were not included. Staff explained that there was future mitigation work still to be done on the property and there was concern by the Port Authority that these land uses would restrict this work.

The only public comment was from Emily Underhill with Lee County Port Authority. She Imperial Marsh and Flint Pen Strand Addition properties contained within the Airport's Mitigation Park Lands shall also include the following allowable uses: (1) installation of ASR wells and related infrastructure and utility appurtenances mutually agreed upon by both Lee County Utilities and the Lee County Port Authority that will provide public water supply and recharge benefits; (3) continued creation, enhancement, and restoration of wetlands and other site improvements pursuant to existing and future local, state, and federal permit obligations and special conditions; (4) continued necessary wildlife removal activities (hog removal, etc.) as deemed necessary to ensure continued survival rate and success of created plantings and restoration efforts; (5) continued exotic vegetation control and removal of invasive species, mowing, and prescribed burn activities as required to meet success criteria as outlined in current and future local, state, and federal permit obligations and special conditions; (6) installation of needed perimeter and boundary fencing and related signage; (7) implementation of drainage flow ways and storage areas to restore historic drainage flow patterns and/or improve surface water management as needed in accordance with respective surface water management approvals

The LPA recommended transmittal of the proposed amendment passed 5-0.

#### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

**1. RECOMMENDATION:**

The Local Planning Agency recommends that the BoCC transmit the proposed amendment, CPA2006-26.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The Local Planning Agency accepted the findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>DEREK BURR</b>	<b>AYE</b>
<b>LES COCHRAN</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>ABSENT</b>
<b>CARLETON RYFFEL</b>	<b>AYE</b>
<b>LELAND M. TAYLOR</b>	<b>AYE</b>
<b>RAE ANN WESSEL</b>	<b>AYE</b>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**A. BRIAN BIGELOW**

**TAMMARA HALL**

**ROBERT P. JANES**

**RAY JUDAH**

**FRANKLIN B. MANN**

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**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**
  
- B. STAFF RESPONSE**

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**A. BRIAN BIGELOW**

**TAMMARA HALL**

**ROBERT P. JANES**

**RAY JUDAH**

**FRANKLIN B. MANN**

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**CPA2006-26**  
**CONSERVATION LANDS UPDATE**  
**BoCC SPONSORED**  
**AMENDMENT TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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DCA Transmittal Document

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*Lee County Planning Division*  
*1500 Monroe Street*  
*P.O. Box 398*  
*Fort Myers, FL 33902-0398*  
*(239) 533-8585*

October 22, 2008

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-26**

☐

Text Amendment

☒

Map Amendment

<input checked="" type="checkbox"/>	<b>This Document Contains the Following Reviews:</b>
<input checked="" type="checkbox"/>	Staff Review
<input checked="" type="checkbox"/>	Local Planning Agency Review and Recommendation
<input checked="" type="checkbox"/>	Board of County Commissioners Hearing for Transmittal
<input type="checkbox"/>	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
<input type="checkbox"/>	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 9, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING &  
DIVISION OF ENVIRONMENTAL SCIENCES

**2. REQUEST:**

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- The Conservation Lands categories were amended by CPA2001-15 to include 1,019± acres purchased by the Conservation 2020 Program, 8,617± acres purchased by TIITF and 1,130± acres purchased by the Calusa Land Trust, which became effective April 1, 2003.
- The Conservation Lands categories were amended by CPA2002-08 to include 3,391± acres purchased by the Conservation 2020 Program, 1,095 acres purchased by the South Florida Water Management District (SFWMD), 2,057± acres purchased by TIITF and 255± acres jointly owned by SFWMD and TIITF, which became effective January 21, 2004.
- The Conservation Lands categories were amended by CPA2005-28 to include 1,357± acres purchased by the Conservation 2020 Program and 1,204 acres purchased by Lee County for other mitigation purposes, which became effective August 14, 2007.
- In addition, the Conservation Lands categories were amended to remove 717± acres (including Coon Key, Corkscrew Water Treatment Facility, Cape Coral Park, and Harnes Marsh) that were erroneously included in the Conservation Lands categories by PAMT96-08 without the property owner’s permission.
- Currently, there are a total of 73,216± acres in the conservation lands categories.

- Currently, 14% of Lee County is designated in the conservation future land use categories.
- Lee County purchased 12 nominations, totaling 1,314± acres, through the Conservation 2020 Program since August 2006.
- October 11, 2007, CLASAC approved the inclusion of 223± acres or 5 of the 12 acquired nominations that have management plans, to the conservation land use categories.
- Lee County purchased 6,239± acres of the Babcock Ranch through the Conservation 2020 Program on July 31, 2006.
- The County Attorney's opinion that the Babcock Ranch should not be included in the conservation lands use categories at this time.
- Lee County Port Authority mitigated wetland impacts the Midfield Terminal construction by the creation and restoration of wetlands on 4,175± acres of land within the Imperial Marsh.
- A conservation easement was granted to the South Florida Water Management District over these six sections of land in 1996.
- Lee County has purchased more lands within the Flint Pen Strand for conservation purposes.
- On October 17, 2007, the Calusa Land Trust agreed to include 234± acres into the conservation land use categories.
- On October 4, 2004, the City of Fort Myers amended their comprehensive plan to create the conservation lands district.
- As of August 30, 2007, there are 1,041± acres within the conservation lands district of the City of Fort Myers Comprehensive Plan.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

## **C. BACKGROUND INFORMATION**

### **1. COMPREHENSIVE PLAN BACKGROUND**

On June 3, 1998, the Board of County Commissioners (BOCC) adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classified approximately 50,000 acres in this FLUM category, by the comprehensive plan amendment PAMT96-08. On January 10, 2002, the BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6.

The FLUM was revised annually from 2002 to 2004 to update the Conservation Lands categories. Map amendments CPA2000-09, CPA2001-15 and CPA2002-08 changed the land uses of 21,359 acres purchased by the Conservation 2020 Program, the State of Florida and the Calusa Land Trust.

The annual amendments were postponed until the Evaluation and Appraisal Report (EAR) was completed. The FLUM was revised in 2007 by CPA2005-28 to update the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, lands acquired for mitigation purposes and remove lands included in the conservation lands category that were changed without approval of the property owner or have non-compliant uses

## **2. EXISTING CONSERVATION LANDS**

Currently, about 73,216± acres are classified in the Conservation Lands categories including: Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Cayo Costa, Charlie's Marsh Mitigation Area, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Eco Park, Estero Bay Buffer Preserve, Flag Pond Preserve, Flint Pen Strand, Florida Rock Western Slough Preserve, Galt Preserve, Gator Hole Preserve, Harn's Marsh, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh, Imperial River Preserve, J.N. Ding Darling National Wildlife Refuge, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, San Carlos Bay Bunche Beach Preserve, Six Mile Cypress Preserve, Wild Turkey Strand Preserve, Yellow Fever Creek Preserve and Yucca Pens. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 19,493 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 53,723 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

## **3. CONSERVATION 2020 PROGRAM**

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The Board of County Commissioners (BOCC) established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities.

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and

stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 401 willing seller applications. As of September 14, 2006, seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580. After purchase, Lee County Parks and Recreation Land Stewardship staff draft management plans for CLASAC review. CLASAC makes recommendations to staff and the Board of County Commissioners for site restoration, mitigation funds sources, government agencies partnership potential, acceptable passive recreational uses and appropriate zoning and comprehensive plan categories. The table on Exhibit B lists which preserves have an approved management plan.

#### **4. AIRPORT MITIGATION LANDS**

These parcels were purchased from the City of Fort Myers in April 1994 for the purpose of mitigating future wetland impacts due to Southwest Florida International Airport expansion. A conservation easement was granted to the South Florida Water Management District on 1996 over these six sections of land. Construction of the Midfield Terminal was permitted in 2002 and was completed in 2005. Currently, the Port Authority is monitoring the mitigation areas as required by the South Florida Water Management District permit.

#### **5. FLINT PEN STRAND**

Lee County began the purchase of lands within Flint Pen Strand in the early 1990's as an agreement with the South Florida Water Management District as part of the CREW Trust. Most of these lands purchased within the Flint Pen Strand already have been included within the conservation lands categories.

#### **6. CALUSA LAND TRUST**

The Calusa Land Trust is a nonprofit environmental group, which has volunteers who donate their time, talent, and financial support to protect natural resources. It was started in 1976 by four Calusa Island residents who wanted to protect their island from development. It was expanded in 1989 to include all of Pine Island and now has about 900 members. Membership dues are used toward the purchase of land purchases. The Trust has been a very active organization in the Conservation 2020 Program by targeting properties on Pine Island for acquisition, inquiring if the property owners are willing sellers and nominating those properties for purchase. The Calusa Land Trust has also partnered with Lee County in purchasing those lands by making contributions of up to \$25,000.

The purpose of the Calusa Land Trust is to protect the natural diversity and beauty of the Pine Island region by acquiring, managing and preserving in perpetuity environmentally sensitive or historically important land and to foster appreciation for and understanding of the environment and our past. The Calusa Land Trust agreed in 2001 to reclassify 1,129 acres to conservation lands categories by amendment CPA2001-15.

#### **7. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

On October 4, 2004, the City of Fort Myers amended their comprehensive plan section of the City Development Code to create the conservation lands district with Ordinance #3222. The City staff have required developments amending their comprehensive plan land uses, designate wetland preserves and conservation easements into the conservation land district.



## **8. BABCOCK RANCH**

6239 acres of the Babcock Ranch were purchased by Conservation 2020 on July 31, 2006. The Management Agreement for the Babcock Ranch was created with the State of Florida, Kitson & Partners and Lee County. The County Attorney's office stated uses approved within the Management Agreement would most likely conflict with the conservation lands use categories and the FLUM for Babcock not be changed until the County Attorney's office has contacted applicable State agencies and Kitson & Partners.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and, water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks. The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.

#### **3. LANDS TO BE RECLASSIFIED**

This amendment contains lands purchased by Lee County through the Conservation 2020 Program after August 2006, other lands owned by Lee County for conservation purposes, the Calusa Land Trust and lands included within the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

#### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 223.98± acres

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Exhibit A).

**EXISTING USES:** The subject properties contain former agricultural uses, vacant land, uplands with native vegetation, mangroves and other wetland vegetation.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Rural, Coastal Rural and Wetlands. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

After multiple meetings with CLASAC Management Subcommittee on August 27, September 24, October 11, 2007 and the regular CLASAC committee on September 20 and October 11, 2007 staff agreed to include only the acquired nominations that had approved management plans or were adjacent to preserves with management plans. CLASAC was concerned that the conservation lands use categories would prohibit certain uses as detailed in the management plans. Their direction to staff was to wait until the management plans were approved before including them into these land use categories. Out of the twelve nominations acquired since August 2006, only five fulfilled that criteria.

## **5. EXISTING CONDITIONS OF THE AIRPORT MITIGATION LANDS**

**TOTAL ACREAGE:** 4,175.34 ± acres

**LOCATIONS:** Six sections of land south of SR82, north of Corkscrew Road and east of Alico Road within the Imperial Marsh (see attached maps).

**EXISTING USES:** The subject property are created wetlands, existing wetlands and fallow farm fields

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided by the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

At the December 13, 2006 transmittal hearing for the previous conservation lands amendment, CPA2005-28, the Board of County Commissioners questioned staff about the Airport Mitigation Lands. Planning staff replied that these lands would most likely be included in the next conservation lands amendment. Planning staff met with Port Authority staff on October 10 and 24, 2007 to

discuss amending the all of the Airport Mitigation Lands into the conservation lands land use categories. Port Authority staff are concerned that including these lands into the conservation lands categories will hamper future mitigation for the parallel runway construction impacts. However, it is Planning staff's opinion that the mitigation has been completed and there already exists a conservation easement over six sections of land within the Imperial Marsh.

## **6. EXISTING CONDITIONS OF THE FLINT PEN STRAND LANDS**

**TOTAL ACREAGE:** 295± acres

**LOCATIONS:** These properties are located south of Corkscrew Road, north of Bonita Beach Road, east of I-75 and west of the eastern County line (see attached maps).

**EXISTING USES:** The subject properties are preserves with uplands and wetlands.

**CURRENT ZONING CLASSIFICATIONS:** AG-2. Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

In August 2007, Planning staff met with County Lands staff to discuss the parcels within the Flint Pen Strand not currently classified in the conservation lands categories. Robert Clemens of County lands stated that they have waited for the South Florida Water Management District to buy these lands from Lee County, but no action has been taken in the last ten years. He stated that most of these County lands land uses could be amended, but was concerned about including lands south of the Kehl Canal because of the Future 951 Road Extension and future CREW Critical Mitigation areas.

## **7. EXISTING CONDITIONS OF CALUSA LAND TRUST PROPERTIES**

**TOTAL ACREAGE:** 234.5 ± acres

**LOCATIONS:** North Captiva, Pine Island and islands within San Carlos Bay (see attached maps).

**EXISTING USES:** The subject properties are preserved beaches, mangroves and pine flatwoods with passive recreation uses.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit B details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject

to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **8. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

**TOTAL ACREAGE:** 1,041.33± acres

**LOCATIONS:** These properties occur within the developments of Reflection Isles, Paseo, Botanica Lakes, Arborwood, Heritage Lakes and (see attached maps).

**EXISTING USES:** The subject properties are preserved wetlands in conservation easements within existing and proposed developments.

**CURRENT ZONING CLASSIFICATIONS:** The zoning classifications are not applicable since these parcels occur within the City of Fort Myers.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Tradeport, New Community, Rural and Wetlands Future Land Use Categories. Exhibits C & D of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **9. ALLOWABLE USES AND ACTIVITIES**

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.

3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

## **10. ZONING**

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

## **11. WETLANDS**

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

## **12. GRANTS**

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

## **B. CONCLUSIONS**

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 104, and Policy 104.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Exhibit E). These goals, objectives, and policies read as follows:

**Objective 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

**Policy 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject

to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

**Goal 104: COASTAL RESOURCE PROTECTION.** To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

**Policy 104.1.2:** The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

#### **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

### **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

#### **A. LOCAL PLANNING AGENCY REVIEW**

Environmental Sciences staff gave a brief presentation of the case and reviewed the staff report. A LPA member questioned staff if conservation easements and fee simple properties were distinguished differently in the conservation lands categories. Staff stated that they were not, but explained that conservation easements and other preserves required by permits have not been included in the conservation land use categories in the past. The City of Fort Myers included preserves and conservation easements into their Conservation Lands district and this amendment update of their Future Land Use Map.

Another LPA member questioned why the airport mitigation lands were not included. Staff explained that there was future mitigation work still to be done on the property and the was concern by the Port Authority that these land uses would restrict this work.

The only public comment was from Emily Underhill with Lee County Port Authority. She Imperial Marsh and Flint Pen Strand Addition properties contained within the Airport's Mitigation Park Lands shall also include the following allowable uses: (1) installation of ASR wells and related infrastructure and utility appurtenances mutually agreed upon by both Lee County Utilities and the Lee County Port Authority that will provide public water supply and recharge benefits; (3) continued creation, enhancement, and restoration of wetlands and other site improvements pursuant to existing and future local, state, and federal permit obligations and special conditions; (4) continued necessary wildlife removal activities (hog removal, etc.) as deemed necessary to ensure continued survival rate and success of created plantings and restoration efforts; (5) continued exotic vegetation control and removal of invasive species, mowing, and prescribed burn activities as required to meet success criteria as outlined in current and future local, state, and federal permit obligations and special conditions; (6) installation of needed perimeter and boundary fencing and related signage; (7) implementation of drainage flow ways and storage areas to restore historic drainage flow patterns and/or improve surface water management as needed in accordance with respective surface water management approvals

The LPA recommended transmittal of the proposed amendment passed 5-0.

#### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

1. **RECOMMENDATION:** The Local Planning Agency recommends that the BoCC transmit the proposed amendment, CPA2005-28.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Local Planning Agency accepted the findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>DEREK BURR</b>	<b>AYE</b>
<b>LES COCHRAN</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>ABSENT</b>
<b>CARLETON RYFFEL</b>	<b>AYE</b>
<b>LELAND M. TAYLOR</b>	<b>AYE</b>
<b>RAE ANN WESSEL</b>	<b>AYE</b>



**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

- A. **BOARD REVIEW:** This amendment was transmitted as part of the consent agenda. The Board of County Commissioners did not pull this amendment from the consent agenda for discussion. There was no public comment concerning the amendment change.
- B. **BOARD ACTION AND FINDINGS OF FACT SUMMARY:**
1. **BOARD ACTION:** The Board of County Commissioners voted unanimously to transmit the proposed amendment as a part of the consent agenda.
  2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The BOCC accepted the findings of fact as advanced by the staff and the local planning agency.
- C. **VOTE:**

A. BRIAN BIGELOW

\_\_\_\_\_  
AYE

TAMMARA HALL

\_\_\_\_\_  
AYE

ROBERT P. JANES

\_\_\_\_\_  
AYE

RAY JUDAH

\_\_\_\_\_  
AYE

FRANKLIN B. MANN

\_\_\_\_\_  
AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**
  
- B. STAFF RESPONSE**

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**A. BRIAN BIGELOW**

**TAMMARA HALL**

**ROBERT P. JANES**

**RAY JUDAH**

**FRANKLIN B. MANN**

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**CPA2006-26**  
**CONSERVATION LANDS UPDATE**  
**BoCC SPONSORED**  
**AMENDMENT TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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BoCC Public Hearing Document  
for the  
February 25, 2009 Adoption Hearing

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

January 16, 2009



**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-26**

☐

Text Amendment

☒

Map Amendment

✓	<b>This Document Contains the Following Reviews:</b>
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 9, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING &  
DIVISION OF ENVIRONMENTAL SCIENCES

**2. REQUEST:**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners (BOCC) adopt this proposed amendment to the Future Land Use Element, Map 1, Future Land Use Map (FLUM) as transmitted.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Conservation Lands land use categories were created to accurately depict the use of lands for conservation purposes.

- The Lee Plan Future Land Use element currently includes conservation areas owned by various agencies that have been designated as Conservation Lands.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has received 401 willing seller applications for properties to be purchased through the Conservation 2020 Program.
- Seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580 through the Conservation 2020 Program.
- On June 3, 1998, the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classify approximately 50,000 acres into this FLUM category by amendment PAMT96-08, which became effective on July 30, 1998.
- The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.
- In addition, the Conservation Lands categories were amended to include 2,550± acres purchased by the Conservation 2020 Program as of August 1, 2001. The 1,245± acre Sahdev property, purchased by Trust for Internal Improvement Trust Fund State of Florida (TIITF), was also included into these categories.
- The Conservation Lands categories were amended by CPA2001-15 to include 1,019± acres purchased by the Conservation 2020 Program, 8,617± acres purchased by TIITF and 1,130± acres purchased by the Calusa Land Trust, which became effective April 1, 2003.
- The Conservation Lands categories were amended by CPA2002-08 to include 3,391± acres purchased by the Conservation 2020 Program, 1,095 acres purchased by the South Florida Water Management District (SFWMD), 2,057± acres purchased by TIITF and 255± acres jointly owned by SFWMD and TIITF, which became effective January 21, 2004.
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- In addition, the Conservation Lands categories were amended to remove 717± acres (including Coon Key, Corkscrew Water Treatment Facility, Cape Coral Park, and Harnes Marsh) that were erroneously included in the Conservation Lands categories by PAMT96-08 without the property owner's permission.
- Currently, there are a total of 73,216± acres in the conservation lands categories.

- Currently, 14% of Lee County is designated in the conservation future land use categories.
- Lee County purchased 12 nominations, totaling 1,314± acres, through the Conservation 2020 Program since August 2006.
- October 11, 2007, CLASAC approved the inclusion of 223± acres or 5 of the 12 acquired nominations that have management plans, to the conservation land use categories.
- Lee County purchased 6,239± acres of the Babcock Ranch through the Conservation 2020 Program on July 31, 2006.
- The County Attorney's opinion that the Babcock Ranch should not be included in the conservation lands use categories at this time.
- Lee County Port Authority mitigated wetland impacts the Midfield Terminal construction by the creation and restoration of wetlands on 4,175± acres of land within the Imperial Marsh.
- A conservation easement was granted to the South Florida Water Management District over these six sections of land in 1996.
- Lee County has purchased more lands within the Flint Pen Strand for conservation purposes.
- On October 17, 2007, the Calusa Land Trust agreed to include 234± acres into the conservation land use categories.
- On October 4, 2004, the City of Fort Myers amended their comprehensive plan to create the conservation lands district.
- As of August 30, 2007, there are 1,041± acres within the conservation lands district of the City of Fort Myers Comprehensive Plan.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

## **C. BACKGROUND INFORMATION**

### **1. COMPREHENSIVE PLAN BACKGROUND**

On June 3, 1998, the Board of County Commissioners (BOCC) adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classified approximately 50,000 acres in this FLUM category, by the comprehensive plan amendment PAMT96-08. On January 10, 2002, the BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6.

The FLUM was revised annually from 2002 to 2004 to update the Conservation Lands categories. Map amendments CPA2000-09, CPA2001-15 and CPA2002-08 changed the land uses of 21,359 acres purchased by the Conservation 2020 Program, the State of Florida and the Calusa Land Trust.

The annual amendments were postponed until the Evaluation and Appraisal Report (EAR) was completed. The FLUM was revised in 2007 by CPA2005-28 to update the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, lands acquired for mitigation purposes and remove lands included in the conservation lands category that were changed without approval of the property owner or have non-compliant uses

## **2. EXISTING CONSERVATION LANDS**

Currently, about 73,216± acres are classified in the Conservation Lands categories including: Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Cayo Costa, Charlie's Marsh Mitigation Area, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Eco Park, Estero Bay Buffer Preserve, Flag Pond Preserve, Flint Pen Strand, Florida Rock Western Slough Preserve, Galt Preserve, Gator Hole Preserve, Harn's Marsh, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh, Imperial River Preserve, J.N. Ding Darling National Wildlife Refuge, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, San Carlos Bay Bunche Beach Preserve, Six Mile Cypress Preserve, Wild Turkey Strand Preserve, Yellow Fever Creek Preserve and Yucca Pens. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 19,493 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 53,723 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

## **3. CONSERVATION 2020 PROGRAM**

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The Board of County Commissioners (BOCC) established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities.

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and



stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 401 willing seller applications. As of September 14, 2006, seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580. After purchase, Lee County Parks and Recreation Land Stewardship staff draft management plans for CLASAC review. CLASAC makes recommendations to staff and the Board of County Commissioners for site restoration, mitigation funds sources, government agencies partnership potential, acceptable passive recreational uses and appropriate zoning and comprehensive plan categories. The table on Exhibit B lists which preserves have an approved management plan.

#### **4. AIRPORT MITIGATION LANDS**

These parcels were purchased from the City of Fort Myers in April 1994 for the purpose of mitigating future wetland impacts due to Southwest Florida International Airport expansion. A conservation easement was granted to the South Florida Water Management District on 1996 over these six sections of land. Construction of the Midfield Terminal was permitted in 2002 and was completed in 2005. Currently, the Port Authority is monitoring the mitigation areas as required by the South Florida Water Management District permit.

#### **5. FLINT PEN STRAND**

Lee County began the purchase of lands within Flint Pen Strand in the early 1990's as an agreement with the South Florida Water Management District as part of the CREW Trust. Most of these lands purchased within the Flint Pen Strand already have been included within the conservation lands categories.

#### **6. CALUSA LAND TRUST**

The Calusa Land Trust is a nonprofit environmental group, which has volunteers who donate their time, talent, and financial support to protect natural resources. It was started in 1976 by four Calusa Island residents who wanted to protect their island from development. It was expanded in 1989 to include all of Pine Island and now has about 900 members. Membership dues are used toward the purchase of land purchases. The Trust has been a very active organization in the Conservation 2020 Program by targeting properties on Pine Island for acquisition, inquiring if the property owners are willing sellers and nominating those properties for purchase. The Calusa Land Trust has also partnered with Lee County in purchasing those lands by making contributions of up to \$25,000.

The purpose of the Calusa Land Trust is to protect the natural diversity and beauty of the Pine Island region by acquiring, managing and preserving in perpetuity environmentally sensitive or historically important land and to foster appreciation for and understanding of the environment and our past. The Calusa Land Trust agreed in 2001 to reclassify 1,129 acres to conservation lands categories by amendment CPA2001-15.

#### **7. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

On October 4, 2004, the City of Fort Myers amended their comprehensive plan section of the City Development Code to create the conservation lands district with Ordinance #3222. The City staff have required developments amending their comprehensive plan land uses, designate wetland preserves and conservation easements into the conservation land district.

## **8. BABCOCK RANCH**

6239 acres of the Babcock Ranch were purchased by Conservation 2020 on July 31, 2006. The Management Agreement for the Babcock Ranch was created with the State of Florida, Kitson & Partners and Lee County. The County Attorney's office stated uses approved within the Management Agreement would most likely conflict with the conservation lands use categories and the FLUM for Babcock not be changed until the County Attorney's office has contacted applicable State agencies and Kitson & Partners.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and, water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks. The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.

#### **3. LANDS TO BE RECLASSIFIED**

This amendment contains lands purchased by Lee County through the Conservation 2020 Program after August 2006, other lands owned by Lee County for conservation purposes, the Calusa Land Trust and lands included within the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

#### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 223.98± acres

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Exhibit A).

**EXISTING USES:** The subject properties contain former agricultural uses, vacant land, uplands with native vegetation, mangroves and other wetland vegetation.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Rural, Coastal Rural and Wetlands. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

After multiple meetings with CLASAC Management Subcommittee on August 27, September 24, October 11, 2007 and the regular CLASAC committee on September 20 and October 11, 2007 staff agreed to include only the acquired nominations that had approved management plans or were adjacent to preserves with management plans. CLASAC was concerned that the conservation lands use categories would prohibit certain uses as detailed in the management plans. Their direction to staff was to wait until the management plans were approved before including them into these land use categories. Out of the twelve nominations acquired since August 2006, only five fulfilled that criteria.

## **5. EXISTING CONDITIONS OF THE AIRPORT MITIGATION LANDS**

**TOTAL ACREAGE:** 4,175.34 ± acres

**LOCATIONS:** Six sections of land south of SR82, north of Corkscrew Road and east of Alico Road within the Imperial Marsh (see attached maps).

**EXISTING USES:** The subject property are created wetlands, existing wetlands and fallow farm fields

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided by the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

At the December 13, 2006 transmittal hearing for the previous conservation lands amendment, CPA2005-28, the Board of County Commissioners questioned staff about the Airport Mitigation Lands. Planning staff replied that thee lands would most likely be included in the next conservation lands amendment. Planning staff met with Port Authority staff on October 10 and 24, 2007 to

discuss amending all of the Airport Mitigation Lands into the conservation lands land use categories. Port Authority staff are concerned that including these lands into the conservation lands categories will hamper future mitigation for the parallel runway construction impacts. However, it is Planning staff's opinion that the mitigation has been completed and there already exists a conservation easement over six sections of land within the Imperial Marsh.

## **6. EXISTING CONDITIONS OF THE FLINT PEN STRAND LANDS**

**TOTAL ACREAGE:** 295± acres

**LOCATIONS:** These properties are located south of Corkscrew Road, north of Bonita Beach Road, east of I-75 and west of the eastern County line (see attached maps).

**EXISTING USES:** The subject properties are preserves with uplands and wetlands.

**CURRENT ZONING CLASSIFICATIONS:** AG-2. Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

In August 2007, Planning staff met with County Lands staff to discuss the parcels within the Flint Pen Strand not currently classified in the conservation lands categories. Robert Clemens of County lands stated that they have waited for the South Florida Water Management District to buy these lands from Lee County, but no action has been taken in the last ten years. He stated that most of these County lands land uses could be amended, but was concerned about including lands south of the Kehl Canal because of the Future 951 Road Extension and future CREW Critical Mitigation areas.

## **7. EXISTING CONDITIONS OF CALUSA LAND TRUST PROPERTIES**

**TOTAL ACREAGE:** 234.5 ± acres

**LOCATIONS:** North Captiva, Pine Island and islands within San Carlos Bay (see attached maps).

**EXISTING USES:** The subject properties are preserved beaches, mangroves and pine flatwoods with passive recreation uses.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit B details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject



to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **8. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

**TOTAL ACREAGE:** 1,041.33± acres

**LOCATIONS:** These properties occur within the developments of Reflection Isles, Paseo, Botanica Lakes, Arborwood, Heritage Lakes and (see attached maps).

**EXISTING USES:** The subject properties are preserved wetlands in conservation easements within existing and proposed developments.

**CURRENT ZONING CLASSIFICATIONS:** The zoning classifications are not applicable since these parcels occur within the City of Fort Myers.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Tradeport, New Community, Rural and Wetlands Future Land Use Categories. Exhibits C & D of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **9. ALLOWABLE USES AND ACTIVITIES**

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.

3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

## **10. ZONING**

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

## **11. WETLANDS**

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

## **12. GRANTS**

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

## **B. CONCLUSIONS**

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 104, and Policy 104.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Exhibit E). These goals, objectives, and policies read as follows:

**Objective 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

**Policy 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject

to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

**Goal 104: COASTAL RESOURCE PROTECTION.** To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

**Policy 104.1.2:** The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

#### **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

### **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

#### **A. LOCAL PLANNING AGENCY REVIEW**

Environmental Sciences staff gave a brief presentation of the case and reviewed the staff report. A LPA member questioned staff if conservation easements and fee simple properties were distinguished differently in the conservation lands categories. Staff stated that they were not, but explained that conservation easements and other preserves required by permits have not been included in the conservation land use categories in the past. The City of Fort Myers included preserves and conservation easements into their Conservation Lands district and this amendment update of their Future Land Use Map.

Another LPA member questioned why the airport mitigation lands were not included in the past. Staff explained that there was future mitigation work still to be done on the property and there was concern by the Port Authority that these land uses would restrict this work. These lands are currently being proposed to be updated in this round of amendment changes.

The only public comment was from Emily Underhill with Lee County Port Authority. She stated Imperial Marsh and Flint Pen Strand Addition properties contained within the Airport's Mitigation Park Lands shall also include the following allowable uses: (1) installation of ASR wells and related infrastructure and utility appurtenances mutually agreed upon by both Lee County Utilities and the Lee County Port Authority that will provide public water supply and recharge benefits; (3) continued creation, enhancement, and restoration of wetlands and other site improvements pursuant to existing and future local, state, and federal permit obligations and special conditions; (4) continued necessary wildlife removal activities (hog removal, etc.,) as deemed necessary to ensure continued survival rate and success of created plantings and restoration efforts; (5) continued exotic vegetation control and removal of invasive species, mowing, and prescribed burn activities as required to meet success criteria as outlined in current and future local, state, and federal permit obligations and special conditions; (6) installation of needed perimeter and boundary fencing and related signage; (7) implementation of drainage flow ways and storage areas to restore historic drainage flow patterns and/or improve surface water management as needed in accordance with respective surface water management approvals

The LPA recommended transmittal of the proposed amendment passed 5-0.

#### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

1. **RECOMMENDATION:** The Local Planning Agency recommends that the BoCC transmit the proposed amendment, CPA2005-28.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Local Planning Agency accepted the findings of fact as advanced by staff.



**C. VOTE:**

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>DEREK BURR</b>	<b>AYE</b>
<b>LES COCHRAN</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>ABSENT</b>
<b>CARLETON RYFFEL</b>	<b>AYE</b>
<b>LELAND M. TAYLOR</b>	<b>AYE</b>
<b>RAE ANN WESSEL</b>	<b>AYE</b>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

A. **BOARD REVIEW:** This amendment was transmitted as part of the consent agenda. The Board of County Commissioners did not pull this amendment from the consent agenda for discussion. There was no public comment concerning the amendment change.

B. **BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

1. **BOARD ACTION:** The Board of County Commissioners voted unanimously to transmit the proposed amendment as a part of the consent agenda.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The BOCC accepted the findings of fact as advanced by the staff and the local planning agency.

C. **VOTE:**

A. BRIAN BIGELOW

\_\_\_\_\_  
AYE

TAMMARA HALL

\_\_\_\_\_  
AYE

ROBERT P. JANES

\_\_\_\_\_  
AYE

RAY JUDAH

\_\_\_\_\_  
AYE

FRANKLIN B. MANN

\_\_\_\_\_  
AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 16, 2009

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**  
The DCA had no objections, recommendations, or comments concerning this amendment.
- B. STAFF RESPONSE**  
Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: February 25, 2009

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**A. BRIAN BIGELOW**

**TAMMARA HALL**

**ROBERT P. JANES**

**RAY JUDAH**

**FRANKLIN B. MANN**

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**CPA2006-26**  
**CONSERVATION LANDS UPDATE**  
**BoCC SPONSORED**  
**AMENDMENT TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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BoCC Adoption Document

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*Lee County Planning Division*  
*1500 Monroe Street*  
*P.O. Box 398*  
*Fort Myers, FL 33902-0398*  
*(239) 533-8585*

February 25, 2009

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-26**

☐

Text Amendment

☒

Map Amendment

✓	<b>This Document Contains the Following Reviews:</b>
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
✓	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 9, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING &  
DIVISION OF ENVIRONMENTAL SCIENCES

**2. REQUEST:**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners (BOCC) adopt this proposed amendment to the Future Land Use Element, Map 1, Future Land Use Map (FLUM) as transmitted.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Conservation Lands land use categories were created to accurately depict the use of lands for conservation purposes.

- The Lee Plan Future Land Use element currently includes conservation areas owned by various agencies that have been designated as Conservation Lands.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has received 401 willing seller applications for properties to be purchased through the Conservation 2020 Program.
- Seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580 through the Conservation 2020 Program.
- On June 3, 1998, the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classify approximately 50,000 acres into this FLUM category by amendment PAMT96-08, which became effective on July 30, 1998.
- The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.
- In addition, the Conservation Lands categories were amended to include 2,550± acres purchased by the Conservation 2020 Program as of August 1, 2001. The 1,245± acre Sahdev property, purchased by Trust for Internal Improvement Trust Fund State of Florida (TIITF), was also included into these categories.
- The Conservation Lands categories were amended by CPA2001-15 to include 1,019± acres purchased by the Conservation 2020 Program, 8,617± acres purchased by TIITF and 1,130± acres purchased by the Calusa Land Trust, which became effective April 1, 2003.
- The Conservation Lands categories were amended by CPA2002-08 to include 3,391± acres purchased by the Conservation 2020 Program, 1,095 acres purchased by the South Florida Water Management District (SFWMD), 2,057± acres purchased by TIITF and 255± acres jointly owned by SFWMD and TIITF, which became effective January 21, 2004.
- The Conservation Lands categories were amended by CPA2005-28 to include 1,357± acres purchased by the Conservation 2020 Program and 1,204 acres purchased by Lee County for other mitigation purposes, which became effective August 14, 2007.
- In addition, the Conservation Lands categories were amended to remove 717± acres (including Coon Key, Corkscrew Water Treatment Facility, Cape Coral Park, and Harnes Marsh) that were erroneously included in the Conservation Lands categories by PAMT96-08 without the property owner's permission.
- Currently, there are a total of 73,216± acres in the conservation lands categories.

- Currently, 14% of Lee County is designated in the conservation future land use categories.
- Lee County purchased 12 nominations, totaling 1,314± acres, through the Conservation 2020 Program since August 2006.
- October 11, 2007, CLASAC approved the inclusion of 223± acres or 5 of the 12 acquired nominations that have management plans, to the conservation land use categories.
- Lee County purchased 6,239± acres of the Babcock Ranch through the Conservation 2020 Program on July 31, 2006.
- The County Attorney's opinion that the Babcock Ranch should not be included in the conservation lands use categories at this time.
- Lee County Port Authority mitigated wetland impacts the Midfield Terminal construction by the creation and restoration of wetlands on 4,175± acres of land within the Imperial Marsh.
- A conservation easement was granted to the South Florida Water Management District over these six sections of land in 1996.
- Lee County has purchased more lands within the Flint Pen Strand for conservation purposes.
- On October 17, 2007, the Calusa Land Trust agreed to include 234± acres into the conservation land use categories.
- On October 4, 2004, the City of Fort Myers amended their comprehensive plan to create the conservation lands district.
- As of August 30, 2007, there are 1,041± acres within the conservation lands district of the City of Fort Myers Comprehensive Plan.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

## **C. BACKGROUND INFORMATION**

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On June 3, 1998, the Board of County Commissioners (BOCC) adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classified approximately 50,000 acres in this FLUM category, by the comprehensive plan amendment PAMT96-08. On January 10, 2002, the BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6.

The FLUM was revised annually from 2002 to 2004 to update the Conservation Lands categories. Map amendments CPA2000-09, CPA2001-15 and CPA2002-08 changed the land uses of 21,359 acres purchased by the Conservation 2020 Program, the State of Florida and the Calusa Land Trust.

The annual amendments were postponed until the Evaluation and Appraisal Report (EAR) was completed. The FLUM was revised in 2007 by CPA2005-28 to update the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, lands acquired for mitigation purposes and remove lands included in the conservation lands category that were changed without approval of the property owner or have non-compliant uses

## **2. EXISTING CONSERVATION LANDS**

Currently, about 73,216± acres are classified in the Conservation Lands categories including: Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Cayo Costa, Charlie's Marsh Mitigation Area, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Eco Park, Estero Bay Buffer Preserve, Flag Pond Preserve, Flint Pen Strand, Florida Rock Western Slough Preserve, Galt Preserve, Gator Hole Preserve, Harn's Marsh, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh, Imperial River Preserve, J.N. Ding Darling National Wildlife Refuge, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, San Carlos Bay Bunche Beach Preserve, Six Mile Cypress Preserve, Wild Turkey Strand Preserve, Yellow Fever Creek Preserve and Yucca Pens. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 19,493 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 53,723 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

## **3. CONSERVATION 2020 PROGRAM**

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The Board of County Commissioners (BOCC) established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities.

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and



stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 401 willing seller applications. As of September 14, 2006, seventy-nine of those applications and 18,785± acres have been purchased for \$219,726,580. After purchase, Lee County Parks and Recreation Land Stewardship staff draft management plans for CLASAC review. CLASAC makes recommendations to staff and the Board of County Commissioners for site restoration, mitigation funds sources, government agencies partnership potential, acceptable passive recreational uses and appropriate zoning and comprehensive plan categories. The table on Exhibit B lists which preserves have an approved management plan.

#### **4. AIRPORT MITIGATION LANDS**

These parcels were purchased from the City of Fort Myers in April 1994 for the purpose of mitigating future wetland impacts due to Southwest Florida International Airport expansion. A conservation easement was granted to the South Florida Water Management District on 1996 over these six sections of land. Construction of the Midfield Terminal was permitted in 2002 and was completed in 2005. Currently, the Port Authority is monitoring the mitigation areas as required by the South Florida Water Management District permit.

#### **5. FLINT PEN STRAND**

Lee County began the purchase of lands within Flint Pen Strand in the early 1990's as an agreement with the South Florida Water Management District as part of the CREW Trust. Most of these lands purchased within the Flint Pen Strand already have been included within the conservation lands categories.

#### **6. CALUSA LAND TRUST**

The Calusa Land Trust is a nonprofit environmental group, which has volunteers who donate their time, talent, and financial support to protect natural resources. It was started in 1976 by four Calusa Island residents who wanted to protect their island from development. It was expanded in 1989 to include all of Pine Island and now has about 900 members. Membership dues are used toward the purchase of land purchases. The Trust has been a very active organization in the Conservation 2020 Program by targeting properties on Pine Island for acquisition, inquiring if the property owners are willing sellers and nominating those properties for purchase. The Calusa Land Trust has also partnered with Lee County in purchasing those lands by making contributions of up to \$25,000.

The purpose of the Calusa Land Trust is to protect the natural diversity and beauty of the Pine Island region by acquiring, managing and preserving in perpetuity environmentally sensitive or historically important land and to foster appreciation for and understanding of the environment and our past. The Calusa Land Trust agreed in 2001 to reclassify 1,129 acres to conservation lands categories by amendment CPA2001-15.

#### **7. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

On October 4, 2004, the City of Fort Myers amended their comprehensive plan section of the City Development Code to create the conservation lands district with Ordinance #3222. The City staff have required developments amending their comprehensive plan land uses, designate wetland preserves and conservation easements into the conservation land district.

## **8. BABCOCK RANCH**

6239 acres of the Babcock Ranch were purchased by Conservation 2020 on July 31, 2006. The Management Agreement for the Babcock Ranch was created with the State of Florida, Kitson & Partners and Lee County. The County Attorney's office stated uses approved within the Management Agreement would most likely conflict with the conservation lands use categories and the FLUM for Babcock not be changed until the County Attorney's office has contacted applicable State agencies and Kitson & Partners.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and, water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks. The BOCC adopted amendment CPA2000-09 that included new language to Lee Plan Policy 1.4.6, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances", which became effective on March 27, 2002.

#### **3. LANDS TO BE RECLASSIFIED**

This amendment contains lands purchased by Lee County through the Conservation 2020 Program after August 2006, other lands owned by Lee County for conservation purposes, the Calusa Land Trust and lands included within the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

#### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 223.98± acres

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Exhibit A).

**EXISTING USES:** The subject properties contain former agricultural uses, vacant land, uplands with native vegetation, mangroves and other wetland vegetation.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Rural, Coastal Rural and Wetlands. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

After multiple meetings with CLASAC Management Subcommittee on August 27, September 24, October 11, 2007 and the regular CLASAC committee on September 20 and October 11, 2007 staff agreed to include only the acquired nominations that had approved management plans or were adjacent to preserves with management plans. CLASAC was concerned that the conservation lands use categories would prohibit certain uses as detailed in the management plans. Their direction to staff was to wait until the management plans were approved before including them into these land use categories. Out of the twelve nominations acquired since August 2006, only five fulfilled that criteria.

## **5. EXISTING CONDITIONS OF THE AIRPORT MITIGATION LANDS**

**TOTAL ACREAGE:** 4,175.34 ± acres

**LOCATIONS:** Six sections of land south of SR82, north of Corkscrew Road and east of Alico Road within the Imperial Marsh (see attached maps).

**EXISTING USES:** The subject property are created wetlands, existing wetlands and fallow farm fields

**CURRENT ZONING CLASSIFICATIONS:** Exhibit A details the individual parcel data including the acreage figures provided by the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

At the December 13, 2006 transmittal hearing for the previous conservation lands amendment, CPA2005-28, the Board of County Commissioners questioned staff about the Airport Mitigation Lands. Planning staff replied that these lands would most likely be included in the next conservation lands amendment. Planning staff met with Port Authority staff on October 10 and 24, 2007 to

discuss amending all of the Airport Mitigation Lands into the conservation lands land use categories. Port Authority staff are concerned that including these lands into the conservation lands categories will hamper future mitigation for the parallel runway construction impacts. However, it is Planning staff's opinion that the mitigation has been completed and there already exists a conservation easement over six sections of land within the Imperial Marsh.

## **6. EXISTING CONDITIONS OF THE FLINT PEN STRAND LANDS**

**TOTAL ACREAGE:** 295± acres

**LOCATIONS:** These properties are located south of Corkscrew Road, north of Bonita Beach Road, east of I-75 and west of the eastern County line (see attached maps).

**EXISTING USES:** The subject properties are preserves with uplands and wetlands.

**CURRENT ZONING CLASSIFICATIONS:** AG-2. Exhibit A details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Exhibit A of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

In August 2007, Planning staff met with County Lands staff to discuss the parcels within the Flint Pen Strand not currently classified in the conservation lands categories. Robert Clemens of County lands stated that they have waited for the South Florida Water Management District to buy these lands from Lee County, but no action has been taken in the last ten years. He stated that most of these County lands land uses could be amended, but was concerned about including lands south of the Kehl Canal because of the Future 951 Road Extension and future CREW Critical Mitigation areas.

## **7. EXISTING CONDITIONS OF CALUSA LAND TRUST PROPERTIES**

**TOTAL ACREAGE:** 234.5 ± acres

**LOCATIONS:** North Captiva, Pine Island and islands within San Carlos Bay (see attached maps).

**EXISTING USES:** The subject properties are preserved beaches, mangroves and pine flatwoods with passive recreation uses.

**CURRENT ZONING CLASSIFICATIONS:** Exhibit B details the individual parcel data including the acreage figures provided the Property Appraiser. The acreage figures may be subject

to slight changes due to differences in the legal descriptions and the Department of County Lands' records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Outlying Suburban, Coastal Rural, Outer Islands and Wetlands Future Land Use Categories. Exhibit B of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **8. CITY OF FORT MYERS CONSERVATION LANDS DISTRICT**

**TOTAL ACREAGE:** 1,041.33± acres

**LOCATIONS:** These properties occur within the developments of Reflection Isles, Paseo, Botanica Lakes, Arborwood, Heritage Lakes and (see attached maps).

**EXISTING USES:** The subject properties are preserved wetlands in conservation easements within existing and proposed developments.

**CURRENT ZONING CLASSIFICATIONS:** The zoning classifications are not applicable since these parcels occur within the City of Fort Myers.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Intensive Development, Urban Community, Tradeport, New Community, Rural and Wetlands Future Land Use Categories. Exhibits C & D of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands categories.

## **9. ALLOWABLE USES AND ACTIVITIES**

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.



3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

## **10. ZONING**

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

## **11. WETLANDS**

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

## **12. GRANTS**

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

## **B. CONCLUSIONS**

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 104, and Policy 104.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Exhibit E). These goals, objectives, and policies read as follows:

**Objective 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

**Policy 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject

to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

**Goal 104: COASTAL RESOURCE PROTECTION.** To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

**Policy 104.1.2:** The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

#### **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the Conservation Lands district of the City of Fort Myers Comprehensive Plan.

### **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

#### **A. LOCAL PLANNING AGENCY REVIEW**

Environmental Sciences staff gave a brief presentation of the case and reviewed the staff report. A LPA member questioned staff if conservation easements and fee simple properties were distinguished differently in the conservation lands categories. Staff stated that they were not, but explained that conservation easements and other preserves required by permits have not been included in the conservation land use categories in the past. The City of Fort Myers included preserves and conservation easements into their Conservation Lands district and this amendment update of their Future Land Use Map.

Another LPA member questioned why the airport mitigation lands were not included in the past. Staff explained that there was future mitigation work still to be done on the property and there was concern by the Port Authority that these land uses would restrict this work. These lands are currently being proposed to be updated in this round of amendment changes.

The only public comment was from Emily Underhill with Lee County Port Authority. She stated Imperial Marsh and Flint Pen Strand Addition properties contained within the Airport's Mitigation Park Lands shall also include the following allowable uses: (1) installation of ASR wells and related infrastructure and utility appurtenances mutually agreed upon by both Lee County Utilities and the Lee County Port Authority that will provide public water supply and recharge benefits; (3) continued creation, enhancement, and restoration of wetlands and other site improvements pursuant to existing and future local, state, and federal permit obligations and special conditions; (4) continued necessary wildlife removal activities (hog removal, etc.) as deemed necessary to ensure continued survival rate and success of created plantings and restoration efforts; (5) continued exotic vegetation control and removal of invasive species, mowing, and prescribed burn activities as required to meet success criteria as outlined in current and future local, state, and federal permit obligations and special conditions; (6) installation of needed perimeter and boundary fencing and related signage; (7) implementation of drainage flow ways and storage areas to restore historic drainage flow patterns and/or improve surface water management as needed in accordance with respective surface water management approvals

The LPA recommended transmittal of the proposed amendment passed 5-0.

#### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

1. **RECOMMENDATION:** The Local Planning Agency recommends that the BoCC transmit the proposed amendment, CPA2005-28.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Local Planning Agency accepted the findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>DEREK BURR</b>	<b>AYE</b>
<b>LES COCHRAN</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>ABSENT</b>
<b>CARLETON RYFFEL</b>	<b>AYE</b>
<b>LELAND M. TAYLOR</b>	<b>AYE</b>
<b>RAE ANN WESSEL</b>	<b>AYE</b>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

- A. **BOARD REVIEW:** This amendment was transmitted as part of the consent agenda. The Board of County Commissioners did not pull this amendment from the consent agenda for discussion. There was no public comment concerning the amendment change.
- B. **BOARD ACTION AND FINDINGS OF FACT SUMMARY:**
1. **BOARD ACTION:** The Board of County Commissioners voted unanimously to transmit the proposed amendment as a part of the consent agenda.
  2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The BOCC accepted the findings of fact as advanced by the staff and the local planning agency.
- C. **VOTE:**

**A. BRIAN BIGELOW**

AYE

**TAMMARA HALL**

AYE

**ROBERT P. JANES**

AYE

**RAY JUDAH**

AYE

**FRANKLIN B. MANN**

AYE



**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 16, 2009

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**  
The DCA had no objections, recommendations, or comments concerning this amendment.
  
- B. STAFF RESPONSE**  
Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: February 25, 2009

**A. BOARD REVIEW:** The Board provided no discussion on this amendment. The item was approved on the consent agenda.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

- 1. BOARD ACTION:** The Board voted to adopt the amendment.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by the LPA and staff.

**C. VOTE:**

**A. BRIAN BIGELOW**

AYE

**TAMMARA HALL**

AYE

**ROBERT P. JANES**

AYE

**RAY JUDAH**

AYE

**FRANKLIN B. MANN**

AYE

**Irving, Robert B.**

---

**From:** Irving, Robert B.  
**Sent:** Thursday, August 23, 2007 11:45 AM  
**To:** 'Smith, Robin J.'  
**Cc:** Noble, Matthew A.; Beluschak, Robert J.; Watts, Shellie  
**Subject:** RE: State of Florida Lands within the Caloosahatchee River & adjacent to the San Carlos Bunche Beach Preserve  
**Attachments:** ECrezoningParcels2007.xls; AuthorizationForm.pdf; ECZoningDistrictLDCSection34-981.pdf

Robin,

Thank you for your assistance with the rezoning of the TIITF/DEP parcels within the Caloosahatchee River. The Lee County Board of County Commissioners approved the bluesheet to start the rezoning process on Tuesday. I will keep you updated on the status of this rezoning. There is one parcel (island) that was erroneously left out of this rezoning, STRAP# 33-43-25-00-00012.0000. Is it possible to include this parcel in a future rezoning? Attached is an authorization form that will allow Lee County Division of Planning staff to rezone this property to the Environmentally Critical zoning district.

Lee County Division of Planning is currently in process to rezone 5 parcels totaling over 700 acres that comprise the San Carlos-Bunche Beach Preserve owned by Lee County from agricultural zoning classifications to the Environmentally Critical District (EC). These parcels occur south of Summerlin Road, west of San Carlos Boulevard and north of San Carlos Bay. According to the Lee County property appraiser's website, there are seven parcels owned by TIITF State of Florida Department of Environmental Protection adjacent to these properties (see Sheet 2 on the attached spreadsheet). There are also three other parcels that are owned by TIITF, but reference the Estero Bay State Buffer Preserve.

If the Department of Environmental Protection would like to rezone these properties to the Environmentally Critical District concurrently with this rezoning, complete the authorization form and attach the spreadsheet as Exhibit A.

Please contact me if you have any questions. Thank you again for your assistance.

Rob

Robert Irving  
 Senior Environmental Planner  
 Lee County Division of Environmental Sciences  
 (239) 533-8351  
 (239) 485-8344

---

**From:** Irving, Robert B.  
**Sent:** Monday, July 09, 2007 1:41 PM  
**To:** Beluschak, Robert J.  
**Cc:** Noble, Matthew A.  
**Subject:** FW: State of Florida Lands within the Caloosahatchee River

Bob,

I received a verbal OK from Robin late Tuesday. He said he would send an approval letter this week. Attached is the spreadsheet with the DEP/TIITF parcels for this rezoning.

Robert Irving  
 Senior Environmental Planner

8/23/2007

Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

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**From:** Irving, Robert B.  
**Sent:** Tuesday, July 03, 2007 10:14 AM  
**To:** Smith, Robin J.  
**Cc:** Woolam, Scott; Ellison, Janice; Beluschak, Robert J.; Noble, Matthew A.  
**Subject:** RE: State of Florida Lands within the Caloosahatchee River

Robin,

Please see the attached for EC zoning uses. I will forward the AG-2 uses in a separate email.

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

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**From:** Irving, Robert B.  
**Sent:** Friday, June 29, 2007 1:38 PM  
**To:** 'Smith, Robin J.'  
**Cc:** 'Woolam, Scott'; 'Ellison, Janice'  
**Subject:** RE: State of Florida Lands within the Caloosahatchee River

Per your request.

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

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**From:** Irving, Robert B.  
**Sent:** Friday, June 29, 2007 1:29 PM  
**To:** 'Smith, Robin J.'  
**Cc:** Woolam, Scott; Ellison, Janice  
**Subject:** RE: State of Florida Lands within the Caloosahatchee River

Robin,

Have you heard anything? I need a response by Monday.

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

---

**From:** Smith, Robin J. [mailto:Robin.J.Smith@dep.state.fl.us]

8/23/2007

**Sent:** Friday, June 15, 2007 9:09 AM  
**To:** Irving, Robert B.  
**Cc:** Woolam, Scott; Ellison, Janice  
**Subject:** RE: State of Florida Lands within the Caloosahatchee River

Mr. Irving, I forwarded the information to the Division of Recreation and Parks for their review. As soon as the response is returned I will let you know. Thank you.

Robin J. Smith  
Land Acquisition Agent  
Division of State Lands  
380.08, Carr Bldg. MS# 130  
3800 Commonwealth Blvd  
Tallahassee, FL 32399-3000  
(850) 245-2741

---

**From:** Irving, Robert B. [mailto:IRVINGRB@leegov.com]  
**Sent:** Thursday, June 14, 2007 8:27 AM  
**To:** Smith, Robin J.  
**Cc:** Woolam, Scott; Barber, Gloria; Ellison, Janice; Noble, Matthew A.  
**Subject:** RE: State of Florida Lands within the Caloosahatchee River

Robin,

Have you had a chance to review my email? Please let me know if you have any questions.

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

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**From:** Ellison, Janice [mailto:Janice.Ellison@dep.state.fl.us]  
**Sent:** Thursday, June 07, 2007 3:50 PM  
**To:** Smith, Robin J.  
**Cc:** Woolam, Scott; Barber, Gloria; Irving, Robert B.  
**Subject:** FW: State of Florida Lands within the Caloosahatchee River

Robin, Mr. Irving called this morning regarding rezoning these parcels. It looks like conservation land. Forwarding to you for research. Thanks janice

---

**From:** Irving, Robert B. [mailto:IRVINGRB@leegov.com]  
**Sent:** Thursday, June 07, 2007 3:29 PM  
**To:** Ellison, Janice  
**Cc:** Noble, Matthew A.; Beluschak, Robert J.  
**Subject:** State of Florida Lands within the Caloosahatchee River

Janice,

8/23/2007



Thank you for answering my questions earlier today. To summarize what we discussed, Lee County staff is rezoning 31 parcels (total of 1,290 +/- acres that comprises the Caloosahatchee Creeks Preserve) owned by Lee County from commercial and residential zoning classifications to the Environmentally Critical District (EC) to fulfill the Lee County Comprehensive Plan goals and a Florida Communities Trust grant. These parcels occur east and west of I-75, south of Bayshore Road and north of the Caloosahatchee River.

According to the Lee County property appraiser's website, there are seven parcels owned by TIITF State of Florida Department of Environmental Protection adjacent to these properties (see attached spreadsheet). Lee County is wondering if the State would like to rezone these properties to the Environmentally Critical District concurrently with this rezoning. Attached is a PDF of the Lee County Land Development Code sections that list the restrictions of this zoning district. These State lands were changed to the Conservation Lands categories of the Lee County Comprehensive Plan Future Land Use Map in 1998.

Please notify me in writing if this is acceptable to the State of Florida. If you are not the person I should contact regarding these properties, please forward this email or let me know their name and contact information.

Thank you again,

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

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[Click Here](#)

**Irving, Robert B.**

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**From:** Irving, Robert B.  
**Sent:** Thursday, November 08, 2007 1:14 PM  
**To:** Noble, Matthew A.  
**Subject:** RE: RSW Mitigation Lands - Land Use Designation Change to Conservation Lands  
**Attachments:** ConservationEasement2928-1791.pdf

Matt,

Attached is the conservation easement for Sections 5, 6, 7, 8, 17 & 18 of Township 46 Range 26.

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 533-8351  
(239) 485-8344

---

**From:** Emily M. Underhill [mailto:[emunderhill@flylcpa.com](mailto:emunderhill@flylcpa.com)]  
**Sent:** Thursday, November 08, 2007 11:40 AM  
**To:** Irving, Robert B.  
**Cc:** paul o'connor; Noble, Matthew A.; Gibbs, Mary ; Ellen L. Lindblad; William B. Horner  
**Subject:** RSW Mitigation Lands - Land Use Designation Change to Conservation Lands

I spoke with Mary G yesterday regarding how we wanted to proceed with this issue considering the lack of consensus on our end, despite the prior commissioner request. Based on our discussion, I believe we are going to choose to submit to you some language that would outline some allowable uses that we would want to preserve under this changed category. I am working on something that I will bounce off our consulting team and get back to you by COB tomorrow in order to meet your deadlines for the Staff Report.

I assume you are following the format of the Staff Report from last year's amendment? I am putting something together that follows that format.....if you require something different, please let me know. Also, do you need exhibit information showing the subject Imperial Marsh and Flint Pen Strand Addition properties from us or are you intending on preparing that on your end?

Thanks for your help.

*Emily M. Underhill, P.E.  
Assistant Division Director - Development  
Lee County Port Authority  
Southwest Florida International Airport  
11000 Terminal Access Road, Suite 8671  
Fort Myers, Florida 33913-8899*

*Note New Phone & Email/Street Addresses:  
239-590-4601  
[emunderhill@flylcpa.com](mailto:emunderhill@flylcpa.com)*

11/19/2007

**Irving, Robert B.**

---

**From:** Noble, Matthew A.  
**Sent:** Wednesday, August 22, 2007 9:54 AM  
**To:** Irving, Robert B.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

amen!

---

**From:** Irving, Robert B.  
**Sent:** Wednesday, August 22, 2007 9:08 AM  
**To:** Noble, Matthew A.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

Matt,

Do we want to include properties owned by other government agencies adjacent to Bunche Beach with this rezoning? What would be the limits?  
There are two properties owned by US Bureau of Land Management south of Summerlin Road.  
There are several parcels owned by DEP north of Summerlin and west of Shell Point.  
I didn't look east of San Carlos Boulevard for any other parcels, but I know there are parcels associated with Cow Slough.

I am just trying to be proactive.

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 533-8351  
(239) 485-8344

---

**From:** Noble, Matthew A.  
**Sent:** Wednesday, August 15, 2007 3:34 PM  
**To:** Olson, Cathy; Pavese, Michael P.; Irving, Robert B.  
**Cc:** Cain, Teresa B.; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

I'm ok to include it, the damage is already done, as far as the CPD goes, they did it to themselves...

---

**From:** Olson, Cathy  
**Sent:** Wednesday, August 15, 2007 3:33 PM  
**To:** Noble, Matthew A.; Pavese, Michael P.; Irving, Robert B.  
**Cc:** Cain, Teresa B.; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

All,

The donation was approved by the BOCC on 11/22/05 (agenda item C6a). I'm not sure of the actual closing date since the County Lands Annual Inventory sheet has the acquisition date listed as 8/22/02, which is of course earlier than the

8/22/2007

bluesheet date...

Unless anyone objects I will include the parcel in the bluesheet asking for the rezoning. Let me know if you would prefer it to be left off.

Cheers!

CO

Cathy Olson  
Conservation 20/20 Senior Supervisor  
Lee County Parks and Recreation  
3410 Palm Beach Blvd.  
Fort Myers, FL 33916  
(239) 461-7455  
fax: 239 461-7460  
[colson@leegov.com](mailto:colson@leegov.com)  
[www.leeparks.org](http://www.leeparks.org)

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Lee County Parks and Recreation is CAPRA accredited.

*Please note: Florida has a very broad public records law. Most written communications to or from County Employees and Officials regarding County business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.*

---

**From:** Noble, Matthew A.  
**Sent:** Tuesday, August 14, 2007 3:35 PM  
**To:** Pavese, Michael P.; Olson, Cathy; Irving, Robert B.  
**Cc:** Cain, Teresa B.; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

Well, the deed has changed hands. Cathy did the Board formally accept the donation, and on what date? Yes I believe the project is now non-conforming...

---

**From:** Pavese, Michael P.  
**Sent:** Tuesday, August 14, 2007 3:22 PM  
**To:** Olson, Cathy; Irving, Robert B.  
**Cc:** Cain, Teresa B.; Noble, Matthew A.; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

My concern for the property owner (CPD) is that they may not have considered the ramifications of their actions. If the property being offered to 2020 was used in calculating allowable density/intensity/open space unique to that project, they may not be able to sever it from the development. If the county hasn't approved the removal of the parcel from the CPD, it could hamstring the owner from future improvements to the remainder of their property in addition to placing them in a nonconforming stature.

---

**From:** Olson, Cathy  
**Sent:** Tuesday, August 14, 2007 3:11 PM  
**To:** Pavese, Michael P.; Irving, Robert B.  
**Cc:** Cain, Teresa B.; Noble, Matthew A.; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

All,

No improvements are proposed, we were just trying to officially lump the donations with the preserve. I can't imagine

8/22/2007



the District would have an issue with changing the zoning, but if you think they will we can leave the sliver out. Let me know how I should write the bluesheet. If the parcel is "safer" from future meddling we can certainly leave it as part of the CPD... What's your advice?

CO

Cathy Olson  
Conservation 20/20 Senior Supervisor  
Lee County Parks and Recreation  
3410 Palm Beach Blvd.  
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(239) 461-7455  
fax: 239 461-7460  
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---

**From:** Pavese, Michael P.  
**Sent:** Tuesday, August 14, 2007 1:42 PM  
**To:** Irving, Robert B.  
**Cc:** Cain, Teresa B.; Noble, Matthew A.; Olson, Cathy; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

That pretty much confirms my concerns. Cathy, were you aware of the easement status re: SFWMD? Hopefully you have already crossed that bridge.

---

**From:** Irving, Robert B.  
**Sent:** Tuesday, August 14, 2007 1:38 PM  
**To:** Pavese, Michael P.  
**Cc:** Cain, Teresa B.; Noble, Matthew A.; Olson, Cathy; Beluschak, Robert J.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

Mike,

I do not think that the CPD was ever amended. There is also another problem, this property has a conservation easement deeded to the SFWMD (Instrument # 5544714). If you are proposing any improvements, the SFWMD Permit will need to be modified and the conservation easement vacated. I do not know what the procedure will be for the CPD amendment and development order changes since there are two different ownerships.

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 533-8351  
(239) 485-8344

---

**From:** Pavese, Michael P.  
**Sent:** Tuesday, August 14, 2007 11:33 AM  
**To:** Irving, Robert B.; Olson, Cathy  
**Cc:** Cain, Teresa B.; Noble, Matthew A.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

8/22/2007



Rob, was the CPD amended to remove the Conservation Easement? If not, will this in any way affect the rezoning and subsequent development of our property?

---

**From:** Irving, Robert B.  
**Sent:** Tuesday, August 14, 2007 11:26 AM  
**To:** Olson, Cathy  
**Cc:** Pavese, Michael P.; Cain, Teresa B.; Noble, Matthew A.  
**Subject:** RE: Bunche Beach EC Rezone (Nomination #59)

Cathy,

I attached the parcels for Bunche Beach that were changed to Conservation Land Use categories. We specifically left STRAP# 11-46-23-00-00009.0040 out of this amendment because we knew it was going to be a parking lot. There is no reason why this rezoning could not go through before the COMP Plan is changed. Doesn't C-2 allow for a parking lot? Should I include it in this year's amendment?

STRAP # 11-46-23-02-0000P.00CE was not included because it was a conservation easement for the shopping center. I will include it in this year's amendment.

Are you doing the rest of Bunch Beach with this rezoning?

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 533-8351  
(239) 485-8344

---

**From:** Olson, Cathy  
**Sent:** Tuesday, August 14, 2007 10:49 AM  
**To:** Pavese, Michael P.; Cain, Teresa B.; Irving, Robert B.  
**Subject:** Bunche BEach rezone

All,

Attached please find a draft blue sheet and zoning/FLUM table for the three non C2020 parcels at Bunche. A blue sheet has already been approved by the BCC for the C2020 portions; this is to lump all the parcels as one rezoning application. Let me know if you have edits. If not, I will send it through.

Rob, Can the third parcel go forward since the FLUM is not all conservation? Do you want to add these to your upcoming FLUM changes?

Thanks!

CO

Cathy Olson  
Conservation 20/20 Senior Supervisor  
Lee County Parks and Recreation  
3410 Palm Beach Blvd.  
Fort Myers, FL 33916  
(239) 461-7455  
fax: 239 461-7460  
[colson@leegov.com](mailto:colson@leegov.com)

8/22/2007

**Irving, Robert B.**

---

**From:** Emily M. Underhill [emunderhill@flylcpa.com]  
**Sent:** Friday, November 09, 2007 11:14 AM  
**To:** Irving, Robert B.  
**Cc:** paul o'connor; Noble, Matthew A.; Gibbs, Mary ; Ellen L. Lindblad; William B. Horner  
**Subject:** RSW Mitigation Park Lands - change to Conservation Lands category  
**Attachments:** land use change - imperial marsh n flint pen strand.doc

Rob: attached is suggested language that would accompany Lee County's request to change the land use designation of the Imperial Marsh and Flint Pen Strand properties to the Conservation Lands category.

Sorry for the confusion.....I know this goes contrary to where we had earlier thought this thing was going a couple weeks ago. However, after more consideration, we feel that this is the best course of action at this time in trying to meet prior requests on this matter from the BOCC. In following a suggestion given by Mary, it is our intent by spelling out the allowable uses (attached) that this will help us to keep more options open. The reason for the need of this flexibility is due to the fact of where we are in our overall ongoing development program at the airport.

Please give Ellen L or I a call if you have any questions.  
Have a great holiday weekend.

em

*Emily M. Underhill, P.E.  
Assistant Division Director - Development  
Lee County Port Authority  
Southwest Florida International Airport  
11000 Terminal Access Road, Suite 8671  
Fort Myers, Florida 33913-8899*

*Note New Phone & Email/Street Addresses:*  
239-590-4601  
[emunderhill@flylcpa.com](mailto:emunderhill@flylcpa.com)

11/19/2007

**Irving, Robert B.**

---

**From:** Irving, Robert B.  
**Sent:** Friday, November 16, 2007 7:58 AM  
**To:** 'Gena Knight'  
**Subject:** RE: Timber Ridge, DOS991012100D CC Submittal  
**Attachments:** fenvircc.pdf

Gena,

I was going through my emails and I found this one. I do not know if I ever sent you this, but here is a copy.

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 533-8351  
(239) 485-8344

---

**From:** Gena Knight [mailto:gknight@heidtinc.com]  
**Sent:** Wednesday, August 08, 2007 11:22 AM  
**To:** Irving, Robert B.  
**Subject:** RE: Timber Ridge, DOS991012100D CC Submittal

Rob,

Our client would like the official punch-list. Can you please provide?

***Gena Knight***  
**Permit Coordinator**  
**Heidt & Associates, Inc.**  
3800 Colonial Blvd., Suite #200  
Fort Myers, FL 33966  
Office (239) 482-7275  
Fax (239) 482-2103  
E-mail: gknight@heidtinc.com

---

**From:** Irving, Robert B. [mailto:IRVINGRB@leegov.com]  
**Sent:** Thursday, July 19, 2007 1:20 PM  
**To:** Gena Knight  
**Subject:** RE: Timber Ridge, DOS991012100D CC Submittal

Gena,

I sent another email with the SFWMD permit since Gateway is a complicated permit. I have not heard back so I will issues the formal punchlist tomorrow. It will not be any different than my emailed punchlist before except to say "Comply with the SFWMD Permit" and quantify the number of littoral plantings missing.

Robert Irving

11/16/2007

Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

---

**From:** Gena Knight [mailto:gknight@heidtinc.com]  
**Sent:** Thursday, July 19, 2007 1:14 PM  
**To:** Irving, Robert B.  
**Subject:** FW: Timber Ridge, DOS991012100D CC Submittal

Good afternoon,

Our client would really to resolve any outstanding issues so that they may proceed with a bond release. How soon can we expect the punch-list?

***Gena Knight***  
**Permit Coordinator**  
**Heidt & Associates, Inc.**  
3800 Colonial Blvd., Suite #200  
Fort Myers, FL 33966  
Office (239) 482-7275  
Fax (239) 482-2103  
E-mail: gknight@heidtinc.com

---

**From:** Gena Knight  
**Sent:** Tuesday, July 10, 2007 11:37 AM  
**To:** 'Irving, Robert B.'  
**Subject:** RE: Timber Ridge, DOS991012100D CC Submittal

Good morning,

Any word from SFWMD?

***Gena Knight***  
**Permit Coordinator**  
**Heidt & Associates, Inc.**  
3800 Colonial Blvd., Suite #200  
Fort Myers, FL 33966  
Office (239) 482-7275  
Fax (239) 482-2103  
E-mail: gknight@heidtinc.com

---

**From:** Irving, Robert B. [mailto:IRVINGRB@leegov.com]  
**Sent:** Tuesday, June 19, 2007 9:37 AM  
**To:** Gena Knight  
**Subject:** RE: Timber Ridge, DOS991012100D CC Submittal

11/16/2007

Gena,

I inspected on have several issues with this site.

There are exotics (Brazilian pepper & melaleuca) within the conservation easement/buffer area.

There are littorals missing and riprap in the lakes.

There are impacts to the conservation easement, such as barbed wire fence, mowing, roof drain and agricultural uses. I am waiting for an answer from SFWMD about the impacts, barbed wire fence and the agricultural uses before I sent the punchlist.

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 479-8351  
(239) 479-8144

---

**From:** Gena Knight [mailto:gknight@heidtinc.com]  
**Sent:** Tuesday, June 19, 2007 9:32 AM  
**To:** Irving, Robert B.  
**Subject:** Timber Ridge, DOS991012100D CC Submittal

Good afternoon,

We submitted a CC request on the above on May 21 for the Final Lift of Asphalt. Have you had an opportunity to go out and inspect as of yet? E-connect shows the submittal, but no activity. Thanks for your help!

***Gena Knight***  
**Permit Coordinator**  
**Heidt & Associates, Inc.**  
3800 Colonial Blvd., Suite #200  
Fort Myers, FL 33966  
Office (239) 482-7275  
Fax (239) 482-2103  
E-mail: gknight@heidtinc.com

11/16/2007



**Irving, Robert B.**

---

**From:** Irving, Robert B.  
**Sent:** Friday, November 16, 2007 7:53 AM  
**To:** Douglas, David  
**Subject:** Sanibel Harbor Yacht Club DOS2004-00288  
**Attachments:** fenvircc.pdf

Dave,

Please see the attached punchlist for this project from April 2006. Let me know if you have any questions.

Rob

Robert Irving  
Senior Environmental Planner  
Lee County Division of Environmental Sciences  
(239) 533-8351  
(239) 485-8344

11/16/2007

## CPA2006-26

The Comprehensive Plan Amendment 2006-26 Conservation Lands Update is to amend the future land use map by updating the Conservation Lands land use categories.

The CPA2006-26 conservation lands update includes the addition of approximately 5,969 acres to the land use conservation uplands and wetlands. Lands additions include 20/20 acquisitions, Calusa Land Trust, Airport Mitigation, City of Fort Myers, and Flint Pen Strand.

Babcock Ranch is not going forward at this time because the county attorney's office stated uses within the Management Agreement for Babcock conflicts with conservation land use categories.

Currently 73,216 acres in land use

20/20 Lands = 224 acres

Airport = 4,175 acres

Flint Pen = 295 acres

Calusa Land = 234 acres

City of Fort = 1,041 acres

Addition include 5,969 acres

To total 79,185 acres

CLASAC – Conservation Lands Acquisition and Stewardship  
Advisory Committee

LPA – Local Planning Agency

CPA – Comprehensive Plan Amendment

**POLICY 1.4.3:** The Rural Community Preserves are established following special studies of Lee County's intact rural communities. Within these areas, special design approaches are to be used to maintain the existing rural character, for example: conservation easements, flexible road design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. These areas are not to be programmed to receive urban-type capital improvements. Lands within this category are not intended to be converted to any Future Urban Areas; rather, they are to remain permanently rural in character and use. These areas are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Additional goals, objectives, policies, and standards for these areas may be included in this plan based on the special studies (see for example, Goal 17). Maximum density is one dwelling unit per acre (1 du/acre). (Amended by Ordinance No. 91-19, 94-30)

**POLICY 1.4.4:** Open Lands are upland areas that are located north of Rural and/or sparsely developed areas in Township 43 South. These areas are extremely remote from public services and are characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted in this category in accordance with the standards in the Rural category. The maximum density in this category is one dwelling unit per ten acres (1 du/10 acres); except that a maximum density of one dwelling unit per five acres (1 du/5 acres) is permitted if the planned development process is used to prevent adverse impacts on environmentally sensitive lands (as defined in Policy 107.1.1.4). (Added by Ordinance No. 94-30)

**POLICY 1.4.5:** The Density Reduction/Groundwater Resource (DR/GR) areas include upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed. Land uses in these areas must be compatible with maintaining surface and groundwater levels at their historic levels. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, publicly-owned gun range facilities, private recreation facilities, and residential uses at a maximum density of one dwelling unit per ten acres (1 du/10 acres). Individual residential parcels may contain up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to those wetland areas.

Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in Goal 16. No Private recreational facilities may occur within the DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 16 of the Lee Plan. (Amended by Ordinance No. 91-19, 94-30, 99-16, 02-02)

**POLICY 1.4.6:** The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may



include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of the 2020 Program or the 2020 ordinances. (Added by Ordinance No. 98-09, Amended by Ordinance No. 02-02)

**POLICY 1.4.7:** The Coastal Rural areas will remain rural except for portions of properties where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, on the remainder of the property. The standard maximum density is one dwelling unit per ten acres (1DU/10 acres). Maximum densities may increase as higher percentages of native habitat are permanently preserved or restored on the uplands portions of the site, or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, in accordance with the chart below. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, and residential uses up to the following densities:

Percentage of the on site uplands that are preserved or restored native habitats or continued in agricultural use on existing farmland	Maximum density if undeveloped land will be permanently preserved or restored as native habitats	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 acres	1 DU/ 10 acres
5%	1 DU/ 9 acres	
10%	1 DU/ 8 acres	1 DU/ 9 acres
15%	1 DU/ 7 acres	
20%	1 DU/ 6 acres	1 DU/ 8 acres
30%	1 DU/ 5 acres	1 DU/ 7 acres
40%	1 DU/ 4 acres	1 DU/ 6 acres
50%	1 DU/ 3 acres	1 DU/ 5 acres
60%	1 DU/ 2 acres	1 DU/ 3 acres
70%	1 /DU/ 1 acre	1 DU/ 2 acres

Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Added by Ordinance No. 03-03, Amended by Ordinance No. 05-21)

**OBJECTIVE 1.5: WETLANDS.** Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)

**POLICY 1.5.1:** Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

**Proposed Language for Conservation Lands Update BoCC Sponsored Amendment to the Lee Comprehensive Plan to be submitted to LPA on 11/19/07**

**EXISTING CONDITIONS OF IMPERIAL MARSH AND THE FLINT PEN STRAND ADDITION** *(This represents 2 of the 3 areas contained within the Airport's Mitigation Park.....this does not include the Site H property of the Mitigation Park)\**

**TOTAL ACREAGE:** .....ACRES\*

**LOCATIONS:** The Imperial Marsh area is found in Sections 5, 6, 7, 8, 17, and 18, Township 46 South, Range 27 East. The Flint Pen Strand Addition area consists of all or portions of Sections 13, 14, 22, and 23, Township 46 South, Range 26 East. The Flint Pen Strand Addition abuts 415 acres owned by Lee County that is utilized as a wellfield. The Flint Pen Strand Addition also connects to the Corkscrew Swamp Sanctuary to the south. (see Exhibit..... for map).

**EXISTING USES:** The Imperial Marsh property contains the single largest freshwater marsh in Lee County, cypress ponds and forests, pine flatwoods, wet prairies and marshes, and fallow agricultural fields. The wetlands within Imperial Marsh represent a significant groundwater recharge area for Lee County. The Flint Pen Strand Addition property contains cypress forests, mixed cypress/pine forests, pine flatwoods and fallow agricultural fields.

Previous mitigation activities that have taken place within the property include upland and wetland preservation and enhancement throughout the Park, plus wetland creation in the farm fields within the Flint Pen Strand and Imperial Marsh portions of the Park. A SFWMD conservation easement currently exists over these two properties.

**CURRENT ZONING CLASSIFICATIONS:** *(LAST CYCLE'S TEXT.....Exhibits ...through..... detail the individual parcel data including the acreage figures. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.*

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject Imperial Marsh property is classified as Public Facilities and Wetlands Categories, and the subject Flint Pen Strand Addition property is classified as DRGR and Wetlands Categories. *(LAST*



*CYCLE'S TEXT... Exhibits ...through... of this report shows the Future Land Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.*

#### **ALLOWABLE USES AND ACTIVITIES:**

**(also fyi, see very end for language included in last year's comp plan amend cycle)**

#### **Following is proposed new language to supplement last cycle's text:**

In addition to those allowable uses described in Policy 1.4.6 for Conservation Lands, the Imperial Marsh and Flint Pen Strand Addition properties contained within the Airport's Mitigation Park Lands shall also include the following allowable uses: (1) installation of ASR wells and related infrastructure and utility appurtenances mutually agreed upon by both Lee County Utilities and the Lee County Port Authority that will provide public water supply and recharge benefits; (2) removal of stockpiled excess materials which have been previously created and stored or will be created and stored on site during mitigation and maintenance activities; (3) continued creation, enhancement, and restoration of wetlands and other site improvements pursuant to existing and future local, state, and federal permit obligations and special conditions; (4) continued necessary wildlife removal activities (hog removal, etc.,) as deemed necessary to ensure continued survival rate and success of created plantings and restoration efforts; (5) continued exotic vegetation control and removal of invasive species, mowing, and prescribed burn activities as required to meet success criteria as outlined in current and future local, state, and federal permit obligations and special conditions; (6) installation of needed perimeter and boundary fencing and related signage; (7) implementation of drainage flow ways and storage areas to restore historic drainage flow patterns and/or improve surface water management as needed in accordance with respective surface water management approvals. (8) These lands will be allowed access privileges for all such monitoring, maintenance, and other activities approved by the Port Authority.

These lands shall continue to be used for the benefit of mitigation efforts for listed species and wetland impacts resulting from projects that have been already constructed, but for which permit maintenance and monitoring obligations have not been fully met, i.e., SFWMD and ACOE permits. Consistent with the original purpose for why these mitigation lands were purchased (Reference documents FONSI, ROD, and EA from 1994), allowable uses shall also include: (1) mitigation efforts for listed species and wetland impacts stemming from future Lee County Port Authority planned projects, i.e., Parallel Runway Program and (2) other airport capital projects that have not yet been permitted, but for which their respective impacts may be mitigated for through the use of these lands.

The changing of this land use designation category shall not limit the use of these lands as defined by its original purchase. The land use designation category shall not limit the use of these lands which would restrict the ability of the Port Authority to meet its obligations established under both the short term and long term management plans written pursuant to SFWMD requirements.

**(Language included in last year's comp plan amend cycle)**

*Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.*

*The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:*

- 1. Public education activities including research centers, interpretive centers, historical buildings, archeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.*
- 2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.*
- 3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.*
- 4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.*
- 5. Native range for cattle grazing as a management tool only.*

**Irving, Robert B.**

---

**From:** Irving, Robert B.  
**Sent:** Friday, June 01, 2007 3:55 PM  
**To:** Watts, Shellie  
**Cc:** Irving, Robert B.  
**Subject:** Conservation Lands Amendment

Shellie,

Here is the owner list that I want searched for this amendment:

CITY OF BONITA SPRINGS 43  
 CITY OF CAPE CORAL 1184  
 CITY OF FORT MYERS 287  
 CITY OF SANIBEL 481  
 EAST COUNTY WATER CONTROL DIST 125  
 FORT MYERS BEACH 16  
 LEE COUNTY 2139  
 SOUTH FLA WATER MGMT DIST 143  
 STATE OF FLORIDA 3  
 THE CITY OF CAPE CORAL 1  
 TITF/REC + PARKS 999  
 TITF STATE OF FLORIDA 458  
 TOWN OF FORT MYERS BEACH 10  
 UNITED STATES OF AMERICA 57  
 U S FISH + WILDLIFE SERVICES 132

It may be incomplete so I will keep searching. The following are some private conservation groups which I want to keep separate from the government agencies listed above.

CALUSA LAND TRUST + NATURE 53  
 FLORIDA AUDUBON SOCIETY 9  
 NATIONAL AUDUBON SOCIETY 5  
 SANIBEL-CAPTIVA CONSERVATION 196

Robert Irving  
 Senior Environmental Planner  
 Lee County Division of Environmental Sciences  
 (239) 479-8351  
 (239) 479-8144

*#rows or parcels*

*printed parcel lists*

6/4/2007



# Proposed Parcels to be Rezoned to Environmental Critical (EC) Zoning District Adjacent to San Carlos Bay Bunche Beach Preserve

Parcel Number (STRAP)	Future Land Use Category	Current Zoning District
<b>Lee County</b>		
<a href="#">27-45-23-00-00005.0000</a>	Wetlands	AG-2 (Agricultural) & RM-2
<a href="#">35-45-23-00-00017.0000</a>	Conservation Lands Wetland & Suburban	AG-2 (Agricultural) & RPD (Residential Planned Development)
<a href="#">09-46-23-00-00001.0000</a>	Conservation Lands Wetland & Suburban	AG-2 (Agricultural)
<b>TIITF/Rec + Parks Estero Bay State Buffer Preserve - Dept of Envir Protection</b>		
<a href="#">03-46-23-00-00004.0010</a>	Wetlands	PUD (Planned Unit Development) & AG-2 (Agricultural)
<a href="#">15-46-23-00-00001.0000</a>	NONE	AG-2 (Agricultural)
<a href="#">16-46-23-00-00001.0000</a>	NONE	AG-2 (Agricultural)
<b>TIITF State of Florida DEP (Florida Department of Environmental Protection)</b>		
<a href="#">33-45-23-00-00002.001A</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">33-45-23-00-00002.001B</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">33-45-23-00-00002.002A</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">03-46-23-00-00001.0000</a>	Wetlands	AG-2 (Agricultural) & PUD (Planned Unit Development)
<a href="#">04-46-23-00-00006.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">09-46-23-00-00011.0000</a>	NONE	AG-2 (Agricultural)
<a href="#">10-46-23-00-00004.0000</a>	Wetlands & Suburban	PUD (Planned Unit Development) & AG-2 (Agricultural)
<b>United States of America (US Bureau of Land Management)</b>		
<a href="#">32-45-23-00-00002.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">05-46-23-00-00005.0000</a>	Wetlands	AG-2 (Agricultural)
<a href="#">11-46-23-00-00008.0010</a>	Wetlands & Outlying Suburban	AG-2 (Agricultural)
<a href="#">11-46-23-00-00002.0010</a>	Wetlands	AG-2 (Agricultural)
<b>US Fish &amp; Wildlife Services</b>		
<a href="#">31-45-23-00-00001.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">32-45-23-00-00003.0000</a>	NONE	AG-2 (Agricultural)
<a href="#">05-46-23-00-00002.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">05-46-23-00-00004.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<b>Calusa Land Trust &amp; Nature Preserve of Pine Island Inc</b>		
<a href="#">05-46-23-00-00001.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)
<a href="#">06-46-23-00-00002.0000</a>	Conservation Lands Wetland	AG-2 (Agricultural)

## LETTER OF AUTHORIZATION

The undersigned swears and affirms under oath to be the owner, or the authorized representative of the owner, of the property(s) and that:

1. I authorize the Director of Lee County Division of Planning to amend the comprehensive plan Future Land Use Map for the subject parcel(s) included in the attached exhibit (Exhibit A) to Conservation Lands Uplands and/or Conservation Lands Wetlands as in Lee County Comprehensive Plan Policy 1.4.6 which states:

The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. I have full authority to secure the approval(s) requested in accordance with this letter.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or printed name

\_\_\_\_\_  
Name of Entity/Corporation

(Please notarize all signatures)

State of **FLORIDA**

County of \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of person providing oath or affirmation), who is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.

\_\_\_\_\_  
Signature of person taking oath or affirmation

\_\_\_\_\_  
Name, typed, printed or stamped

\_\_\_\_\_  
Title or rank

\_\_\_\_\_  
Serial number, if any



**MINUTES REPORT  
LOCAL PLANNING AGENCY  
November 19, 2007**

**MEMBERS PRESENT:**

Noel Andress  
Derek Burr (Chair)  
Les Cochran  
Ron Inge

Carleton Ryffel (Vice Chair)  
Leland Taylor  
Rae Ann Wessel

**STAFF PRESENT:**

Donna Marie Collins, Asst. Cty. Atty.  
Timothy Jones, Asst. Cty. Atty.  
Dave Loveland, DOT  
Dawn Perry-Lehnert, Asst. Cty. Atty.

Janet Miller, Recording Secretary  
Matt Noble, Principal Planner  
Paul O'Connor, Planning Director

**Agenda Item 1 – Call to Order, Certificate of Affidavit of Publication**

Ms. Burr, Chair, called the meeting to order at 8:35 a.m. in the Community Development/Public Works Center, 1500 Monroe Street, Fort Myers, Florida. Ms. Collins, Assistant County Attorney, certified that the affidavit of publication was legally sufficient as to form and content and entered it into the record.

Mr. O'Connor explained a new recording system that was being implemented at today's meeting.

**Agenda Item 2 – Pledge of Allegiance**

**Agenda Item 3 – Public Forum - None**

**Agenda Item 4 – Approval of Minutes – October 22, 2007**

Mr. Andress expressed his concerns with abbreviating future meeting minutes. He also noted there was a gap somewhere in the system because the Board of County Commissioners do not seem to be receiving the LPA's comments and recommendations concerning the different items that come before them, such as the Wellfield Protection Ordinance.

After further discussion, Ms. Collins suggested instituting a policy where the LPA's comments and recommendations are summarized in a separate memorandum to the Board of County Commissioners. The summaries will be sent from the County Attorney's office, but will be in collaboration with Mr. O'Connor. A copy of these summaries will be provided to the LPA once they are finalized.

Mr. Ryffel noted he would be making this same recommendation for the Land Development Code Advisory Committee at their next meeting. He also asked that the meeting agenda be attached to future meeting minutes to clearly show what was discussed.

**Mr. Andress made a motion to adopt a reporting of minutes policy for the LPA as suggested by Donna Marie Collins, Assistant County Attorney. The motion was seconded by Mr. Cochran. There being no further discussion, the motion passed 7-0.**

Ms. Collins wanted to make a clarification regarding the Wellfield Protection Ordinance and noted it would be considered by the Board of County Commissioners on December 4, 2007. This allows time for the LPA to forward their recommendations as set forth in the September 24<sup>th</sup> meeting minutes to the Commissioners.

Mr. Andress stated that he highlighted the LPA's recommendations in yellow and provided additional comments in blue. This was forwarded to some of the Commissioners, however, he still asked staff to provide the Commissioners with a summarized memo.

**Mr. Inge made a motion to approve the October 22, 2007 meeting minutes, seconded by Mr. Andress. There being no further discussion, the motion passed 7-0.**

#### **Agenda Item 5 – Meadow Road Designation as a Parallel Reliever Facility to SR 82**

The LPA was provided with a copy of the Corridor Access Management Plan for SR82 as part of their meeting packet for today's meeting. Staff explained that this Management Plan was incorporated into the Lee Plan in the mid 1990's as part of the Lehigh Acres Commercial Land Use Study. The Meadow Road Designation is a continuation of that effort. It is meant to address the expanding commercial uses along the SR82 corridor as well as provide reasonable access to those parcels that are fronting SR82. This will provide direction to developers that they should be seeking access through Meadow Road. Staff is currently in the draft stage of bringing a resolution to the Commissioners.

This item is for informational purposes only. No motion from the LPA is needed at this time. Once the resolution is finalized, it will be presented to the LPA at which point they will be asked for a motion and vote.

Due to a question by Mr. Ryffel, staff clarified that if someone wanted to propose a different access point, they would be allowed to work with staff at FDOT and LCDOT to have the plan amended.

The discussion concluded.

#### **Agenda Item 6 – CPA2007-49 Buckingham Community Plan Update**

Handouts were distributed for this item. Mr. Mudd reviewed this proposal and his handouts. Questions and answers ensued regarding: 1) traffic counts/accident data; 2) population count; 3) location of existing commercial development; 4) the allocation table provided; 5) proposed allocation; 6) impacts due to a large tract of land on Tice Road purchased by the School District; 7) impacts due to a large tract being proposed to be annexed into the City of Fort Myers on Luckett Road; 8) the County's plans for mitigating some of these impacts from traffic in that area; 9) the red and blue lines outlining the planning community and boundary; 10) outreach efforts; 11) how staff will evaluate applications that are not within the community boundary but are adjacent to it; 12) Bert Harris issues; and, 13) Map 7 regarding sewage utility service and where it extends.

Ms. Burr asked if anyone from the public wished to comment on this issue. Public comment was received from the following parties:

Mr. Bill Burdette, President of the Buckingham Community Planning Panel

Ellie Boyd

Ms. Sandra Meador, Resident of Sanibel

Gordon Brandt, Secretary for the Buckingham Planning Council

Chris Bundschu, President of the Buckingham Conservancy.

Michael Roeder, Knott Consoer Law Firm

Dr. Margaret Bannion, previous consultant for Johnson Engineering

The public segment was closed.

Mr. Andress suggested the Buckingham Community Planning area be expanded to include the red-lined area (the planning community). This would give the community greater control over a larger area of land, especially growth that will affect the community itself. He believed the allocation table would need to be amended as well to reflect that it is an Urban community.

Mr. Ryffel suggested staff review the Urban Land Institute Standards Book for Population Versus Commercial Needs Allocation. Three types of commercial are listed in this document. Even though "Regional" does not apply to this situation, staff should review what the Urban Land Institute suggests and convey that information to the Commissioners.

Staff stated they would include this into the report along with the LPA discussion.

Mr. Inge expressed concern over Objective 17.6 with having people in various communities lobby the Property Appraiser to outline parameters by which the Property Appraiser should appraise properties in the plan and incorporate them in the plan. He had concerns with that level of specificity in the plan and having different manuals for the Property Appraiser to use for the different planning communities.

Mr. Andress referred to Ms. Meador's comments about horse farms and horse boarding businesses. He suggested language be stricken from Policy 17.6.6 where it says, "...if the owner or operator resides on site."

Ms. Burr noted there were many traffic problems on some of the roads, in particular, Buckingham Road and the Buckingham Rural Preserve area. She wanted to see LCDOT be more proactive in trying to address some of these issues by working together with the Buckingham community.

Mr. Inge noted that he did not have any overall objection to the Plan. His concern was that there are several areas that are not specific enough. He believed this would be a problem when it is submitted to the Department of Community Affairs for review. There needs to be a way to get the overall concept incorporated into a document that the Department of Community Affairs will approve as they will need measurable standards on implementing policies that the County can move forward with.

Mr. Cochran stated this community has been working on this plan for a long period of time. He did not feel the County should work on other goals and objectives that would override everything this community has been working towards. Mr. Cochran believed that many of the items staff proposed to delete, should be reinstated and that they needed to work with the community to help write some appropriate goal language to help them accomplish these goals. He felt there was a disconnect somewhere.

**Mr. Address made a motion to recommend transmittal of CPA2007-00049 to the Board of County Commissioners with the following changes:**

- 1. Adopt the planning community boundary as the new community planning area boundary for the Buckingham community.**
- 2. Policy 17.2.1 be revised to read “Lee County will work with the Buckingham community to reduce traffic and its effects through the Buckingham Community. This includes, but is not limited to, restricting the number of collector roads, analyzing alternative routes, and safety issues.” We also need to add “limiting light pollution and installing landscaping compatible with the rural character of the Buckingham Community.”**
- 3. Reinstate “No temporary or emergency operation disaster aftermath facilities will be allowed, including FEMA trailers,” into Policy 17.3.6.**
- 4. Remove the stricken portion from Policy 17.5.1 and have it rewritten to read, “Lee County will work with the Buckingham Community to develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham Community.”**
- 5. Remove the stricken portion from Policy 17.5.2 and have it rewritten to read, “Any access to the Orange River within the Buckingham community will be limited to noncommercial residential use.”**
- 6. Have language in Policy 17.6.6 rewritten to read, “Boarding stables will be allowed to give lessons, if the clinic clinic and the operation does not create a use, road access, or drainage nuisance to its neighbors.”**

**The motion was seconded by Mr. Cochran. There being no further discussion, the motion passed 6-1. Mr. Inge was opposed.**

Mr. Inge explained that his opposition was due to comments he made earlier regarding the Property Appraiser language. He also referred to language on parks and riding trails and preferred that the community continue to work with the County Greenways Multipurpose map and try to amend that as opposed to trying to create another policy.

**Mr. Cochran made an amendment to Mr. Andress' motion to address Policy 17.3.8. He proposed the County modify the policy statement that was stricken to read "The construction of potential," strike the word "additional," and then go on with the rest of the statement on water treatment and sewage treatment. This amendment was seconded by Mr. Andress. There being no further discussion, the amendment was passed 6-1. Mr. Inge was opposed.**

Another clarification was made that when Mr. Andress made a motion to change the community boundaries to be the red line for simplicity, that it included with it the corresponding change in the allocation tables.

#### **Agenda Item 7 – CPA2007-01 Caloosahatchee Community Plan**

Mr. Mudd reviewed this proposal with the LPA and Ms. Collins reviewed the County Attorney's memorandum. General questions and answers ensued.

Ms. Burr asked if anyone from the public wished to comment on this item. Public comment was received from the following parties:

Ms. Chris Cella, member of the Board of Directors of the East Lees County Council

The public segment was closed.

Mr. Andress referred to the map provided and felt the boundary needed to be clearly defined, i.e. outline how many acres are in that boundary, show what the other uses are, the acreages, and the amount of population that would be permitted in the other uses.

**Mr. Ryffel made a motion to continue this item to next month so that the information mentioned by Mr. Andress above can be provided and eventually be forwarded to the Commissioners, seconded by Mr. Andress. There being no further discussion, the motion passed 7-0.**

#### **Agenda Item 8 – CPA2006-26 Conservation Lands**

Mr. Irving reviewed his staff report and attachments.

General questions and answers ensued.

Ms. Burr asked if anyone from the public wished to comment on this issue. Public comment was received from the following:

Ms. Emily Underhill, Assistant Division Director of Development for the LC Port Authority

General questions and answers ensued between the LPA and Ms. Underhill.

The public segment was closed.



**Mr. Andress made a motion to recommend transmittal of CPA2006-26 Conservation Lands, and find it consistent with the Lee Plan, seconded by Mr. Ryffel. There being no further discussion, the motion passed 7-0.**

**Agenda Item 9 – Other Business - None**

**Agenda Item 10 – Adjournment**

The next meeting is scheduled for Monday, December 17, 2007, at the Community Development/Public Works Center, 1500 Monroe Street, Fort Myers, at 8:30 a.m. The 2008 meetings will resume in the Board Chambers.

**Mr. Andress made a motion to adjourn, seconded by Ms. Wessel. There being no further discussion, the motion passed 7-0.**

Causey Ct  
Scribble State FL  
nci Farms  
Item Buckingham Plow  
☒ F  
☐

# Speaker Card

Name

Agenda Item

8

Emily Underhill

AIRPORT MITIGATION LANDS  
(CONSERVATION LANDS)

10

M

BUCKINGHAM PLAN

10

Ellie Boyd

" "

10

Meador

" "

10 7

Gordon / Prandt

\* Buckingham Plan 15a 2 2

10 8

JOE GLOWACKI

Consultant for Airport Mit. Lands

10

Chris B.

OR Resident

10

Bill Burdette

BC PP - officer

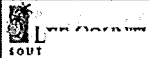
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Marg yan

7

Kim Cella

Catoosa-hatchee Shores Plan



Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on Monday, November 19, 2007. The meeting will be held in Conference Room 1B located on the first floor of the Community Development/Public Works Building, 1500 Monroe Street, in downtown Fort Myers. The meeting will commence at 8:30 a.m.

Amend the Future Land Use Element, text and Future Land Use Map series to incorporate the recommendations of the Buckingham Community Planning effort. Update Goal 17 of the Lee Plan to revise policies specific to the Buckingham Community and expand the affect of Goal 17 beyond the Rural Community Preserve land use category to the Buckingham Planning Community boundary.

**7. CPA2007-01 Caloosahatchee Community Plan**

Amend the Future Land Use Element, Goal 21, to add a policy that provides that no land use map amendments to the remaining Rural lands category will be permitted unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

**8. CPA2006-26 Conservation Lands**

Amend the Future Land Use Map to update the Conservation Lands categories.

**Other Business**

**Adjournment**

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Further information may be obtained by contacting the Lee County Division of Planning at 533-8585. In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 533-8583.

*Janet E. Cobb*  
subscribed

n. and who did

an oath.

*Janet E. Cobb*  
JANET E. COBB  
Commission DD 364583  
EXPIRATION

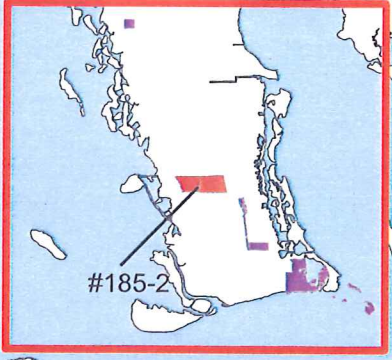
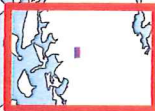
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# CPA2006-26 Proposed Conservation Lands Amendment KEY MAP

Map #7

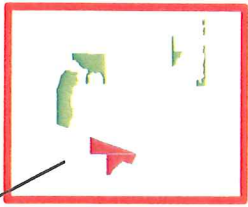


Map #8

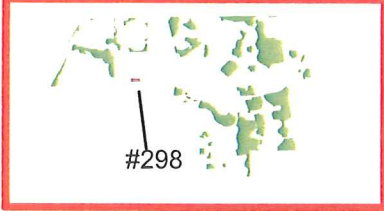


Map #1

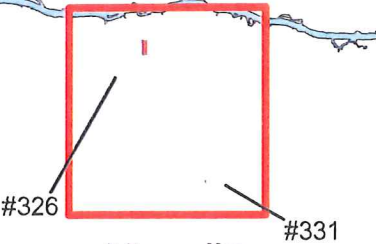
Map #2



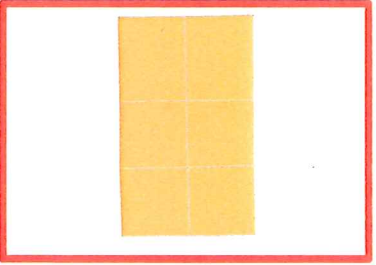
Map #4



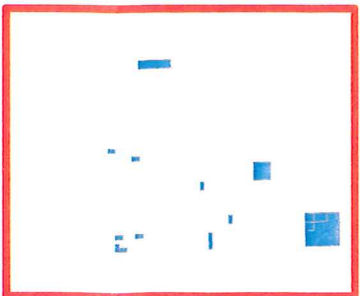
Map #3



Map #5



Map #6



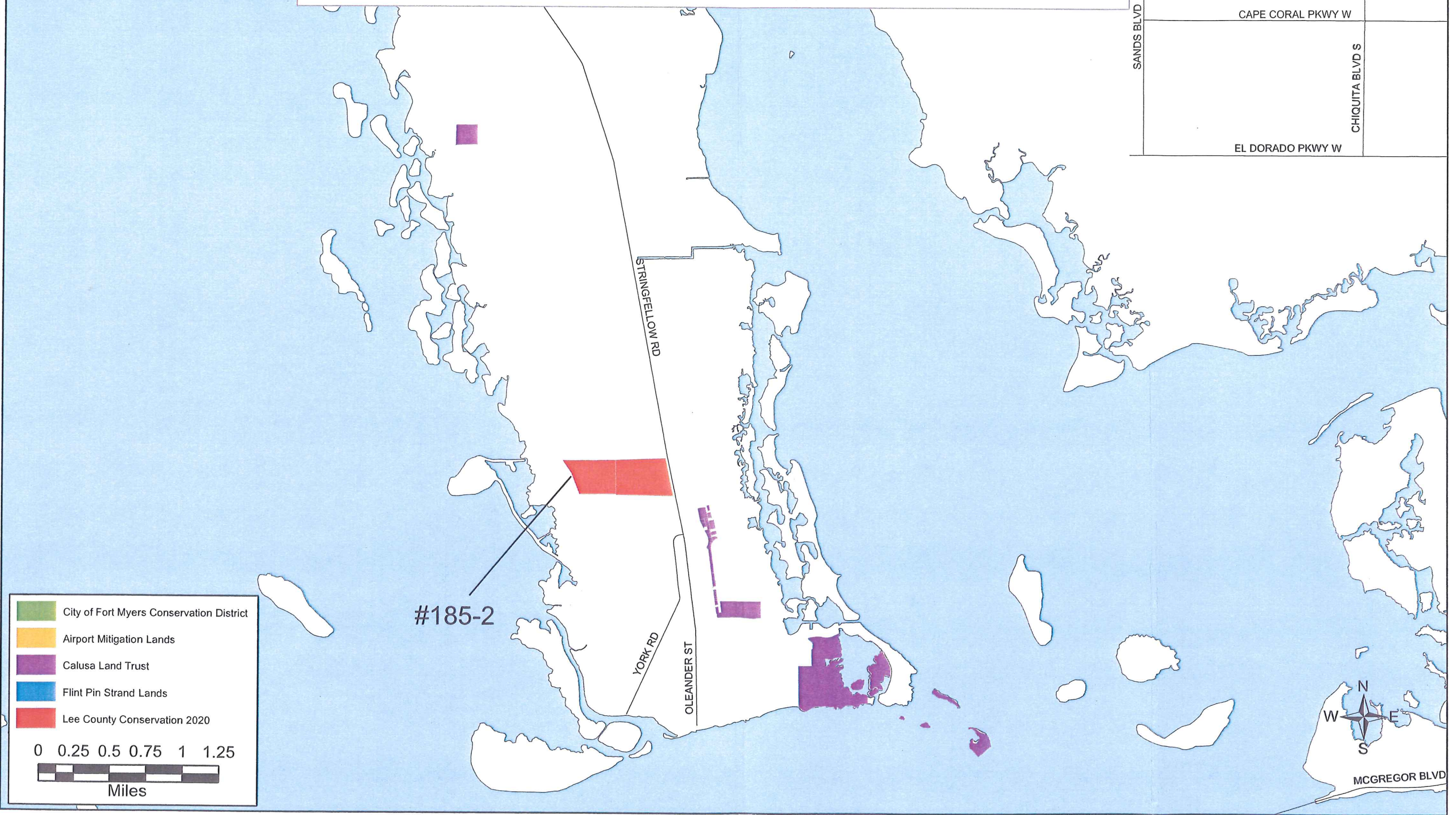
Legend:

- City of Fort Myers Conservation Lands
- Airport Mitigation Lands
- Calusa Land Trust
- Flint Pen Strand Lands
- Lee County Conservation 2020

Scale: 0 1 2 3 4 5 Miles



# CPA2006-26 Proposed Conservation Lands Amendment MAP #1





PROPERTY DATA FOR PARCEL 27-45-23-00-00005.0000  
TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

LEE COUNTY  
PO BOX 398  
FORT MYERS FL 33902

### SITE ADDRESS

ACCESS UNDETERMINED  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

GOVT LOT 2

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

86 - COUNTIES - OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	11,000 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	11,000 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	11.00
ASSESSED SOH	11,000 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0

<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	11,000	<b>WHOLLY</b>		<b>BATHROOMS</b>	11,000
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>		<b>TOTAL BUILDING SQFT</b>	0
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
11,000	7/23/2003	<a href="#">4043/1924</a>	03	Disqualified (Interest Sales / Court Docs / Government)	V
11,000	12/16/2002	<a href="#">3815/4138</a>	06	Qualified (Fair Market Value / Arms Length / One STRAP #)	V
0	8/5/2002	<a href="#">3701/4494</a>	03	Disqualified (Interest Sales / Court Docs / Government)	V
0	11/23/1993	<a href="#">2447/1660</a>	03	Disqualified (Interest Sales / Court Docs / Government)	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A10:EL10	125124	0325	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed* tax) Notices are available for the following tax years:  
 [ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

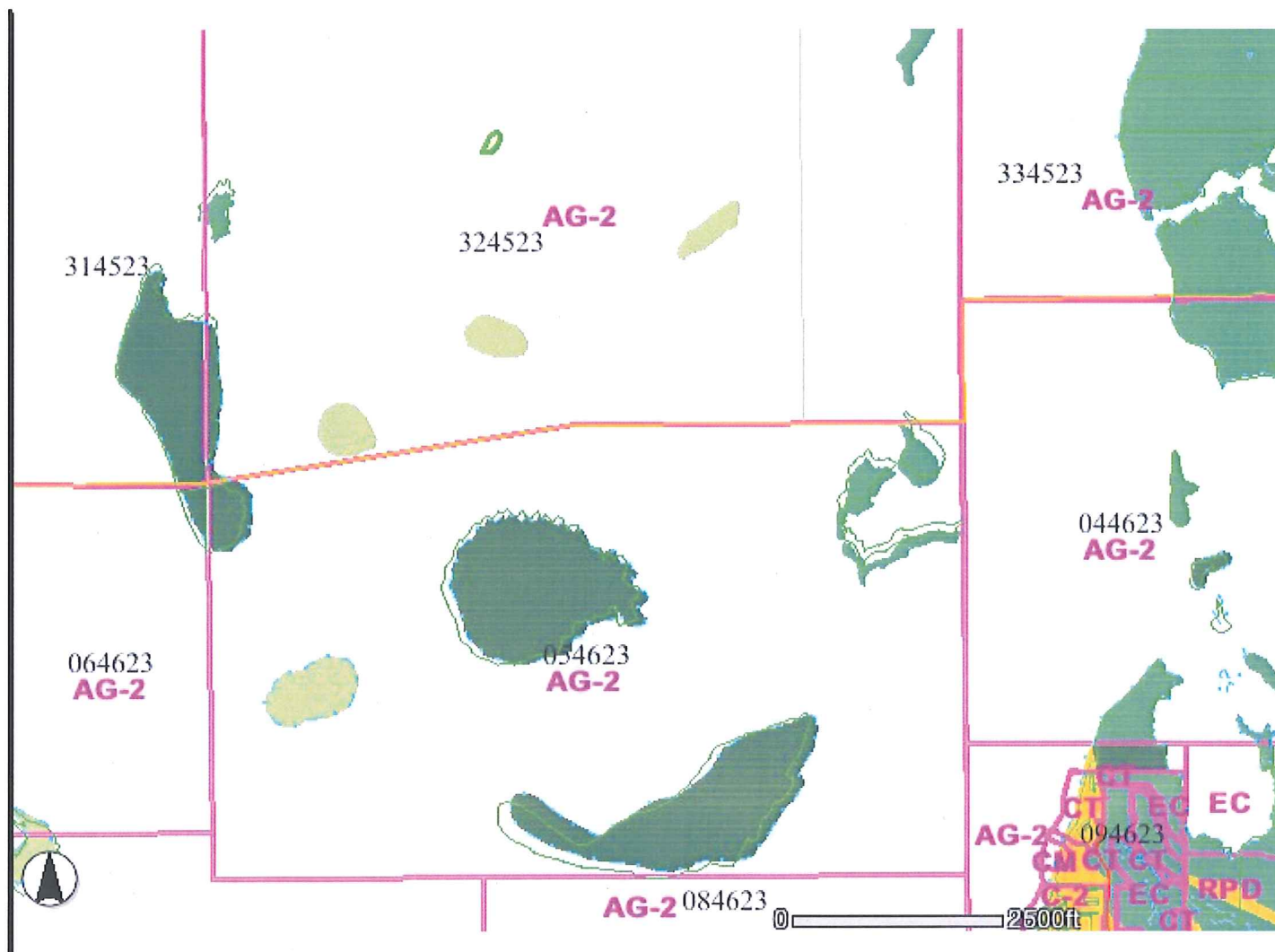
## Spatial District Query Report

STRAP Number: 27-45-23-00-00005.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	91.06%	
	Landuse	Suburban	0.01%	<u>1</u>
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	91.6%	
	Landuse	Mangrove swamps		
	Code	816	8.01%	
	Landuse	Canals and locks		
	Code	541	0.31%	<u>1</u>
	Landuse	Embayments opening		
	Code	510	0.09%	<u>1</u>
	Landuse	Streams and Waterways		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	94.21%	<u>2</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	99	5.79%	<u>1</u>
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	96.21%	
	Zoning Designation	RM-2	3.78%	<u>1</u>
Development Orders	Development Order	94-07-012-00D	4%	<u>1</u>
	Status			
	Wet Season Water			
	Table			
	Development Order	94-02-020-00D	4%	<u>1</u>
	Status			
	Wet Season Water			
	Table			
	Development Order	84-10-020-00D	3.06%	<u>1</u>
	Status			
	Wet Season Water			
	Table			
	Development Order	89-10-005-00D	3.04%	<u>1</u>
	Status			
	Wet Season Water			
	Table			

[\[ Modify Report Settings \]](#)

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination





**PROPERTY DATA FOR PARCEL 31-45-23-00-00001.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

U S FISH + WILDLIFE SERVICES  
 75 SPRING ST SW  
 ATLANTA GA 30303

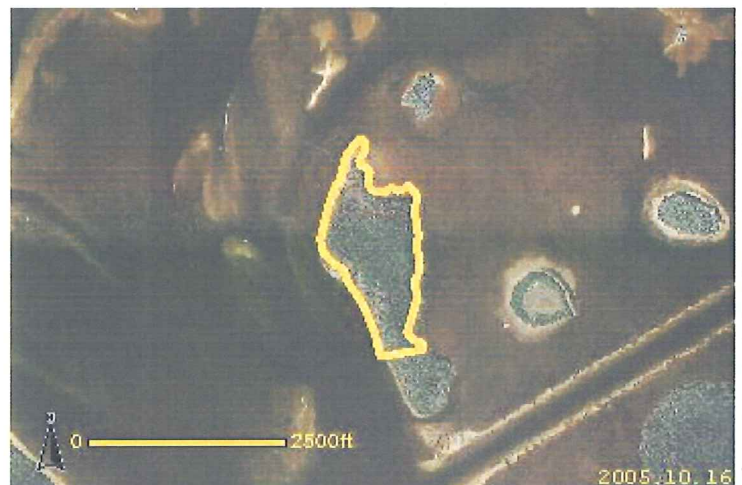
### SITE ADDRESS

ISLAND  
 CAPE CORAL FL 33914

### LEGAL DESCRIPTION

GOVT LOT 1 ISLAND  
 MERWIN KEY IN SECS 31 + 32

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	5,730 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	5,730 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	57.28
ASSESSED SOH	5,730 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0

BUILDING	0	DISABILITY	0	BEDROOMS
LAND	5,730	WHOLLY	5,730	BATHROOMS
BUILDING FEATURES	0	SOH DIFFERENCE	0	TOTAL BUILDING SQFT
LAND FEATURES	0		1ST YEAR BUILDING ON TAX ROLL	0
			HISTORIC DISTRICT	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	1/1/1990	<a href="#">2119/3114</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 22 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">28-44-22-02-0000C.0050</a> , <a href="#">04-44-23-C3-03809.0690</a> , <a href="#">04-44-23-C3-03809.0710</a> , <a href="#">04-44-23-C3-03809.0730</a> , <a href="#">04-44-23-C3-03809.0750</a> , <a href="#">04-44-23-C3-03809.0770</a> , <a href="#">05-44-23-C2-04089.0560</a> , <a href="#">05-44-23-C3-04047.0010</a> , <a href="#">06-44-23-C2-04247.0370</a> , <a href="#">13-44-23-C4-01082.0450</a> , <a href="#">23-44-23-C3-01990.0390</a> , <a href="#">25-44-23-C1-00986.0190...</a> <i>Remaining parcels not listed.</i>	V
100	5/1/1982	<a href="#">1660/325</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">06-46-23-00-00002.0000</a>	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
- UNKNOWN	-		0	0.00
COLLECTION DAYS				
GARBAGE	RECYCLING			HORTICULTURE

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	V11:EL11	125124	0295	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

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Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

STRAP Number: 31-45-23-00-00001.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	94.64%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	90.14%	
	Landuse	Mangrove swamps		
	Code	541	9.86%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	24	83.57%	<u>1</u>
	Soil Name	KESSON FINE SAND		
	Map Symbol	99	16.43%	
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	12.36%	
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



PROPERTY DATA FOR PARCEL 32-45-23-00-00002.0000  
TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

UNITED STATES OF AMERICA  
US BUREAU OF LAND MANAGEMENT  
1849 C ST NW #406LS  
WASHINGTON DC 20240

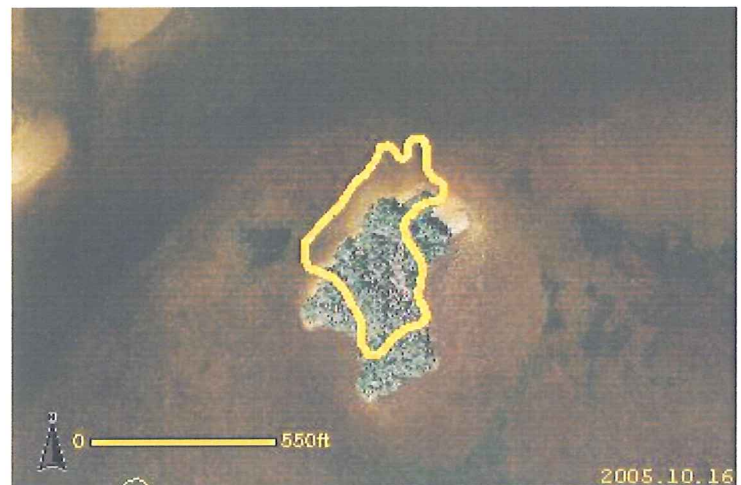
### SITE ADDRESS

STARVATION KEY  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

ISLAND IN W 1/4 SECTION  
STARVATION KEY

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	280 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	280 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	2.84
ASSESSED SOH	280 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0



<b>BUILDING</b>	<b>0 DISABILITY</b>	<b>0 BEDROOMS</b>
<b>LAND</b>	<b>280 WHOLLY</b>	<b>280 BATHROOMS</b>
<b>BUILDING FEATURES</b>	<b>0 SOH DIFFERENCE</b>	<b>0 TOTAL BUILDING SQFT</b>
<b>LAND FEATURES</b>	<b>0</b>	<b>1ST YEAR BUILDING ON TAX ROLL</b>
		<b>HISTORIC DISTRICT</b>
		<b>0</b>
		<b>No</b>

## PARCEL NUMBERING HISTORY

CREATION DATE - 1/1/1996

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
00-00-00-00-00000.0000	N/A	Unspecified

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
- UNKNOWN	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
	V11:EL11	125124	0295	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

[ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]

## Spatial District Query Report

STRAP Number: 32-45-23-00-00002.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	59.83%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	61.52%	
	Landuse	Mangrove swamps		
	Code	541	38.48%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	99	55.39%	
	Soil Name	WATER		
	Map Symbol	24	44.61%	<u>1</u>
	Soil Name	KESSON FINE SAND		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	95.79%	
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.

**PROPERTY DATA FOR PARCEL 32-45-23-00-00003.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

U S FISH + WILDLIFE SERVICES  
 75 SPRING ST SW  
 ATLANTA GA 30303

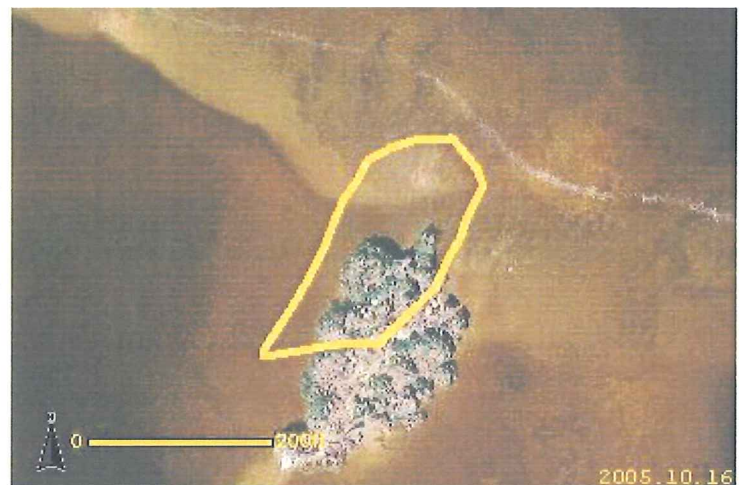
### SITE ADDRESS

BIRD ISLAND  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

ISLAND IN SECTION 32  
 BIRD ISLAND

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	100 HOMESTEAD	0 LAND UNITS OF MEASURE	UT
ASSESSED	100 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	1.00
ASSESSED SOH	100 WIDOW	0 FRONTAGE	27,400

TAXABLE	0 WIDOWER	0 DEPTH	0
BUILDING	0 DISABILITY	0 BEDROOMS	
LAND	100 WHOLLY	100 BATHROOMS	
BUILDING FEATURES	0 SOH DIFFERENCE	0 TOTAL BUILDING SQFT	
LAND FEATURES	0	1ST YEAR BUILDING ON TAX ROLL	0
		HISTORIC DISTRICT	No

## PARCEL NUMBERING HISTORY

CREATION DATE - UNAVAILABLE

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
05-46-23-00-00004.0000	N/A	Unspecified

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
- UNKNOWN	-		0	0.00
COLLECTION DAYS				
GARBAGE	RECYCLING	HORTICULTURE		

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
		125124	0295	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed tax*) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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[ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]



## Spatial District Query Report

STRAP Number: 32-45-23-00-00003.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010			NOT FOUND	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code Landuse	541 Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol Soil Name	99 WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

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Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



## PROPERTY DATA FOR PARCEL 33-45-23-00-00002.001A

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF STATE OF FLORIDA  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

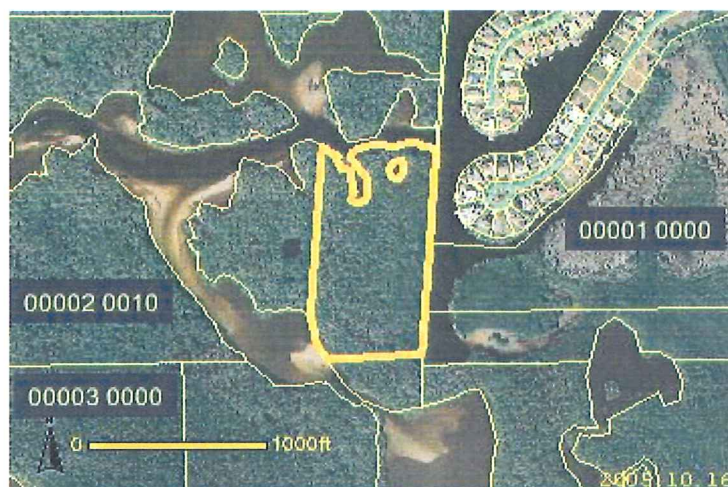
### SITE ADDRESS

GOVT LOT  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

PARL IN GOVT LOT 4  
AS DESC IN OR 1057 PG 1645

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

82 - FOREST, PARKS, RECREATIONAL

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	1,640 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	1,640 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	16.37
ASSESSED SOH	1,640 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0

<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	1,640	<b>WHOLLY</b>	1,640	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>	0	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	5/1/1974	<a href="#">1057/1645</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">34-45-23-00-00001.0030</a>	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A10:EL10	125124	0295	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]TRIM (*proposed* tax) Notices are available for the following tax years:[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ][ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ][ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]

## Spatial District Query Report

STRAP Number: 33-45-23-00-00002.001A

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	96.07%	
	Landuse	Wetlands	0.04%	<u>1</u>
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	92.77%	
	Landuse	Mangrove swamps		
	Code	541	7.23%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	90.72%	<u>2</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	99	9.28%	
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	99.86%	
	Zoning Designation	RS-1	0.14%	<u>1</u>
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

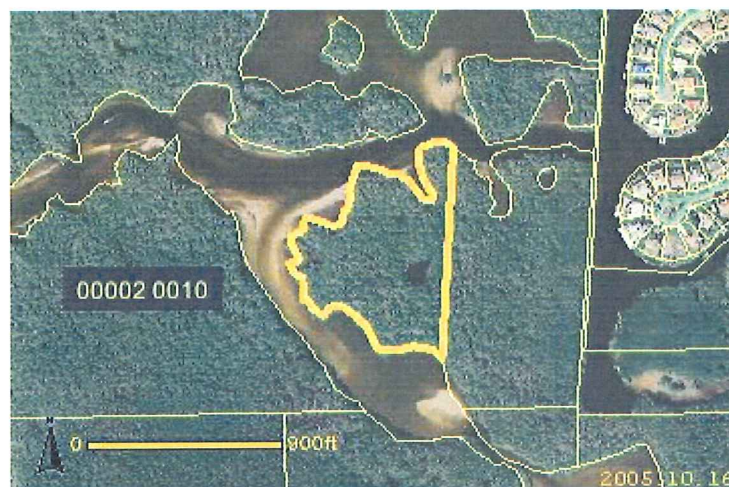
Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



**PROPERTY DATA FOR PARCEL 33-45-23-00-00002.001B**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ][ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.**PROPERTY DETAILS****OWNER OF RECORD**TIITF STATE OF FLORIDA  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399**SITE ADDRESS**GOVT LOT  
FORT MYERS FL 33908**LEGAL DESCRIPTION**PARL IN GOVT LOT 4  
AS DESC IN OR 1057 PG 1650[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ][ [PICTOMETRY](#) ]**TAXING DISTRICT**

110 - COUNTY/IONA MCGREGOR FIRE

**DOR CODE**

82 - FOREST, PARKS, RECREATIONAL

**PROPERTY VALUES (TAX ROLL  
2007)**[ [HISTORY CHART](#) ]**EXEMPTIONS****ATTRIBUTES**

JUST	1,080	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	1,080	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	10.79
ASSESSED SOH	1,080	WIDOW	0	FRONTAGE	0
TAXABLE	0	WIDOWER	0	DEPTH	0

<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	1,080	<b>WHOLLY</b>		<b>BATHROOMS</b>	1,080
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>		<b>TOTAL BUILDING SqFT</b>	0
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	5/1/1975	<a href="#">1057/1650</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">33-45-23-00-00002.002A</a>	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A10:EL10	125124	0295	C	110492

[\[ Show \]](#)

## APPRAISAL DETAILS

[\[ Show 2007 Details \]](#)

TRIM (*proposed* tax) Notices are available for the following tax years:  
[\[ 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 \]](#)

[\[ Next Lower Parcel Number | Next Higher Parcel Number \]](#)

[\[ New Query | Parcel Queries Page | Lee PA Home \]](#)



## Spatial District Query Report

STRAP Number: 33-45-23-00-00002.001B

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	94.33%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	84.76%	
	Landuse	Mangrove swamps		
	Code	541	15.24%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	77.89%	<u>1</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	99	22.11%	
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.

## PROPERTY DATA FOR PARCEL 33-45-23-00-00002.002A

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

[ [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF STATE OF FLORIDA  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

### SITE ADDRESS

GOVT LOT  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

PARL IN GOVT LOT 3  
AS DESC IN OR 1057 PG 1650

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

82 - FOREST, PARKS, RECREATIONAL

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	780 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	780 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	7.76
ASSESSED SOH	780 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0

<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	780	<b>WHOLLY</b>		<b>BATHROOMS</b>	780
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>		<b>TOTAL BUILDING SQFT</b>	0
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	5/1/1975	<a href="#">1057/1650</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">33-45-23-00-00002.001B</a>	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A10:EL10	125124	0295	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed tax*) Notices are available for the following tax years:  
 [ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

[ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]



## Spatial District Query Report

STRAP Number: 33-45-23-00-00002.002A

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	97.3%	
	Landuse	Wetlands	0.14%	<u>1</u>
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	82.15%	
	Landuse	Mangrove swamps		
	Code	541	17.85%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	99	99.89%	
	Soil Name	WATER		
	Map Symbol	23	0.11%	<u>1 2</u>
	Soil Name	WULFERT MUCK		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system: Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

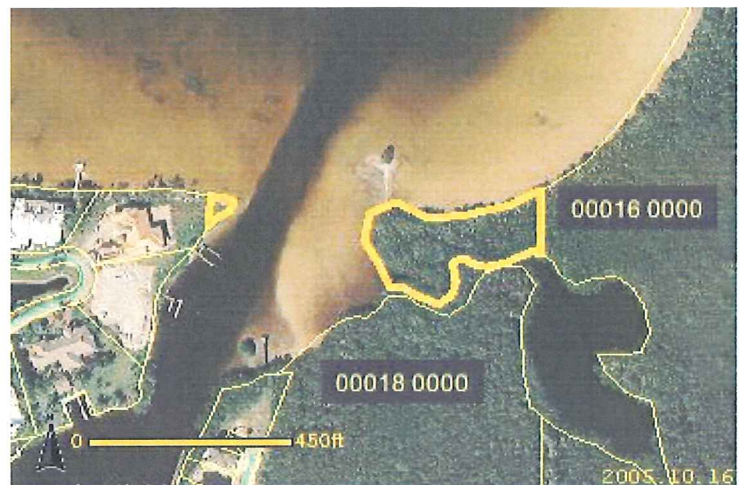
Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.





**PROPERTY DATA FOR PARCEL 35-45-23-00-00017.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ][ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.**PROPERTY DETAILS****OWNER OF RECORD**LEE COUNTY  
PO BOX 398  
FORT MYERS FL 33902**SITE ADDRESS**ISLAND  
FORT MYERS FL 33908**LEGAL DESCRIPTION**PARL IN N PART GOVT LOT 2  
AS DESC IN OR 1761 PG 0105[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ][ [PICTOMETRY](#) ]**TAXING DISTRICT**

110 - COUNTY/IONA MCGREGOR FIRE

**DOR CODE**

86 - COUNTIES - OTHER

**PROPERTY VALUES (TAX ROLL  
2007)**[ [HISTORY CHART](#) ]**EXEMPTIONS****ATTRIBUTES**

JUST	300 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	300 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	3.00
ASSESSED SOH	300 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0

<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	300	<b>WHOLLY</b>	300	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>	0	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

### SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
0	12/1/1984	<a href="#">1761/105</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	V
0	8/1/1978	<a href="#">1300/810</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	

### SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>COLLECTION DAYS</b>				
<b>GARBAGE</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>		
Wednesday	Wednesday	Tuesday		

### ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A10:EL9	125124	0325	C	110492

[ [Show](#) ]

### APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed* tax) Notices are available for the following tax years:  
 [ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

[ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]

## Spatial District Query Report

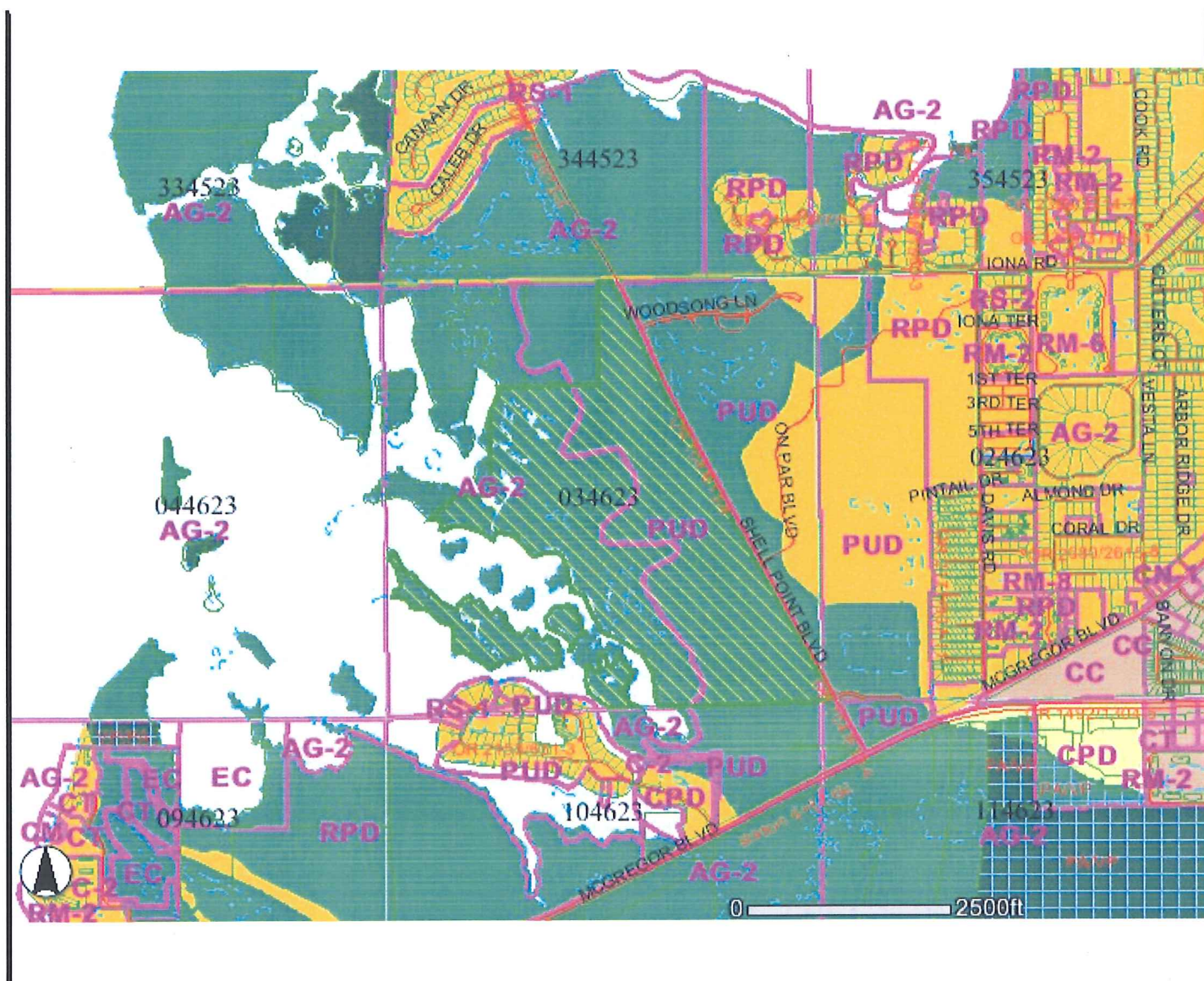
STRAP Number: 35-45-23-00-00017.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	86.59%	
	Landuse	Suburban	3.18%	<u>1</u>
	Landuse	Wetlands	0.57%	<u>1</u>
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	82.43%	
	Landuse	Mangrove swamps		
	Code	510	14.83%	
	Landuse	Streams and Waterways		
	Code	524	2.38%	<u>1</u>
	Landuse	Lakes less than 10 acres		
	Code	121	0.36%	<u>1</u>
	Landuse	Fixed single family units		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	60.92%	<u>2</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	99	35.53%	
	Soil Name	WATER		
	Map Symbol	25	3.55%	<u>1</u>
	Soil Name	ST. AUGUSTINE SAND, ORGANIC SUBSTRATUM- URBAN LAND COMPLEX		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	96.45%	
	Zoning Designation	RPD	3.55%	<u>1</u>
Development Orders	Development Order Status	83-06-080-00D	98.08%	
	Wet Season Water Table			
	Development Order Status	89-11-015-00D	1.12%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	DOS2007-00214	0.77%	<u>1</u>
	Wet Season Water Table			

[\[ Modify Report Settings \]](#)

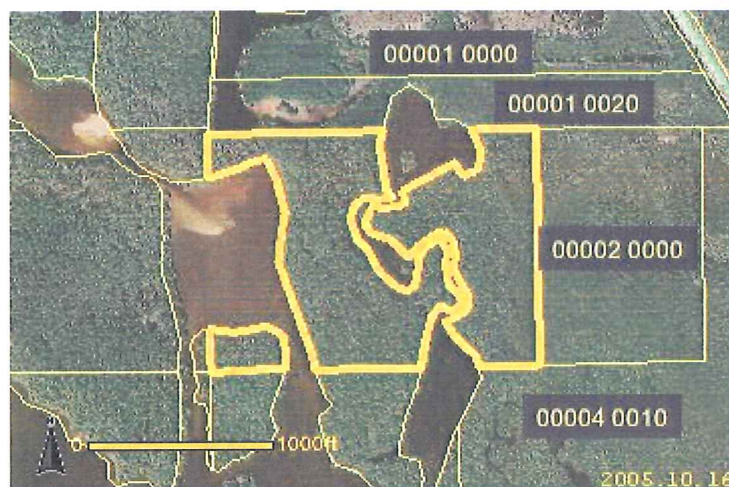
Note	Details





**PROPERTY DATA FOR PARCEL 03-46-23-00-00001.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ][ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.**PROPERTY DETAILS****OWNER OF RECORD**TIITF STATE OF FLORIDA  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399**SITE ADDRESS**GOVT LOT  
FORT MYERS FL 33908**LEGAL DESCRIPTION**W 2/3 OF GOVT.LOTS 3 + 4  
DESC OR 3173 PGS 2683+2679[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ][ [PICTOMETRY](#) ]**TAXING DISTRICT**

110 - COUNTY/IONA MCGREGOR FIRE

**DOR CODE**

82 - FOREST, PARKS, RECREATIONAL

**PROPERTY VALUES (TAX ROLL  
2007)**[ [HISTORY CHART](#) ]**EXEMPTIONS****ATTRIBUTES**

JUST	37,390 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	37,390 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	37.39
ASSESSED SOH	37,390 WIDOW	0 FRONTAGE	0
TAXABLE	0 WIDOWER	0 DEPTH	0



<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>37,390</b>	<b>WHOLLY</b>	<b>37,390</b>	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>	<b>0</b>	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	9/30/1999	<a href="#">3173/2683</a>	03	Disqualified (Interest Sales / Court Docs / Government) There are 3 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00004.0010</a> , <a href="#">10-46-23-00-00004.0000</a>	V
100	9/30/1999	<a href="#">3173/2679</a>	03	Disqualified (Interest Sales / Court Docs / Government) There are 4 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">03-46-23-00-00004.0010</a> , <a href="#">10-46-23-00-00004.0000</a>	V
7,500,000	5/27/1997	<a href="#">2828/2707</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 8 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">02-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">03-46-23-00-00004.0000</a> , <a href="#">03-46-23-00-00004.0010</a> , <a href="#">10-46-23-00-00004.0000</a> , <a href="#">11-46-23-00-00001.0000</a> , <a href="#">11-46-23-00-00001.0020</a>	V
4,129,600	12/1/1986	<a href="#">1887/3419</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 13 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">33-45-23-00-00002.0010</a> , <a href="#">33-45-23-00-00002.0020</a> , <a href="#">34-45-23-00-00001.0020</a> , <a href="#">02-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">03-46-23-00-00004.0000</a> ,	V

[03-46-23-00-00004.0010,](#)  
[04-46-23-00-00003.0000,](#)  
[04-46-23-00-00004.0000,](#)  
[10-46-23-00-00004.0000,](#)  
[11-46-23-00-00001.0000...](#)

*Remaining parcels not listed.*

100 12/1/1981 [1570/1943](#) 04 Disqualified (Multiple STRAP # - 01,03,07) V  
 There are 154 additional parcel(s) with this document  
 (may have been split after the transaction date)...

[33-45-23-00-00002.0010,](#)  
[33-45-23-00-00002.0020,](#)  
[34-45-23-00-00001.0020,](#)  
[02-46-23-00-00001.0000,](#)  
[03-46-23-00-00002.0000,](#)  
[03-46-23-00-00003.0000,](#)  
[03-46-23-00-00004.0000,](#)  
[03-46-23-00-00004.0010,](#)  
[04-46-23-00-00003.0000,](#)  
[04-46-23-00-00004.0000,](#)  
[10-46-23-00-00004.0000,](#)  
[11-46-23-00-00001.0000...](#)

*Remaining parcels not listed.*

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>COLLECTION DAYS</b>				
<b>GARBAGE</b>		<b>RECYCLING</b>		<b>HORTICULTURE</b>
Wednesday		Wednesday		Tuesday

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A10:EL10	125124	0325	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed tax*) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

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This site is best viewed with [Microsoft Internet Explorer 5.5+](#) or [Netscape Navigator 6.0+](#).  
Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

STRAP Number: 03-46-23-00-00001.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	98.14%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	86.27%	
	Landuse	Mangrove swamps		
	Code	541	9.4%	
	Landuse	Embayments opening		
	Code	560	4.33%	<u>1</u>
	Landuse	Slough Waters		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	53.27%	<u>2</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	16	39.46%	<u>2</u>
	Soil Name	PECKISH MUCKY FINE SAND		
	Map Symbol	99	7.26%	
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	96.07%	
	Zoning Designation	PUD	3.93%	<u>1</u>
Development Orders	Development Order	90-05-011-00D	99.85%	
	Status			
	Wet Season Water			
	Table			

[\[ Modify Report Settings \]](#)

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



## PROPERTY DATA FOR PARCEL 03-46-23-00-00004.0010

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF/REC + PARKS  
ESTERO BAY STATE BUFFER PRESERVE  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

### SITE ADDRESS

GOVT LOT  
FL

### LEGAL DESCRIPTION

PAR IN SECS 3+2 TWP46 R23  
DESC OR3173/2683 +  
SDESC OR3173/2679

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

82 - FOREST, PARKS, RECREATIONAL

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	1,191,900	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	1,191,900	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	238.38
ASSESSED SOH	1,191,900	WIDOW	0	FRONTAGE	0



TAXABLE	0	WIDOWER	0	DEPTH	0
BUILDING	0	DISABILITY	0	BEDROOMS	
LAND	1,191,900	WHOLLY	1,191,900	BATHROOMS	
BUILDING FEATURES	0	SOH DIFFERENCE	0	TOTAL BUILDING SQFT	
LAND FEATURES	0			1ST YEAR BUILDING ON TAX ROLL	
				HISTORIC DISTRICT	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	9/30/1999	<a href="#">3173/2683</a>	03	Disqualified (Interest Sales / Court Docs / Government) There are 3 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">10-46-23-00-00004.0000</a>	V
100	9/30/1999	<a href="#">3173/2679</a>	03	Disqualified (Interest Sales / Court Docs / Government) There are 4 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">10-46-23-00-00004.0000</a>	V
7,500,000	5/27/1997	<a href="#">2828/2707</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 8 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">02-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">03-46-23-00-00004.0000</a> , <a href="#">10-46-23-00-00004.0000</a> , <a href="#">11-46-23-00-00001.0000</a> , <a href="#">11-46-23-00-00001.0020</a>	V
4,129,600	12/1/1986	<a href="#">1887/3419</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 13 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">33-45-23-00-00002.0010</a> , <a href="#">33-45-23-00-00002.0020</a> , <a href="#">34-45-23-00-00001.0020</a> , <a href="#">02-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> ,	V

[03-46-23-00-00003.0000](#),  
[03-46-23-00-00004.0000](#),  
[04-46-23-00-00003.0000](#),  
[04-46-23-00-00004.0000](#),  
[10-46-23-00-00004.0000](#),  
[11-46-23-00-00001.0000...](#)

*Remaining parcels not listed.*

100 12/1/1981 [1570/1943](#) 04 Disqualified (Multiple STRAP # - 01,03,07) V  
 There are 154 additional parcel(s) with this document  
 (may have been split after the transaction date)...

[33-45-23-00-00002.0010](#),  
[33-45-23-00-00002.0020](#),  
[34-45-23-00-00001.0020](#),  
[02-46-23-00-00001.0000](#),  
[03-46-23-00-00001.0000](#),  
[03-46-23-00-00002.0000](#),  
[03-46-23-00-00003.0000](#),  
[03-46-23-00-00004.0000](#),  
[04-46-23-00-00003.0000](#),  
[04-46-23-00-00004.0000](#),  
[10-46-23-00-00004.0000](#),  
[11-46-23-00-00001.0000...](#)

*Remaining parcels not listed.*

## PARCEL NUMBERING HISTORY

CREATION DATE - 11/23/1999

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
03-46-23-00-00004.0000	Split (From another Parcel)	Tuesday, November 23, 1999

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00

### COLLECTION DAYS

**GARBAGE**  
Wednesday

**RECYCLING**  
Wednesday

**HORTICULTURE**  
Tuesday

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				DATE
	RATE CODE	COMMUNITY	PANEL	VERSION	
Tropical Storm	A10:EL10	125124	0426	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed* tax) Notices are available for the following tax years:

[ [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

STRAP Number: 03-46-23-00-00004.0010

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	94.7%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	84.68%	
	Landuse	Mangrove swamps		
	Code	642	9.73%	
	Landuse	Saltwater marshed		
	Code	743	2.94%	<a href="#">1</a>
	Landuse	Spoil areas		
	Code	541	2.64%	<a href="#">1</a>
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	16	54.41%	<a href="#">2</a>
	Soil Name	PECKISH MUCKY FINE SAND		
	Map Symbol	23	41.97%	<a href="#">2</a>
	Soil Name	WULFERT MUCK		
	Map Symbol	99	2.61%	<a href="#">1</a>
	Soil Name	WATER		
	Map Symbol	15	1%	<a href="#">1</a> <a href="#">2</a>
	Soil Name	ESTERO MUCK		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	PUD	50.27%	<a href="#">Zoning Notes</a>
	Zoning Designation	AG-2	49.73%	
Development Orders	Development Order Status	LDO2001-00389	1.51%	<a href="#">1</a>
	Wet Season Water Table			
	Development Order Status	90-05-011-00D	0.01%	<a href="#">1</a>
	Wet Season Water Table			

[\[ Modify Report Settings \]](#)

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



**PROPERTY DATA FOR PARCEL 04-46-23-00-00006.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF STATE OF FLORIDA  
 ISLANDS #1+  
 3  
 DEPT OF ENVIR PROTECTION  
 3900 COMMONWEALTH BLVD  
 TALLAHASSEE FL 32399

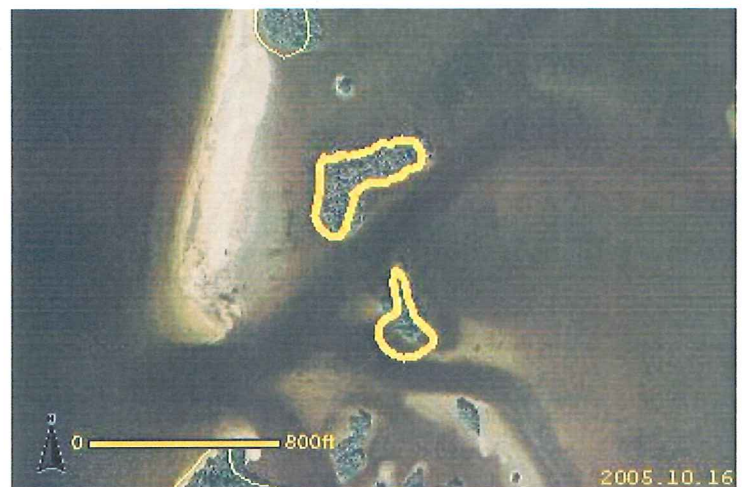
### SITE ADDRESS

ISLAND  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

ISLANDS NO.1 3

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

87 - STATE - OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	6,000	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	6,000	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	6.00
ASSESSED SOH	6,000	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0



<b>BUILDING</b>	<b>0 DISABILITY</b>	<b>0 BEDROOMS</b>
<b>LAND</b>	<b>6,000 WHOLLY</b>	<b>6,000 BATHROOMS</b>
<b>BUILDING FEATURES</b>	<b>0 SOH DIFFERENCE</b>	<b>0 TOTAL BUILDING SQFT</b>
<b>LAND FEATURES</b>	<b>0</b>	<b>1ST YEAR BUILDING ON TAX ROLL</b>
		<b>HISTORIC DISTRICT</b>
		<b>0</b>
		<b>No</b>

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>			
	<b>RECYCLING</b>			
	<b>HORTICULTURE</b>			

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
	A13:EL12	125124	0407	C	110492

[ [Show](#) ]

## APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

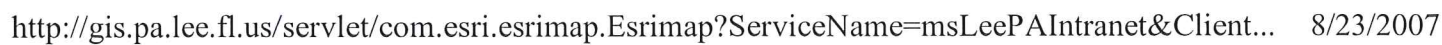
STRAP Number: 04-46-23-00-00006.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	55.26%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code Landuse	612 Mangrove swamps	63.59%	
	Code Landuse	541 Embayments opening	36.41%	
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol Soil Name	24 KESSON FINE SAND	50.56%	<u>1</u>
	Map Symbol Soil Name	99 WATER	49.44%	
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



PROPERTY DATA FOR PARCEL 05-46-23-00-00001.0000  
TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

CALUSA LAND TRUST + NATURE  
PRESERVE OF PINE ISLAND INC  
PO BOX 216  
BOKEELIA FL 33922

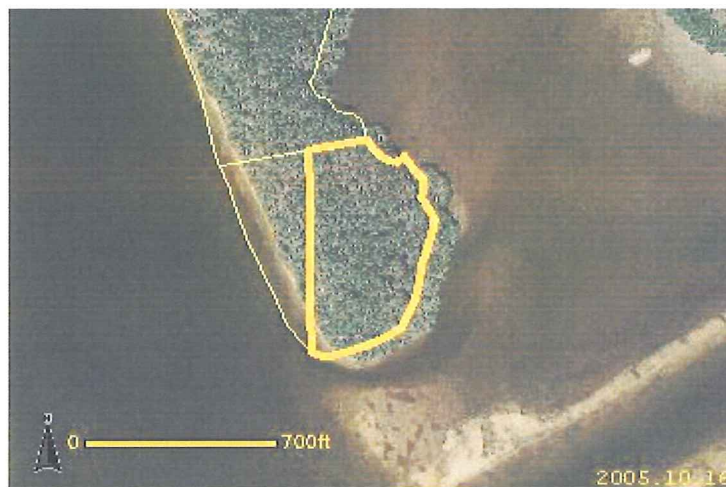
### SITE ADDRESS

MERWIN KEY  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

GOVT LOT 2  
ISLAND #2 AKA MERWIN  
KEY

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[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

75 - ORPHANAGES, NON-PROFIT SERVICE

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	6,000	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	6,000	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	6.00
ASSESSED SOH	6,000	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0



<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	6,000	<b>WHOLLY</b>	6,000	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>	0	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
3,500	11/1/2000	<a href="#">3325/2440</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">06-46-23-00-00002.0000</a>	V
1,200	10/26/2000	<a href="#">3325/2438</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">06-46-23-00-00002.0000</a>	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
005 - Service Area 5	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	V11:EL11	125124	0295	C	110492

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## APPRAISAL DETAILS

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TRIM (proposed tax) Notices are available for the following tax years:  
 [ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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## Spatial District Query Report

STRAP Number: 05-46-23-00-00001.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	97.68%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code Landuse	612 Mangrove swamps	95.85%	
	Code Landuse	541 Embayments opening	4.15%	<u>1</u>
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol Soil Name	24 KESSON FINE SAND	95.79%	<u>2</u>
	Map Symbol Soil Name	99 WATER	4.21%	<u>1</u>
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

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All information subject to change without notice.

## PROPERTY DATA FOR PARCEL 05-46-23-00-00002.0000

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

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OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

U S FISH + WILDLIFE SERVICES  
75 SPRING ST SW STE 1240  
ATLANTA GA 30303

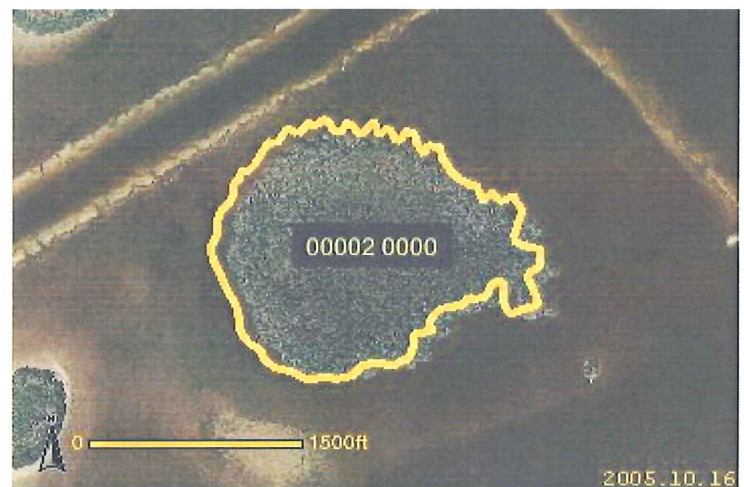
### SITE ADDRESS

BIG ISLAND  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

GOVT LOT 1  
BIG ISLAND AKA ISLAND #3

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	61,950	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	61,950	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	61.95
ASSESSED SOH	61,950	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0



<b>BUILDING</b>	0	<b>DISABILITY</b>	0	<b>BEDROOMS</b>	
<b>LAND</b>	61,950	<b>WHOLLY</b>	61,950	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	0	<b>SOH DIFFERENCE</b>	0	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	0			<b>1ST YEAR BUILDING ON TAX ROLL</b>	0
				<b>HISTORIC DISTRICT</b>	No

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
55,000	7/1/1979	<a href="#">1367/197</a>	06	Qualified (Fair Market Value / Arms Length / One STRAP #)	V
0	1/1/1979	<a href="#">1333/169</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
- UNKNOWN	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	V11:EL11	125124	0407	C	110492

[\[ Show \]](#)

## APPRAISAL DETAILS

[\[ Show 2007 Details \]](#)

TRIM (proposed tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

[ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]



## Spatial District Query Report

STRAP Number: 05-46-23-00-00002.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	91.24%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	91.72%	
	Landuse	Mangrove swamps		
	Code	541	8.28%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	24	88.32%	<u>1</u>
	Soil Name	KESSON FINE SAND		
	Map Symbol	99	11.68%	
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

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All information subject to change without notice.

**PROPERTY DATA FOR PARCEL 05-46-23-00-00004.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

U S FISH + WILDLIFE SERVICES  
 75 SPRING ST SW STE 1240  
 ATLANTA GA 30303

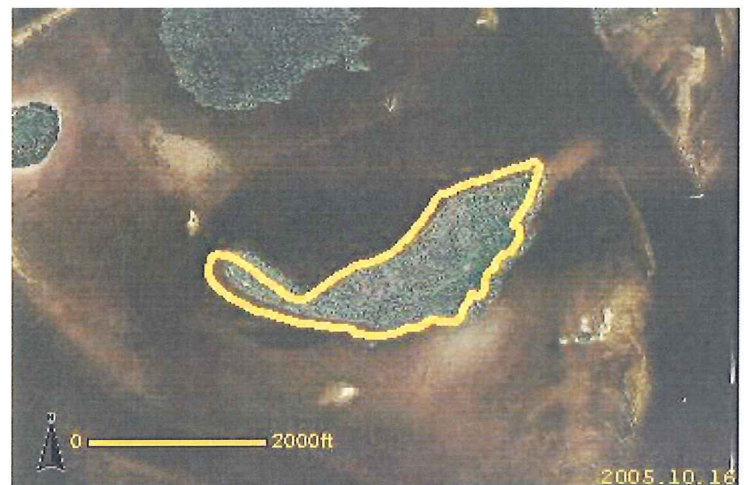
### SITE ADDRESS

FISHERMAN KEY  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

GOVT.LOT 3 ISLAND + GOVT  
 LOT 1  
 FISHERMAN KEY

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[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	63,500	HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	63,500	AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	63.50
ASSESSED SOH	63,500	WIDOW	0 FRONTAGE	0
TAXABLE		0 WIDOWER	0 DEPTH	0

<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>63,500</b>	<b>WHOLLY</b>	<b>63,500</b>	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>	<b>0</b>	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
350,000	1/1/1980	<a href="#">1402/1228</a>	03	Disqualified (Interest Sales / Court Docs / Government)	V
0	7/1/1979	<a href="#">1375/1756</a>	03	Disqualified (Interest Sales / Court Docs / Government)	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
- UNKNOWN	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>	<b>RECYCLING</b>	<b>HORTICULTURE</b>	

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	V11:EL11	125124	0407	C	110492

FLOOD INSURANCE ([FIRM FAQ](#))[\[ Show \]](#)

## APPRAISAL DETAILS

[\[ Show 2007 Details \]](#)TRIM (*proposed* tax) Notices are available for the following tax years:[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ][ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ][ [New Query](#) | [Parcel Queries Page](#) | [Lee PA Home](#) ]

## Spatial District Query Report

STRAP Number: 05-46-23-00-00004.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	84.53%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	84.97%	
	Landuse	Mangrove swamps		
	Code	541	15.03%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	24	80.41%	<u>1</u>
	Soil Name	KESSON FINE SAND		
	Map Symbol	99	19.59%	
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

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**PROPERTY DATA FOR PARCEL 05-46-23-00-00005.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

UNITED STATES OF AMERICA  
 US BUREAU OF LAND MANAGEMENT  
 1849 C ST NW #406LS  
 WASHINGTON DC 20240

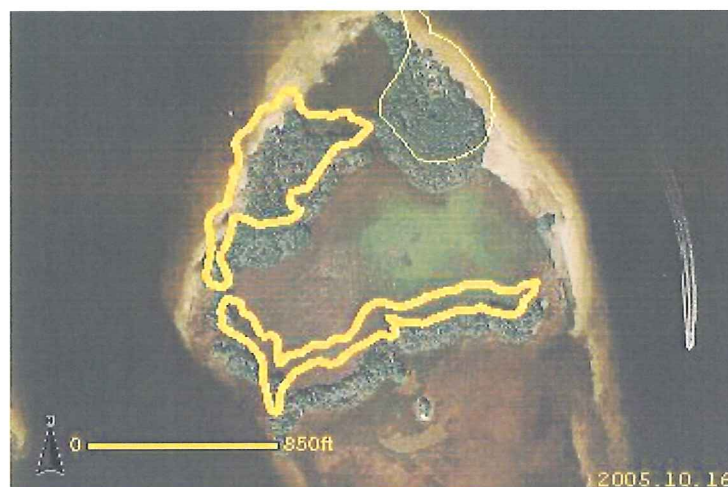
### SITE ADDRESS

KITCHEL KEY  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

ISLANDS IN NE QUARTER OF  
 SECTION  
 KITCHEL KEY

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	9,020	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	9,020	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	9.02
ASSESSED SOH	9,020	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0

<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>9,020</b>	<b>WHOLLY</b>	<b>9,020</b>	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>	<b>0</b>	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
- UNKNOWN	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>			
	<b>RECYCLING</b>			
	<b>HORTICULTURE</b>			

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
	V11:EL11	125124	0295	C	110492

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## APPRAISAL DETAILS

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TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

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This site is best viewed with [Microsoft Internet Explorer 5.5+](#) or [Netscape Navigator 6.0+](#).  
Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

STRAP Number: 05-46-23-00-00005.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	38.25%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	61.17%	
	Landuse	Mangrove swamps		
	Code	541	38.83%	
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	99	77.08%	
	Soil Name	WATER		
	Map Symbol	24	22.92%	<u>1</u>
	Soil Name	KESSON FINE SAND		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.

**PROPERTY DATA FOR PARCEL 06-46-23-00-00002.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

[ [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

CALUSA LAND TRUST + NATURE  
 PRESERVE OF PINE ISLAND INC  
 PO BOX 216  
 BOKEELIA FL 33922

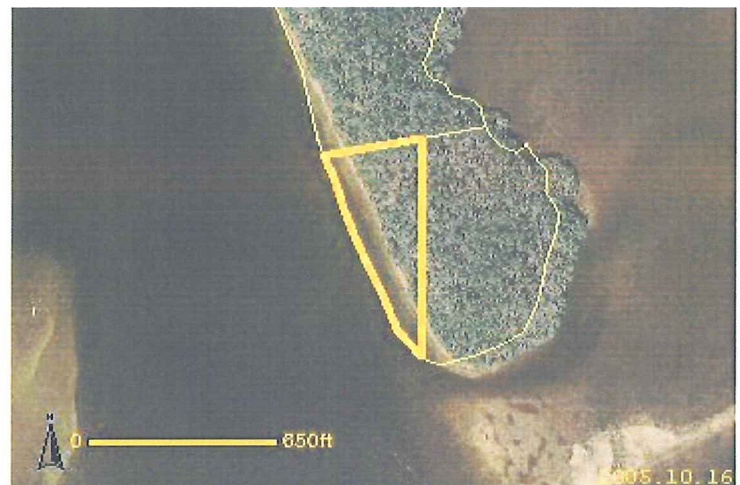
### SITE ADDRESS

MERWIN KEY  
 SAINT JAMES CITY FL 33956

### LEGAL DESCRIPTION

GOVT LOT 1 ISLAND NO 2  
 MERVIN KEY

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[ [PICTOMETRY](#) ]

### TAXING DISTRICT

050 - COUNTY/NO FIRE DISTRICT

### DOR CODE

75 - ORPHANAGES, NON-PROFIT SERVICE

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	2,000	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	2,000	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	2.00
ASSESSED SOH	2,000	WIDOW	0	FRONTAGE	0
TAXABLE	0	WIDOWER	0	DEPTH	0



<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>2,000</b>	<b>WHOLLY</b>		<b>BATHROOMS</b>	<b>2,000</b>
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>		<b>TOTAL BUILDING SQFT</b>	<b>0</b>
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS		VACANT / IMPROVED
				DESCRIPTION		
3,500	11/1/2000	<a href="#">3325/2440</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">05-46-23-00-00001.0000</a>		V
1,200	10/26/2000	<a href="#">3325/2438</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">05-46-23-00-00001.0000</a>		V
100	1/1/1990	<a href="#">2119/3114</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 22 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">28-44-22-02-0000C.0050</a> , <a href="#">04-44-23-C3-03809.0690</a> , <a href="#">04-44-23-C3-03809.0710</a> , <a href="#">04-44-23-C3-03809.0730</a> , <a href="#">04-44-23-C3-03809.0750</a> , <a href="#">04-44-23-C3-03809.0770</a> , <a href="#">05-44-23-C2-04089.0560</a> , <a href="#">05-44-23-C3-04047.0010</a> , <a href="#">06-44-23-C2-04247.0370</a> , <a href="#">13-44-23-C4-01082.0450</a> , <a href="#">23-44-23-C3-01990.0390</a> , <a href="#">25-44-23-C1-00986.0190</a> ... <i>Remaining parcels not listed.</i>		V
100	5/1/1982	<a href="#">1660/325</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">31-45-23-00-00001.0000</a>		V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
005 - Service Area 5	-		0	0.00

**GARBAGE**                      **COLLECTION DAYS**  
**RECYCLING**                      **HORTICULTURE**

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	V11:EL11	125124	0295	C	110492

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## APPRAISAL DETAILS

[\[ Show 2007 Details \]](#)

TRIM (*proposed* tax) Notices are available for the following tax years:  
[\[ 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 \]](#)

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Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

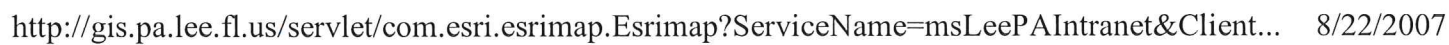
STRAP Number: 06-46-23-00-00002.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	69.09%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code Landuse	612 Mangrove swamps	67.56%	
	Code Landuse	541 Embayments opening	32.45%	
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol Soil Name	99 WATER	60.13%	
	Map Symbol Soil Name	24 KESSON FINE SAND	39.87%	<u>1</u>
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		
Development Orders			NOT FOUND	

[\[ Modify Report Settings \]](#)

Note	Details
1	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.





**PROPERTY DATA FOR PARCEL 09-46-23-00-00001.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

VP/PA  
DB 255/275-6

### OWNER OF RECORD

LEE COUNTY  
 PO BOX 398  
 FORT MYERS FL 33902

### SITE ADDRESS

GOVT LOT  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

N 350 FT.GOV.T.LOT 2.

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[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

86 - COUNTIES - OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

<b>JUST</b>	150,540 <b>HOMESTEAD</b>	0 <b>LAND UNITS OF MEASURE **</b>	Mixed Use
<b>ASSESSED</b>	150,540 <b>AGRICULTURAL</b>	0 <b>TOTAL NUMBER OF LAND UNITS</b>	See Details
<b>ASSESSED SOH</b>	150,540 <b>WIDOW</b>	0 <b>FRONTAGE</b>	0

TAXABLE	0	WIDOWER	0	DEPTH	0
BUILDING	0	DISABILITY	0	BEDROOMS	
LAND	150,540	WHOLLY	150,540	BATHROOMS	
BUILDING FEATURES	0	SOH DIFFERENCE	0	TOTAL BUILDING SQFT	
LAND FEATURES	0			1ST YEAR BUILDING ON TAX ROLL	0
				HISTORIC DISTRICT	No
				** Multiple land lines - see Appraisal Detail	

### SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
0	3/1/1956	<a href="#">255/275</a>	03	Disqualified (Interest Sales / Court Docs / Government)	V

### SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<div> <div>GARBAGE</div> <div>RECYCLING</div> <div>HORTICULTURE</div> </div>				
Error loading the Collection Days.				

### ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A13:EL13	125124	0407	C	110492

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### APPRAISAL DETAILS

[ [Show 2007 Details](#) ]

TRIM (proposed tax) Notices are available for the following tax years:  
 [ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

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## Spatial District Query Report

STRAP Number: 09-46-23-00-00001.0000

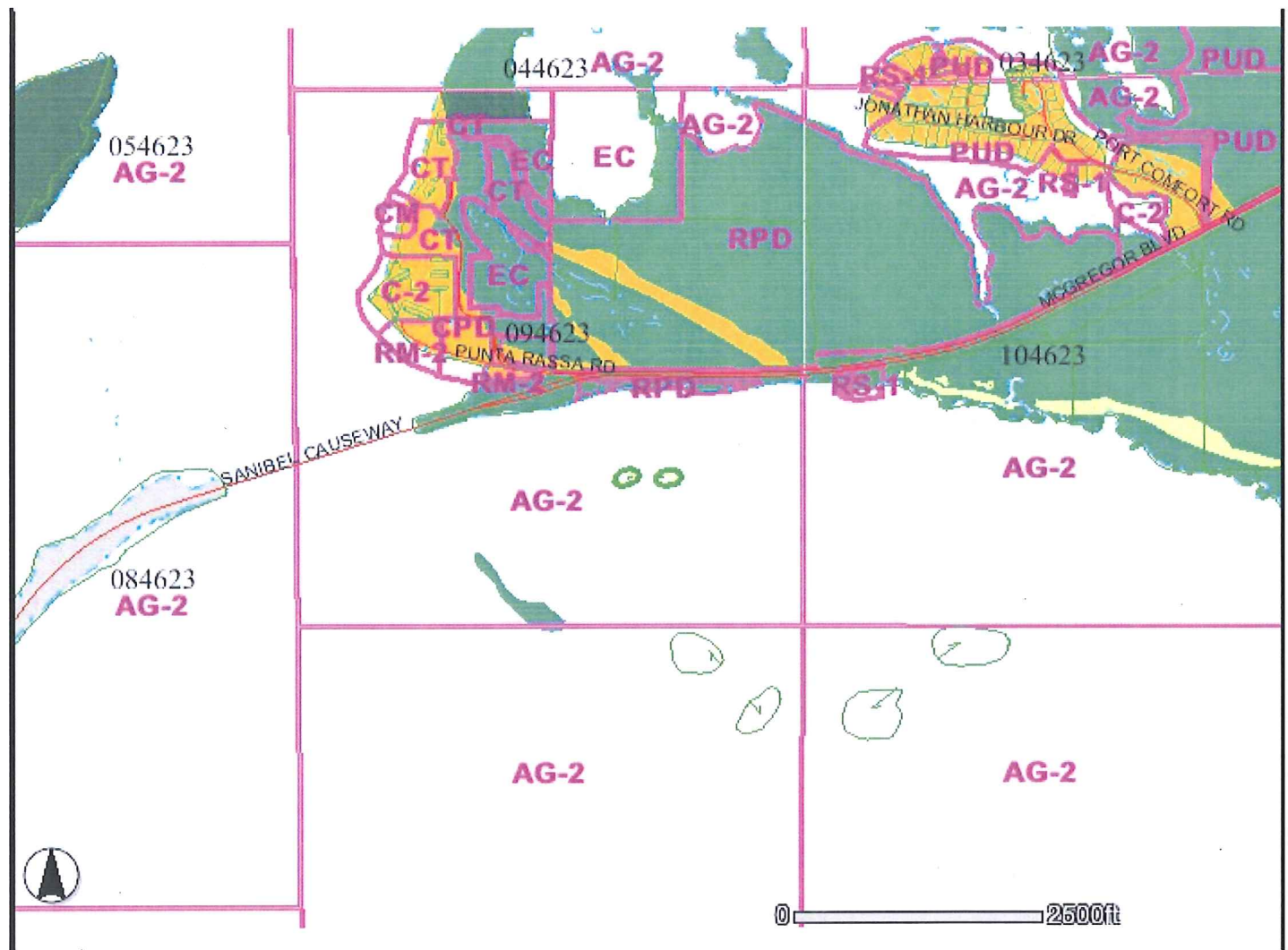
District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Conservation Lands Wetland	94.58%	
	Landuse	Suburban	4.07%	<u>1</u>
	Landuse	Wetlands	1.36%	<u>1</u>
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	95.33%	
	Landuse	Mangrove swamps		
	Code	145	4.67%	<u>1</u>
	Landuse	Tourist services		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	24	85.77%	<u>2</u>
	Soil Name	KESSON FINE SAND		
	Map Symbol	69	13.87%	
	Soil Name	MATLACHA GRAVELLY FINE SAND		
	Map Symbol	99	0.36%	<u>1</u>
	Soil Name	WATER		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	99.52%	<a href="#">Zoning Notes</a>
	Zoning Designation	EC	0.48%	<u>1</u>
Development Orders			NOT FOUND	

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Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination

Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.







**PROPERTY DATA FOR PARCEL 09-46-23-00-00011.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

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OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF STATE OF FLORIDA  
 DEPT OF ENVIR PROTECTION  
 3900 COMMONWEALTH BLVD  
 TALLAHASSEE FL 32399

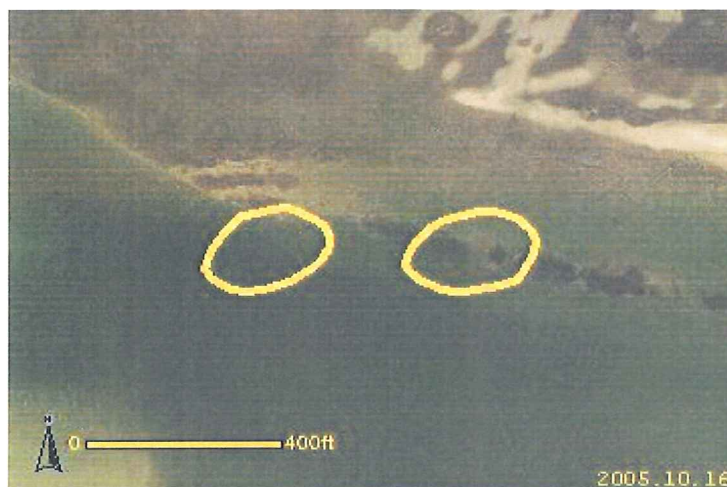
### SITE ADDRESS

ISLAND  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

ISLANDS 1+2 BEING ALL  
 LANDS S OF MAINLAND

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[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

82 - FOREST, PARKS, RECREATIONAL

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

<b>JUST</b>	2,250	<b>HOMESTEAD</b>	0	<b>LAND UNITS OF MEASURE</b>	AC
<b>ASSESSED</b>	2,250	<b>AGRICULTURAL</b>	0	<b>TOTAL NUMBER OF LAND UNITS</b>	45.00
<b>ASSESSED SOH</b>	2,250	<b>WIDOW</b>	0	<b>FRONTAGE</b>	0
<b>TAXABLE</b>		<b>0 WIDOWER</b>	0	<b>DEPTH</b>	0

<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>2,250</b>	<b>WHOLLY</b>	<b>2,250</b>	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>	<b>0</b>	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
001 - Service Area 1	-		0	0.00
<div> <div>GARBAGE</div> <div>COLLECTION DAYS</div> <div>RECYCLING</div> <div>HORTICULTURE</div> </div>				

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
		125124	0407	C	110492

[\[ Show \]](#)

## APPRAISAL DETAILS

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TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#) ]

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Page was last modified on Wednesday, August 15, 2007 2:43:29 PM.

## Spatial District Query Report

STRAP Number: 09-46-23-00-00011.0000

District Name	District Value	Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010		NOT FOUND	
Sea Turtle Lighting Zone		NOT FOUND	
Watersheds		NOT FOUND	
FLUCCS1995		NOT FOUND	
Vegetation Permit Required		NOT FOUND	
Soil	Map Symbol Soil Name	99 WATER	
Panther Habitat		NOT FOUND	
Eagle Nesting Site Buffer		NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	<a href="#">Zoning Notes</a>
Development Orders		NOT FOUND	

[\[ Modify Report Settings \]](#)

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Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.



## PROPERTY DATA FOR PARCEL 10-46-23-00-00004.0000

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF STATE OF FLORIDA  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399

### SITE ADDRESS

17100 MCGREGOR BLVD  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

PARL IN SECS 10+11 TWP46RGE23  
DESC IN OR 3173 PG 2683  
+ OR 3173 PG 2679

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### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

82 - FOREST, PARKS, RECREATIONAL

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	265,800	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	265,800	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	53.16
ASSESSED SOH	265,800	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0



<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>265,800</b>	<b>WHOLLY</b>	<b>265,800</b>	<b>BATHROOMS</b>	
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>	<b>0</b>	<b>TOTAL BUILDING SQFT</b>	
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	9/30/1999	<a href="#">3173/2683</a>	03	Disqualified (Interest Sales / Court Docs / Government) There are 3 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00004.0010</a>	V
100	9/30/1999	<a href="#">3173/2679</a>	03	Disqualified (Interest Sales / Court Docs / Government) There are 4 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">03-46-23-00-00004.0010</a>	V
7,500,000	5/27/1997	<a href="#">2828/2707</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 8 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">02-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> , <a href="#">03-46-23-00-00004.0000</a> , <a href="#">03-46-23-00-00004.0010</a> , <a href="#">11-46-23-00-00001.0000</a> , <a href="#">11-46-23-00-00001.0020</a>	V
4,129,600	12/1/1986	<a href="#">1887/3419</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 13 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">33-45-23-00-00002.0010</a> , <a href="#">33-45-23-00-00002.0020</a> , <a href="#">34-45-23-00-00001.0020</a> , <a href="#">02-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00001.0000</a> , <a href="#">03-46-23-00-00002.0000</a> , <a href="#">03-46-23-00-00003.0000</a> ,	V

03-46-23-00-00004.0000,  
 03-46-23-00-00004.0010,  
 04-46-23-00-00003.0000,  
 04-46-23-00-00004.0000,  
 11-46-23-00-00001.0000...

*Remaining parcels not listed.*

100 12/1/1981 [1570/1943](#) 04 Disqualified (Multiple STRAP # - 01,03,07) V

There are 154 additional parcel(s) with this document  
 (may have been split after the transaction date)...

33-45-23-00-00002.0010,  
 33-45-23-00-00002.0020,  
 34-45-23-00-00001.0020,  
 02-46-23-00-00001.0000,  
 03-46-23-00-00001.0000,  
 03-46-23-00-00002.0000,  
 03-46-23-00-00003.0000,  
 03-46-23-00-00004.0000,  
 03-46-23-00-00004.0010,  
 04-46-23-00-00003.0000,  
 04-46-23-00-00004.0000,  
 11-46-23-00-00001.0000...

*Remaining parcels not listed.*

## PARCEL NUMBERING HISTORY

CREATION DATE - UNAVAILABLE

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
10-46-23-00-00001.0000	Combined (With another parcel-Delete Occurs)	Tuesday, November 23, 1999

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00

GARBAGE	RECYCLING	HORTICULTURE
Wednesday	Wednesday	Tuesday

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A13:EL11	125124	0426	C	110492

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## APPRAISAL DETAILS

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TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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## Spatial District Query Report

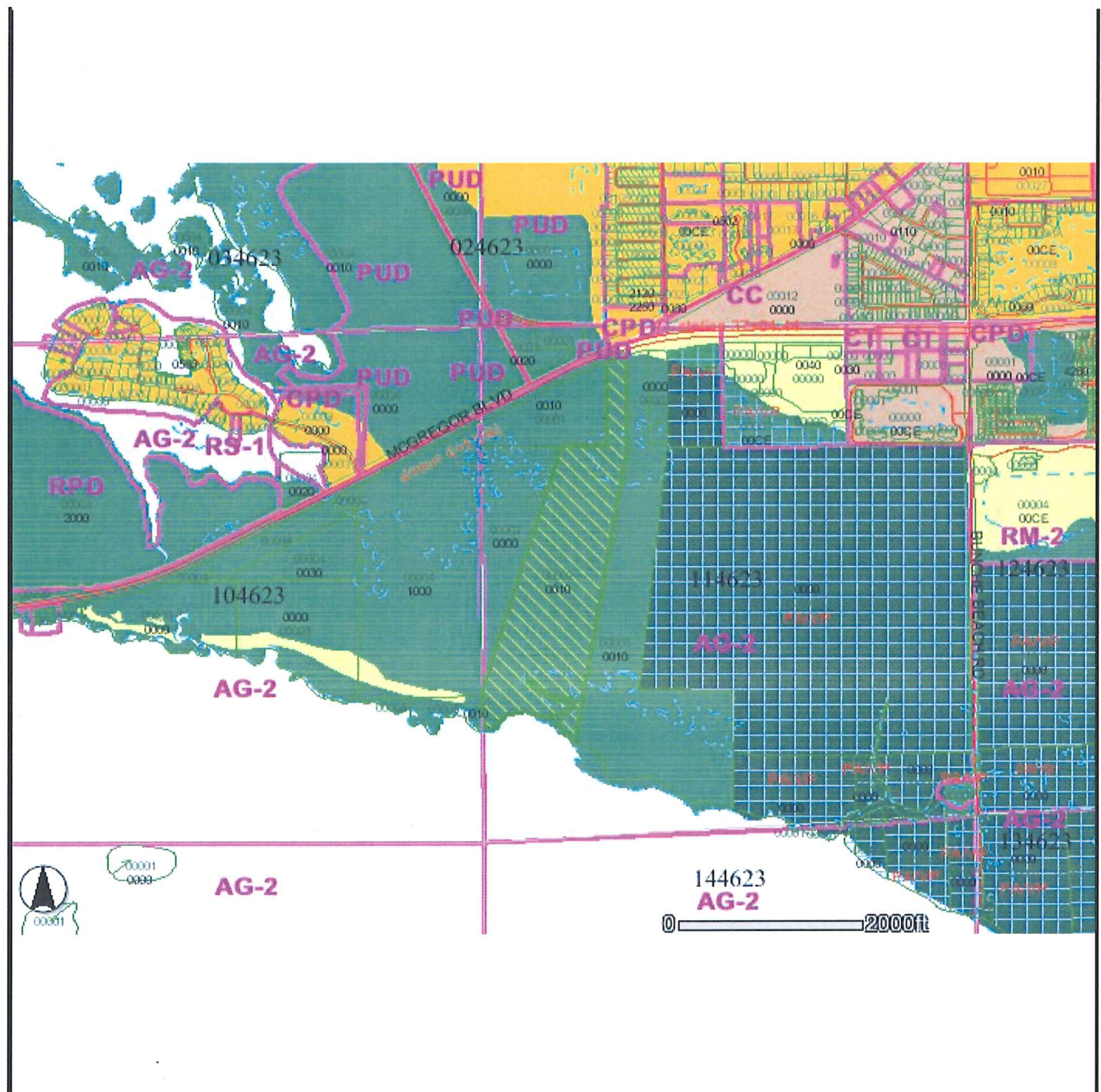
STRAP Number: 10-46-23-00-00004.0000

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	96.8%	
	Landuse	Suburban	2.33%	<u>1</u>
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	90.44%	
	Landuse	Mangrove swamps		
	Code	642	7.99%	
	Landuse	Saltwater marshes		
	Code	541	1.57%	<u>1</u>
	Landuse	Embayments opening		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	75.71%	<u>2</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	16	22.4%	<u>2</u>
	Soil Name	PECKISH MUCKY FINE SAND		
	Map Symbol	99	1.17%	<u>1</u>
	Soil Name	WATER		
	Map Symbol	15	0.73%	<u>1 2</u>
	Soil Name	ESTERO MUCK		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	PUD	82.04%	<a href="#">Zoning Notes</a>
	Zoning Designation	AG-2	17.25%	<a href="#">Zoning Notes</a>
	Zoning Designation	C-2	0.71%	<u>1</u>
Development Orders	Development Order Status	LDO2006-00271	3.24%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	DOS9509-11500	3.24%	<u>1</u>
	Wet Season Water Table			
	Development Order Status	LDO2001-00389	0.91%	<u>1</u>
	Wet Season Water Table			

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Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination





# Spatial District Query Report

STRAP Number: 11-46-23-00-00002.0010

District Name	District Value		Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse	Wetlands	99.89%	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds			NOT FOUND	
FLUCCS1995	Code	612	82.45%	
	Landuse	Mangrove swamps		
	Code	642	12.53%	
	Landuse	Saltwater marshed		
	Code	524	4.38%	<u>1</u>
	Landuse	Lakes less than 10 acres		
	Code	651	0.38%	<u>1</u>
	Landuse	Tidal flats		
	Code	814	0.27%	<u>1</u>
	Landuse	Roads and highways		
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	23	68.01%	<u>2</u>
	Soil Name	WULFERT MUCK		
	Map Symbol	16	22.19%	<u>2</u>
	Soil Name	PECKISH MUCKY FINE SAND		
	Map Symbol	99	4.66%	<u>1</u>
	Soil Name	WATER		
	Map Symbol	15	3.4%	<u>1 2</u>
	Soil Name	ESTERO MUCK		
	Map Symbol	57	1.34%	<u>1 2</u>
	Soil Name	BOCA FINE SAND, TIDAL		
	Map Symbol	13	0.4%	<u>1</u>
	Soil Name	BOCA FINE SAND		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2		<a href="#">Zoning Notes</a>
Development Orders	Development Order Status Wet Season Water Table	LDO2006-00271		

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Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.
2	Contact DEP (239) 332-6975 for wetland determination



## PROPERTY DATA FOR PARCEL 11-46-23-00-00002.0010

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

[ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)

| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

UNITED STATES OF AMERICA  
US BUREAU OF LAND MANAGEMENT  
1849 C ST NW #406LS  
WASHINGTON DC 20240

### SITE ADDRESS

ACCESS UNDETERMINED  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

PARL W 1/2 NE 1/4 OF  
NW 1/4 + PARL IN NE CORNER  
OF SW 1/4 DESC OR1810/1654

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	71,000	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	71,000	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	71.00
ASSESSED SOH	71,000	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0

<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>	
<b>LAND</b>	<b>71,000</b>	<b>WHOLLY</b>		<b>BATHROOMS</b>	<b>71,000</b>
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>		<b>TOTAL BUILDING SQFT</b>	<b>0</b>
<b>LAND FEATURES</b>	<b>0</b>			<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
				<b>HISTORIC DISTRICT</b>	<b>No</b>

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
440,000	11/19/2003	<a href="#">4127/4525</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">10-46-23-00-00005.0010</a>	V
100	11/7/2003	<a href="#">4128/1779</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 2 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">10-46-23-00-00005.0010</a> , <a href="#">11-46-23-00-00008.0010</a>	V
459,000	2/9/2000	<a href="#">3220/3060</a>	02	Qualified (Multiple STRAP # / 06-09I) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">10-46-23-00-00005.0010</a>	V
100	3/22/1990	<a href="#">2139/645</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 2 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">10-46-23-00-00005.0010</a> , <a href="#">36-44-26-02-00009.0150</a>	V
0	9/1/1985	<a href="#">1810/1654</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) There are 1 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">10-46-23-00-00005.0010</a>	V

## PARCEL NUMBERING HISTORY

CREATION DATE - 1/1/1986

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
11-46-23-00-00002.0000	Split (From another Parcel)	Unspecified

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
----------------------	-----------	----------	-----------	------------



002 - Service Area 2

-

0

0.00

GARBAGE

COLLECTION DAYS

RECYCLING

HORTICULTURE

## ELEVATION INFORMATION

**STORM SURGE CATEGORY****FLOOD INSURANCE ([FIRM FAQ](#))**

	<b>RATE CODE</b>	<b>COMMUNITY</b>	<b>PANEL</b>	<b>VERSION</b>	<b>DATE</b>
Tropical Storm	A13:EL12	125124	0426	C	110492

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## APPRAISAL DETAILS

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TRIM (*proposed* tax) Notices are available for the following tax years:

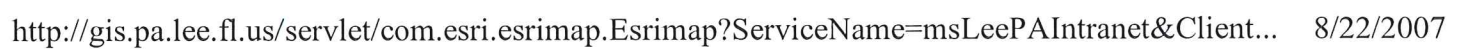
[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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## PROPERTY DATA FOR PARCEL 11-46-23-00-00008.0010

### TAX YEAR 2007 TRIM

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ]

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OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

UNITED STATES OF AMERICA  
US BUREAU OF LAND MANAGEMENT  
1849 C ST NW #406LS  
WASHINGTON DC 20240

### SITE ADDRESS

ACCESS UNDETERMINED  
FORT MYERS FL 33908

### LEGAL DESCRIPTION

PARL DESC IN OR 1801  
PG 1658

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ]



[ [PICTOMETRY](#) ]

### TAXING DISTRICT

110 - COUNTY/IONA MCGREGOR FIRE

### DOR CODE

88 - FEDERAL- OTHER

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	77,000	HOMESTEAD	0	LAND UNITS OF MEASURE	AC
ASSESSED	77,000	AGRICULTURAL	0	TOTAL NUMBER OF LAND UNITS	77.00
ASSESSED SOH	77,000	WIDOW	0	FRONTAGE	0
TAXABLE		0 WIDOWER	0	DEPTH	0



<b>BUILDING</b>	<b>0</b>	<b>DISABILITY</b>	<b>0</b>	<b>BEDROOMS</b>
<b>LAND</b>	<b>77,000</b>	<b>WHOLLY</b>	<b>77,000</b>	<b>BATHROOMS</b>
<b>BUILDING FEATURES</b>	<b>0</b>	<b>SOH DIFFERENCE</b>	<b>0</b>	<b>TOTAL BUILDING SQFT</b>
<b>LAND FEATURES</b>	<b>0</b>		<b>1ST YEAR BUILDING ON TAX ROLL</b>	<b>0</b>
			<b>HISTORIC DISTRICT</b>	<b>No</b>

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
440,000	11/19/2003	<a href="#">4127/4520</a>	08	Disqualified (Doc Stamps Greater than .70/SP Gr. than \$100)	V
100	11/7/2003	<a href="#">4128/1779</a>	04	Disqualified (Multiple STRAP # - 01,03,07) There are 2 additional parcel(s) with this document (may have been split after the transaction date)... <a href="#">10-46-23-00-00005.0010</a> , <a href="#">11-46-23-00-00002.0010</a>	V
462,000	2/14/2000	<a href="#">3220/3260</a>	08	Disqualified (Doc Stamps Greater than .70/SP Gr. than \$100)	V
100	6/1/1993	<a href="#">2426/1673</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	V
0	2/1/1991	<a href="#">2206/561</a>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
002 - Service Area 2	-		0	0.00
<b>GARBAGE</b>	<b>COLLECTION DAYS</b>			
	<b>RECYCLING</b>			
	<b>HORTICULTURE</b>			

## ELEVATION INFORMATION

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Tropical Storm	A13:EL12	125124	0426	C	110492

### FLOOD INSURANCE ([FIRM FAQ](#))

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## APPRAISAL DETAILS

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# Spatial District Query Report

STRAP Number: 11-46-23-00-00008.0010

District Name	District Value	Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010	Landuse Wetlands	99.85%	
	Landuse Outlying Suburban	0.13%	<u>1</u>
	Landuse Conservation Lands Wetland	0.02%	<u>1</u>
Sea Turtle Lighting Zone		NOT FOUND	
Watersheds		NOT FOUND	
FLUCCS1995	Code 612 Landuse Mangrove swamps	89.29%	
	Code 642 Landuse Saltwater marshed	5.25%	<u>1</u>
	Code 541 Landuse Embayments opening	3.16%	<u>1</u>
	Code 524 Landuse Lakes less than 10 acres	2%	<u>1</u>
	Code 814 Landuse Roads and highways	0.29%	<u>1</u>
Vegetation Permit Required		NOT FOUND	
Soil	Map Symbol 23 Soil Name WULFERT MUCK	69.29%	<u>2</u>
	Map Symbol 16 Soil Name PECKISH MUCKY FINE SAND	17.55%	<u>2</u>
	Map Symbol 99 Soil Name WATER	6.66%	
	Map Symbol 15 Soil Name ESTERO MUCK	3.76%	<u>1 2</u>
	Map Symbol 13 Soil Name BOCA FINE SAND	1.42%	<u>1</u>
	Map Symbol 57 Soil Name BOCA FINE SAND, TIDAL	1.33%	<u>1 2</u>
Panther Habitat		NOT FOUND	
Eagle Nesting Site Buffer		NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation AG-2		
Development Orders	Development Order LDO2006-00271 Status Wet Season Water Table		

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Note	Details
1	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the

**PROPERTY DATA FOR PARCEL 15-46-23-00-00001.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

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OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
 LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.

## PROPERTY DETAILS

### OWNER OF RECORD

TIITF/REC + PARKS  
 ESTERO BAY STATE BUFFER PRESERVE  
 DEPT OF ENVIR PROTECTION  
 3900 COMMONWEALTH BLVD  
 TALLAHASSEE FL 32399

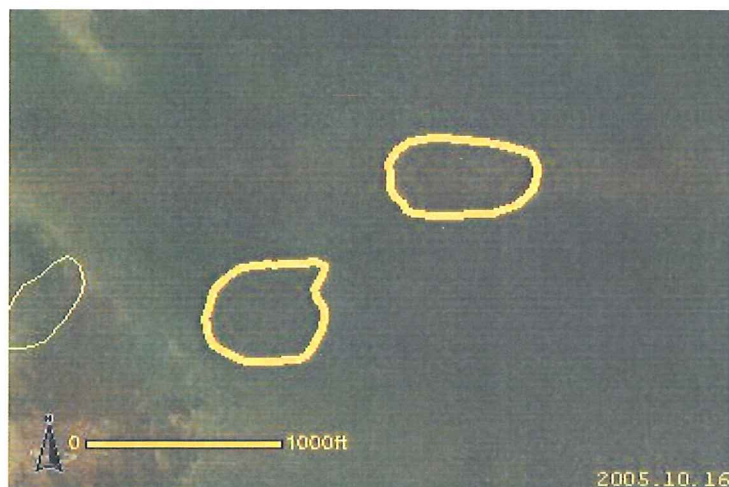
### SITE ADDRESS

ISLAND  
 FORT MYERS FL 33908

### LEGAL DESCRIPTION

ISLANDS 1 + 2

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[ [PICTOMETRY](#) ]

### TAXING DISTRICT

002 - N & E FT MYERS BEACH/W BEACH  
 MOSQUITO

### DOR CODE

82 - FOREST, PARKS, RECREATIONAL

### PROPERTY VALUES (TAX ROLL 2007)

[ [HISTORY CHART](#) ]

### EXEMPTIONS

### ATTRIBUTES

JUST	550 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	550 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	10.96
ASSESSED SOH	550 WIDOW	0 FRONTAGE	0

TAXABLE	0 WIDOWER	0 DEPTH	0
BUILDING	0 DISABILITY	0 BEDROOMS	
LAND	550 WHOLLY	550 BATHROOMS	
BUILDING FEATURES	0 SOH DIFFERENCE	0 TOTAL BUILDING SQFT	
LAND FEATURES	0	1ST YEAR BUILDING ON TAX ROLL	0
		HISTORIC DISTRICT	No

### SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
001 - Service Area 1	-		0	0.00
COLLECTION DAYS				
GARBAGE		RECYCLING		HORTICULTURE

### ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
		125124	0426	C	110492

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### APPRAISAL DETAILS

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TRIM (*proposed* tax) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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## Spatial District Query Report

STRAP Number: 15-46-23-00-00001.0000

District Name	District Value	Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010		NOT FOUND	
Sea Turtle Lighting Zone		NOT FOUND	
Watersheds		NOT FOUND	
FLUCCS1995		NOT FOUND	
Vegetation Permit Required		NOT FOUND	
Soil	Map Symbol Soil Name	99 WATER	
Panther Habitat		NOT FOUND	
Eagle Nesting Site Buffer		NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	
Development Orders		NOT FOUND	

[\[ Modify Report Settings \]](#)

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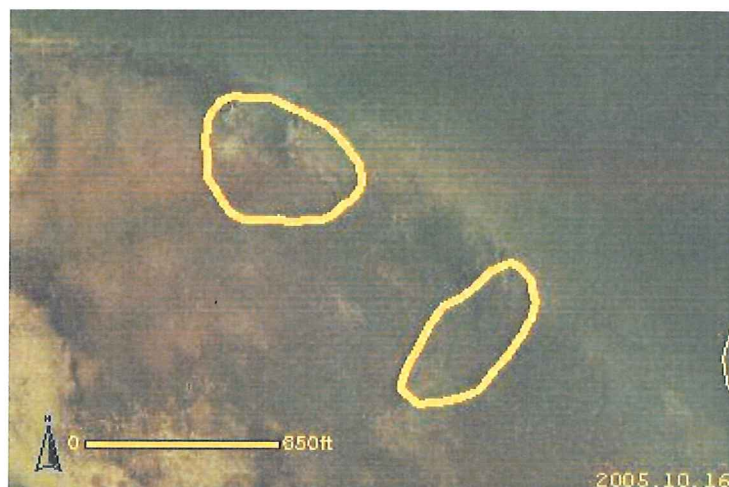
Our goal is to provide the most accurate data available, however no warranties, expressed or implied, are provided with this data, its use, or interpretation.  
All information subject to change without notice.

**PROPERTY DATA FOR PARCEL 16-46-23-00-00001.0000**  
**TAX YEAR 2007 TRIM**

Parcel data is available for the following tax years:

[ [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | 2007 (Trim) ][ [Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)| [Display Tax Bills on this Parcel](#) | [Tax Estimator](#) | [Value and Exemption Analyzer](#) ]OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.  
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2007 TRIM ROLL.**PROPERTY DETAILS****OWNER OF RECORD**TIITF/REC + PARKS  
ESTERO BAY BUFFER PRESERVE  
DEPT OF ENVIR PROTECTION  
3900 COMMONWEALTH BLVD  
TALLAHASSEE FL 32399**SITE ADDRESS**ISLAND  
FORT MYERS FL 33908**LEGAL DESCRIPTION**

ISLANDS 1 + 2

[ [VIEWER](#) ] TAX MAP [ [PRINT](#) ][ [PICTOMETRY](#) ]**TAXING DISTRICT**002 - N & E FT MYERS BEACH/W BEACH  
MOSQUITO**DOR CODE**

82 - FOREST, PARKS, RECREATIONAL

**PROPERTY VALUES (TAX ROLL  
2007)**[ [HISTORY CHART](#) ]**EXEMPTIONS****ATTRIBUTES**

JUST	320 HOMESTEAD	0 LAND UNITS OF MEASURE	AC
ASSESSED	320 AGRICULTURAL	0 TOTAL NUMBER OF LAND UNITS	6.43
ASSESSED SOH	320 WIDOW	0 FRONTAGE	0

TAXABLE	0 WIDOWER	0 DEPTH	0
BUILDING	0 DISABILITY	0 BEDROOMS	
LAND	320 WHOLLY	320 BATHROOMS	
BUILDING FEATURES	0 SOH DIFFERENCE	0 TOTAL BUILDING SQFT	
LAND FEATURES	0	1ST YEAR BUILDING ON TAX ROLL	0
		HISTORIC DISTRICT	No

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
001 - Service Area 1	-		0	0.00
COLLECTION DAYS				
GARBAGE		RECYCLING		HORTICULTURE

## ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE ( <a href="#">FIRM FAQ</a> )				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
		125124	0407	C	110492

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## APPRAISAL DETAILS

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TRIM (*proposed tax*) Notices are available for the following tax years:

[ [1997](#) | [1998](#) | [1999](#) | [2000](#) | [2001](#) | [2002](#) | [2003](#) | [2004](#) | [2005](#) | [2006](#) | [2007](#) ]

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## Spatial District Query Report

STRAP Number: 16-46-23-00-00001.0000

District Name	District Value	Pct of Parcel in District ( if fractional )	Notes
Planning Land Use 2010		NOT FOUND	
Sea Turtle Lighting Zone		NOT FOUND	
Watersheds		NOT FOUND	
FLUCCS1995		NOT FOUND	
Vegetation Permit Required		NOT FOUND	
Soil	Map Symbol Soil Name	99 WATER	
Panther Habitat		NOT FOUND	
Eagle Nesting Site Buffer		NOT FOUND	
Unincorporated Lee County Zoning	Zoning Designation	AG-2	
Development Orders		NOT FOUND	

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