

**SUFFICIENCY COMMENTS  
FROM  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
DIVISION OF ENVIRONMENTAL SCIENCES**

**Date:** December 22, 2008  
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**Project:** The Fountains  
**Case:** CPA2006-00001  
**STRAP:** 09-45-26-00-00001.0000 et al

**REVISED POLICY LANGUAGE**

**In response to the July 2008 resubmittal, ES Staff recommends the following revisions to the proposed Comprehensive Plan Amendment for The Fountains Town Center District Land Use Category.**

The proposed comprehensive plan language is confusing on which areas are subject to Town Center District (TCD) regulations versus regulations specific to the Fountains only. The Fountains project proposes 5 specific land use categories for the property; Town Center District, Tradeport, Density Reduction Ground Water Recharge (DRGR), Conservation Lands and Wetlands. By separating TCD from the rest of the Fountains project, TCD is unable to utilize the benefits of the Conservation Lands and DRGR land use for required open space.

To resolve this issue, ES Staff recommends revising "Town Center District" to "The Fountains Town Center District (FTCD)" creating a site specific land use category incorporating all 5 land uses as part of one project instead of 5 separate projects.

**ES Staff recommends the following language additions and revisions for Policy 23.1.5**

**Policy 23.1.5:** ~~The TCD will incorporate Green Development Standards as defined by Florida Green Building Coalition and environmentally responsible practices that protect the ecosystem and conserve natural resources, improve circulation and provide alternatives to vehicle use, minimize environmental impacts, provide healthy, efficient, and environmentally responsible amenities, encourage green building design and provide education to promote green living practices.~~

**Please revise Policy 23.1.5 to state:**

A development designated as FTCD will incorporate Florida Green Development Standards and environmentally responsible practices that include protecting the ecosystem, conserving natural resources, improving circulation and providing alternatives to vehicle use, minimizing environmental impacts, providing environmentally responsible amenities, encouraging green building design and providing education to promote green living practices by utilizing the following:

- A) Meeting the requirements of a Green Community by the Florida Green Building Coalition and;
- B) All single family residential units will comply with Florida Green Building Coalition Standards and;
- C) Incorporate elements from the Florida Yards and Neighborhoods program during site design and;
- D) Private homeowners will be encouraged to utilize the recommendations of Florida Yards and Neighborhood Program and the University of Florida IFAS fact sheet ENH-860 and;
- E) Obtains certification as a Florida Firewise Community and;
- F) Use only controlled release or slow release organic fertilizer for both common areas and private areas and;
- G) Achieve LEED certification for all commonly owned and maintained buildings, excluding a golf course maintenance facility and any other non air-conditioned buildings and;
- H) Using 100% drought tolerant landscape material in common areas. Drip irrigation will be used on all required common area landscaping in order to more efficiently use irrigation water.

**ES Staff recommends the following language revision for Policy 23.2.7**

**Policy 23.2.7:** ~~In order to preserve the natural environment the following concepts will be incorporated to conserve and enhance wetland protect wildlife species, and preserve groundwater resources.~~

- A) ~~Connect wetlands, uplands conservation areas and buffer areas~~
- B) ~~Surface Water Management Systems will be designed to protect and enhance the natural systems.~~
- C) ~~Buffers to protect adjacent natural areas from development areas will be provided to protect the natural resources from the activities and impacts of development.~~
- D) ~~Up to 40% of the TCD site gross acreage must be provided as conservation. This acreage percentage could include designated uplands and wetlands conservation lands consistent with local and state regulations~~
- E) ~~The TCD will incorporate the maintenance and monitoring responsibilities in accordance with local, regional, and state requirements.~~

**Please revise Policy 23.1.5 to state:**

**Policy 23.3.7** In order to preserve the natural environment **The Fountains Town Center District** will preserve and enhance wetland and upland habitats, protect wildlife species, and conserve

groundwater resources. This will be achieved by incorporating the following practices:

A) FTCD will implement a resource management program that will ensure the long term protection and enhancement of the natural upland and wetland habitats through the retention of interconnected, hydroecological systems where the remaining wetlands and uplands function as a natural system.

B) Surface Water Management Systems will be designed to protect and enhance the natural systems. Enhanced best management practices for surface water management will include one or more of the following: treatment trains, creative flow-ways, reduced impervious area, and other low impact development design techniques designed to protect and enhance the natural systems.

C) FTCD will require a minimum setback of 50 feet from development including infrastructure and excavation to protect preservation areas from the activities and impacts of development.

D) FTCD must designate a minimum 40% of site acreage as conservation lands

E) FTCD will incorporate the maintenance and monitoring responsibilities including the removal of 100% of exotic vegetation and, where required by Lee County Environmental Sciences Staff (ES Staff), the restoration of indigenous vegetation in accordance with local, regional, and state requirements.

F) A FTCD land use category will require the preservation of existing natural flow-ways and the restoration of historic flow-ways.

G) All lands designated as conservation lands must meet environmentally sensitive land as defined in Lee Plan Goal 107.1.1.(4)(b) or be restored to indigenous habitat.

**ES Staff recommends the following language revisions for Policy 23.2.8**

**Policy 23.2.8:** A minimum of 10% of the gross total area of the lands designated as FTCD will provide active and passive recreational uses ~~Open spaces are defined as such as: parks, golf courses, nature trails and canoe/kayak launch, lakes and canals. Including lands designated conservation uplands or conservation wetlands.~~

**ES Staff recommends the following language revisions for Policy 23.2.9**

**Policy 23.2.9:** FTCD will be required to provide an overall 50% onsite open space. Open space will be defined per Lee Plan Goal 77 which requires new developments to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities and the planting of required vegetation. Individual pods, tracts, and parcels may be designed and developed with a minimum of 10% open space to facilitate the clustering of uses. Consistent with the other policies governing the TCD, open space must be provided in accordance with existing Lee Plan. Open space areas may include pervious lot areas as well as areas set aside for parks, recreation, golf course, lakes, preservation, and conservation areas. These areas may be designed for maximum environmental value and located close to planned neighborhoods so that they compliment the living experience of the residents within and around the

community. Where regulatory protocol allows, efforts should be made to provide limited trail access for controlled, passive recreation within the preservation and conservation areas to create an environmental network within the community that effectively integrates the natural environment with the built environment.

**ES Staff recommends the following language revisions for Policy 23.3.5**

**Policy 23.3.5:** A large ~~Large~~ mammal wildlife crossings will be provided: adjacent to

A) north of the hotel site ~~along on~~ Fountains Blvd.

B) south of the entrance off of Daniels Parkway abutting the FPL easement.

C) small mammal crossings will be provided where roads bisect the conservation lands within the TCD site.

D) Golf cart boardwalks/paths must be designed to accommodate wildlife crossing and water flow.

**ES Staff recommends the following language revisions for Policy 23.3.7**

**Policy 23.3.7** The Fountains Golf Course will be designed FTCD golf courses must be designed, constructed, managed and maintained as a Silver Audubon Signature course and be open to the general public.

**ES Staff recommends the following language revisions for Glossary of Terms**

**Passive Recreation** –leisurely, relaxing, calming and quiet physical human activities that are non-motorized, non organized, naturally aesthetic and friendly to the natural environment preserves the natural features of the environment.

#### **ADDITIONAL TOWN CENTER DISTRICT POLICIES**

**ES Staff recommends the following language be included in The Fountains Town Center District Policies.**

**Policy 23.X.I** Development within The Fountains Town Center District (FTCD) will be designed to incorporate significant indigenous systems such as cypress domes, wetland marshes and oak hammocks and promote the preservation and restoration of wetland systems, listed species habitat and unique uplands through the designation of lands as Conservation Lands. Development will preserve high quality wetland systems and site design will include minimizing impacts to native trees. Lands set aside for conservation that historically were used for agricultural purposes will be restored with indigenous vegetation to mimic a natural system.

**Policy 23.X.II** In order to protect valuable upland and wetland areas, The Fountains Town Center District (FTCD) will include simultaneous designation of areas as Conservation Lands on the Future Land Use Map. Buildings and other areas of impervious surface for passive recreational uses such as docks, decks and boardwalks will be allowed in Conservation areas. Parking areas will be

designed as pervious surfaces. Road crossings of Conservation Lands will be allowed in accordance with the general alignments shown on the Future Land Use Map.

**Policy 23.X.III** The 616 acres of Conservation Lands proposed to be conveyed to Lee County will be counted towards FTCD open space and indigenous requirements. FTCD land uses including Tradeport, DRGR and TCD may utilize conservation lands to meet their indigenous requirements.