RWA
ENGINEERING

RECEIVED
JAN 28 2022
COMMUNITY DEVELOPMENT

January 28, 2022

Lee County Community Development - Planning Section
Attn: Mr. Brandon Dunn, Principal Planner
1500 Monroe Street
Fort Myers, FL 33901

Subject: **Comprehensive Plan Amendment – Text (A01)**
RWA PN#: 200070.00.02

Dear Mr. Dunn:

RWA, Inc. is pleased to submit, on behalf of our client, Lennar Homes, LLC., this application for a Comprehensive Plan Text Amendment for the above subject project. Based on our coordination meeting in December, the applicant is no longer pursuing a specific Comprehensive Plan Map Amendment for the Bayshore Ranch subject property.

The proposed text amendment is to primarily seek approval to add Policy 123.2.17 incentivizing the preservation and restoration of Rare and Unique upland habitats, and the preservation of flowways and creeks on lands within the Rural Future Land Use category. Additionally, Policy 1.4.1 is amended for consistency with Policy 123.2.17 to provide language cross-referencing the potential for additional density being applied within the Rural areas. This request will help to enable a concurrent Residential Planned Development (RPD) application (DCI2021-00025).

Please find attached the following items to assist with the review and approval process based on the latest application Submittal Requirement checklist and coordination with staff:

- Exhibit T1: Comp Plan Text Amendment Application
- Exhibit T2: Filing Fee
- Exhibit T3: Pre-application Meeting
- Exhibit T4: Proposed text changes
- Exhibit T5: Analysis of impacts from proposed changes – Further analysis to be provided on separate cover.
- Exhibit T6: Lee Plan Analysis Narrative
- Exhibit T7: Environmental Impact Analysis
- Exhibit T8: Historical Resources Impacts Analysis (Waived)
- Exhibit T9 & T10: State Policy Plan and Regional Policy Plan

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

If you have any questions or require additional information, please feel free to contact me at 239-260-4330

Sincerely,
RWA, Inc.

Kenrick S. Gallander, AICP
Director of Planning

Attachment(s): Application Submittal Requirements (listed above)

cc: Barry Ernst, Director of Planning & Permitting
Neale Montgomery, Partner Pavese Law

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - TEXT

Project Name: **Bayshore Ranch**

Project Description: **Text amendments to allow incentives for the creation, preservation and restoration of Rare and Unique upland habitats, and the preservation of flowways and creeks as applied to clustered planned developments within the Rural Future Land Use category. In relation to the proposed text amendments, a concurrent planned development application has been submitted for 109.67± acres to allow for up to 122 dwelling units (increase of approximately 21 dwelling units). Text amendments proposed are to Policy 1.4.1 and a new Policy 123.2.17.**

State Review Process: ☐ State Coordinated Review ☒ Expedited State Review ☐ Small-Scale Text*

***Must be directly related to the implementation of small-scale map amendment as required by Florida Statutes.**

APPLICANT – PLEASE NOTE:
A PRE-APPLICATION MEETING IS REQUIRED PRIOR TO THE SUBMITTAL OF THIS APPLICATION.

Submit 3 copies of the complete application and amendment support documentation, including maps, to the Lee County Department of Community Development.

Once staff has determined that the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239)533-8585.

1. **Name of Applicant:** **Lennar Home, LLC**
   Address: **10481 Six Mile Cypress Pkwy**
   City, State, Zip: **Fort Myers, FL 33966**
   Phone Number: **239-931-4782** E-mail: **Barry.Ernst@lennar.com**

2. **Name of Contact:** **Kenrick Gallander, AICP**
   Address: **12800 University Dr., Suite 175**
   City, State, Zip: **Fort Myers, FL, 33907**
   Phone Number: **850-803-5621** E-mail: **kgallander@consult-rwa.com**

3. **Property Information:** Provide an analysis of any property within Unincorporated Lee County that may be impacted by the proposed text amendment. **The proposed request would support a concurrent planned development application for a property consisting of 109.67± acres located along Bayshore Drive, a major arterial, and providing for specific development criteria and conditions. Other properties within the Rural Future Land Use category could also apply for planned development zoning and utilize the incentive criteria for preservation, creation, and/or restoration of environmentally sensitive lands.**

4a. **Does the proposed change affect any of the following areas?**

If located in one of the following areas, provide an analysis of the change to the affected area.

- ☐ Public Acquisition [Map 1-D]
- ☐ Agricultural Overlay [Map 1-G]
- ☐ Airport Mitigation Lands [Map 1-D]
- ☐ Airport Noise Zones [Map 1-E]
- ☐ Southeast Lee County Residential Overlay [Map 2-D]
- ☐ Mixed Use Overlay [Map 1-C]
- ☐ Community Planning Areas [Map 2-A]
- ☐ Urban Reserve [Map 1-D]
- ☐ Water-Dependent Overlay [Map 1-H]
- ☐ Private Recreational Facilities Overlay [Map 1-F]

4b. Planning Communities/Community Plan Area Requirements

If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].

☒ N/A	☐ Bayshore [Goal 18]	☐ Boca Grande [Goal 19]	☐ Buckingham [Goal 20]
☐ Caloosahatchee Shores [Goal 21]	☐ Olga [Goal 22]	☐ Captiva [Goal 23]	☐ Greater Pine Island [Goal 24]
☐ Lehigh Acres [Goal 25]	☐ North Captiva [Goal 26]	☐ NE Lee County [Goal 27]	☐ Alva [Goal 28]
☐ North Olga [Goal 29]	☐ North Fort Myers [Goal 30]	☐ Page Park [Goal 31]	☐ San Carlos Island [Goal 32]
☐ Southeast Lee County [Goal 33]	☐ Tice [Goal 34]		

Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario.

1. **Traffic Circulation Analysis**: Provide an analysis of the effect of the change on the Financially Feasible Transportation Plan/Map 3-A (20-year horizon) and on the Capital Improvements Element (5-year horizon).

2. **Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**
   a. Sanitary Sewer
   b. Potable Water
   c. Surface Water/Drainage Basins
   d. Parks, Recreation, and Open Space
   e. Public Schools

Environmental Impacts

Provide an overall analysis of potential environmental impacts (positive and negative).

Historic Resources Impacts

Provide an overall analysis of potential historic impacts (positive and negative).

Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan goals and policies, and Strategic Regional Policy Plan goals, strategies, actions and policies which are relevant to this plan amendment.

Justify the proposed amendment based upon sound planning principles

Support all conclusions made in this justification with adequate data and analysis.

SUBMITTAL REQUIREMENTS

Clearly label all submittal documents with the exhibit name indicated below.

MINIMUM SUBMITTAL ITEMS

☒	Completed application (Exhibit – T1)
☒	Filing Fee (Exhibit – T2)
☒	Pre-Application Meeting (Exhibit – T3)
☒	Proposed text changes (in strike through and underline format) (Exhibit – T4)
☒	Analysis of impacts from proposed changes (Exhibit – T5)
☒	Lee Plan Analysis (Exhibit – T6)
☒	Environmental Impacts Analysis (Exhibit – T7)
☒	Historic Resources Impacts Analysis (Exhibit – T8) **WAIVED per 1/25/22 email from Ms. Mikki Rozdolski.**
☒	State Policy Plan Analysis (Exhibit – T9)
☒	Strategic Regional Policy Plan Analysis (Exhibit – T10)

Comprehensive Plan Text Amendment

EXHIBIT T2

Filing Fee

Text Amendment: **$2,500.00**

Prior Map Amendment >20 acres	= $2,000.00
Plus $20 x (109.67/10)	= $219.34
Subtotal	**= $2,219.34 paid and credited toward text amendment.**

TOTAL FEE: $2,500.00 - $2,219.34 = $280.66 per attached email from Ms. Mikki Rozdolski dated 1/25/22.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

From:	Rozdolski, Mikki
To:	Ken Gallander
Cc:	Patrick Vanasse; Griffin, Tyler; Dunn, Brandon
Subject:	FW: Draft Text Amendment and Submittal Requirements
Date:	Tuesday, January 25, 2022 4:09:05 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.png image008.png image009.png image010.png image011.png

---

Hi Ken,

I got your message but haven't had the chance between meetings for a call. Hopefully my responses in red below will help provide some direction, if you still have questions, we can set up time for a call later this week.

Mikki

Mikki Rozdolski | Planning Manager
Community Development
1500 Monroe Street, Fort Myers, FL 33901
office: 239-533-8309
cell: 239-834-2025
email: mrozdolski@leegov.com
web: www.leegov.com
Connect With Us On Social Media

From: Ken Gallander <kgallander@consult-rwa.com>
Sent: Tuesday, January 25, 2022 8:54 AM
To: Rozdolski, Mikki <MRozdolski@leegov.com>
Cc: Patrick Vanasse <pvanasse@consult-rwa.com>; Griffin, Tyler <TGriffin@leegov.com>
Subject: [EXTERNAL] RE: Draft Text Amendment and Submittal Requirements

Hi Mikki,

I called and left a voicemail yesterday afternoon on this and I hate to be a bother. But is there a time today that works best for you for a call to discuss the text amendment submittal?

Thanks!
Ken

Ken Gallander, AICP
Director of Planning
DIRECT OFFICE | 239.260.4330
MOBILE | 850.803.5621
EMAIL | KGallander@consult-rwa.com

From: Ken Gallander
Sent: Friday, January 21, 2022 4:38 PM
To: Dunn, Brandon <BDunn@leegov.com>
Cc: Patrick Vanasse <pvanasse@consult-rwa.com>; Rozdolski, Mikki <MRozdolski@leegov.com>; Griffin, Tyler <TGriffin@leegov.com>
Subject: Re: Draft Text Amendment and Submittal Requirements

Brandon,

Consistent from our call yesterday, our position is the following wouldn't be applicable to this proposed text amendment as the prior exhibits submitted with the map amendment can be referenced if necessary:

1. Analysis impact Exhibit T3 – This will need to be updated and resubmitted with the text amendment. The analysis will need to discuss how/where the amendment may benefit other properties in the County and potential resulting impacts.

2. Env Impact Analysis Exhibit T7 – Again, this will need to be updated and resubmitted. The analysis will need to discuss how/where the amendment may benefit other properties in the County and potential resulting impacts.

3. Hist. Resource Impacts Analysis Exhibit T8 – We can rely on information provided with the Map amendment.

And respectfully waive the filing fee as this amendment is a continuation of the effort started with the map amendment process. A text amendment has a flat fee of $2,500 you will need to pay the difference between the amount paid for the map amendment and this amount. We will credit the amount paid for the map amendment to this amount.

Looking forward to your response.

Thank you!
Ken

Sent from my iPhone

On Jan 21, 2022, at 4:10 PM, Dunn, Brandon <BDunn@leegov.com> wrote:

Ken,

I had meant to get back to you today, but have not been able to get you a complete list. Please send me the items that you propose to update with your revised Text Amendment application as we had discussed earlier this week and we will give you feed back once we have had time to review your list.

Brandon Dunn | Principal Planner
Community Development – Planning Section
1500 Monroe Street, Fort Myers, FL 33902-0398
office: (239) 533-8585
email: bdunn@leegov.com
web: www.leegov.com

Connect With Us On Social Media

From: Ken Gallander <kgallander@consult-rwa.com>
Sent: Tuesday, January 18, 2022 8:32 AM
To: Dunn, Brandon <BDunn@leegov.com>
Cc: Rozdolski, Mikki <MRozdolski@leegov.com>; Griffin, Tyler <TGriffin@leegov.com>; Neale Montgomery <nealemontgomery@paveselaw.com>; Barry Ernst (Barry.Ernst@lennar.com) <barry.ernst@lennar.com>; Patrick Vanasse <pvanasse@consult-rwa.com>
Subject: [EXTERNAL] Draft Text Amendment and Submittal Requirements

Brandon,

Please see the attached draft text amendment language we've prepared based on our initial meeting and follow up coordination with staff.

Could you provide me further guidance and direction today as to the submittal requirements since we are moving from the map amendment application to a text amendment as well as any initial thoughts on our proposed language.

Looking forward to hearing back from you and as always, we appreciate your help and time working with us.

Regards,
Ken

RWA ENGINEERING

Ken Gallander, AICP
Director of Planning
DIRECT OFFICE | 239.260.4330
MOBILE | 850.803.5621
EMAIL | KGallander@consult-rwa.com

Comprehensive Plan Text Amendment

EXHIBIT T3

Pre-application Meeting

Date: **December 9, 2021**

County Staff: **David Loveland, Mikki Rozdolski, Brandon Dunn, Tyler Griffin, Hunter Searson and Michael Jacob**

Applicant and Representatives: **Barry Ernst, Neale Montgomery, Patrick Vanasse, and Ken Gallander**

Summary: The meeting was requested to discuss the status of an existing comprehensive plan map amendment. During the meeting it was determined that an alternative approach to addressing future residential development opportunities in the Rural areas would be more appropriate. The proposed approach would be to seek a Comprehensive Plan Text Amendment applicable to the Rural Future Land Use category. Further discussion centered on the text amendment application and the need to focus on specific increased protections to the environment while allowing for some increase in additional residential density.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Comprehensive Plan Text Amendment (CPA)

EXHIBIT T4

Proposed Text Changes

FUTURE LAND USE ELEMENT

* * * * *

POLICY 1.4.1: The Rural areas are to remain predominantly rural – that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre), except when protections are provided as set forth in Policy 123.2.17. (Ord. No. 97-17, 98-09, 00-22, 07-12, 10-20)

* * * * *

POLICY 123.2.17: As an incentive to reduce the impacts of large lot (ranchette style) development on well and septic and to promote the preservation and restoration of Rare and Unique upland habitats, and the preservation of flowways and creeks on lands within the Rural Land Use Category, one additional dwelling unit can be obtained for each one acre of created, preserved, and restored Rare and Unique upland habitat and flowways/creeks if approved and developed as a unified planned development that meets the following criteria:

1. The proposed development must be reviewed and approved as a unified planned development based on the following requirements:
    a. The project shall be a minimum of 100 acres;
    b. Development is clustered to provide for contiguous tracts of open space, which can consist of created or restored wetlands, flowways, or created and/or restored Rare and Unique upland habitats
    c. The land where creation and/or restoration of Rare and Unique upland habitats will occur must comply with the minimum dimensions required for indigenous open space areas set forth in the LDC;
    d. The land where flowways and creeks are going to be preserved must include a 25-foot buffer to protect the flowway or creek, and the buffer will be included in the density incentive acreage.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

e. Any preserved, enhanced, restored or created flowway must be designed to maintain conveyance for a 25 year, 3 day storm event;
f. Have direct access to an arterial road;
g. Provide a connection to public water and sewer services;
h. The land where Rare and Unique upland habitat is going to be created or restored must contain the soil(s) needed to support the establishment and success of Rare and Unique upland habitats;
i. A conservation or restoration easement must be dedicated to a maintenance entity, consistent with the LDC requirements, with third party enforcement rights. The conservation or restoration easement must be recorded for areas used towards the density incentive. The conservation or restoration easement will permit cleaning and snagging in any flowways or creeks. All Conservation or restoration Easements required as part of the planned development for the density incentive must be recorded within 5 years from the date of issuance of the first development order.
j. A minimum of 40% open space is required, of which 30% must be indigenous preserve, wetlands, and creeks or flowways and buffers associated therewith. The indigenous preserve may consist of existing, created or restored wetlands, flowways, native plant communities, and/or Rare and Unique upland habitats.

* * * * *

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Comprehensive Plan Text Amendment

EXHIBIT T5

Impact Analysis

This analysis utilizes the data and information provided in the 2020 Lee County Public Facilities Level of Service and Concurrency Report.

The comprehensive plan text amendment seeks to allow incentives for the creation, preservation and restoration of Rare and Unique upland habitats, and the preservation of flowways and creeks as applied to clustered planned developments within the Rural Future Land Use category. In relation to the proposed text amendments, a concurrent planned development application has been submitted for 109.67± acres subject property. Text amendments proposed are to Policy 1.4.1 and a new Policy 123.2.17.

The Bayshore Ranch subject property is located on the north side of Bayshore Road approximately 1.5 miles west of the intersection of SR 31 and Bayshore Road within the Rural Future Land Use category. Based on the proposed text amendment, the resultant density for the subject property will be a maximum of 122 single-family dwelling units. This is an increase of 21 dwelling units that could be developed under the existing RURAL and WETLANDS FLUM categories without the proposed text amendments.

The following outlines that the proposed text amendments will not negatively impact the public services to the proposed concurrent Bayshore Ranch planned development.

Sanitary Sewer

The subject property is not located within any current sanitary sewer service franchise area or future service area based on Lee Plan Map 7. However, Florida Governmental Utility Authority (FGUA) operates wastewater lines in the vicinity of the subject property and under Lee County Standards. The subject property will be served by these existing facilities through planned developer funded system enhancements. The property will likely be served by FGUA's Del Prado Wastewater Facility via an existing 16" force main along the north side of Bayshore Road. This facility currently has capacity to handle 4.25 million gallons of wastewater on an Annual Average Daily Flow (AADF) according to FGUA's Wastewater System Summary for the North Fort Myers Del Prado Wastewater Plant and Lee County Public Facilities 2020 LOS and Concurrency Report (2020 Report). The needs of the proposed development are expected to stay well within the remaining wastewater treatment capacity provided by FGUA wastewater facilities per the Availability Letter and the 2020 Report which indicates an overall projected capacity of 12.1 million gallons per day (MGD) for 2024 for FGUA.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

The Level of Service (LOS) Standard for wastewater per Lee Plan Policy 95.1.3:

- Current & Projected LOS Standard: 250 Gallons Per Day (GPD) per Equivalent Residential Connection (ERC)

Existing Future Land Use Category and Land Uses:

- RURAL & WETLANDS
- Agriculture/Pasture and Homestead use with no centralized sewer service connections.
- 0 ERC at 250 GPD = 0 GPD

Proposed Land Uses:

- Single-family residential
- Max. 122 Dwelling units (ERC) and Amenity Center with pool, per FAC 64E-6.008
    - 122 ERC at 250 GPD = 30,500 GPD
    - Amenity Center (estimated at 4,000 SF x 15 gpd / 100 SF) = 600 GPD
    - Pool/Playground (estimated 30 people x 10 gpd/person = 300 GPD
    - TOTAL = 31,400 GPD

Based on the Letter of Availability, dated June 1, 2021, and the data provided above, FGUA currently has sufficient capacity to treat the increased demand of approximately of 51,900 GPD. Additionally, a letter has been provided by Lee County Utilities, dated June 17, 2021, indicating they have "no objection" to FGUA providing sanitary sewer service to the subject property.

Ensuring the Bayshore Ranch residential development is connected to the existing adjacent sanitary sewer facilities and not septic systems is a key benefit to the public as septic system discharge are known to negatively impact surrounding water resources.

Potable Water

The subject property is currently not located within the Lee County Utilities (LCU) service area based on the most recent Lee County Utilities Water Franchise Area Map, dated May 29, 2019. The Lee County Utilities Potable Water Letter of Availability, dated June 1, 2021, indicates that potable water mains "are in operation adjacent" to the subject property, but for service to be provided a Lee County Comprehensive Plan Amendment will be required. Comprehensive Plan Amendment, CPA2021-00001 – Lee Plan 2045 Update, has been adopted to amend the Lee County Utilities Future Water Service Areas map (Lee Plan Map 4-A). Lee Plan Map 4-A identifies the subject property within the Lee County Utilities Future Water Service Area and thus able to serve the future development by their Water Treatment Facilities via either a 12" or 24" PVC water main both running along the south side of Bayshore Road.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

According to the Lee County Public Facilities 2020 LOS and Concurrency Report (2020 Report), LCU currently has an available capacity to provide 50.9 million gallons of water per day, or 310 average minimum gallons per day per equivalent residential connection (ERC). The average daily water demand was 39.8 million gallons per day in 2019 and 37.5 in 2016. The needs of the proposed development are expected to stay within the remaining water production capacity provided by LCU's water treatment facilities.

The Level of Service (LOS) Standard for potable water per the 2020 Report and Lee Plan Policy 95.1.3:

- Current & Projected LOS Standard: 250 Gallons Per Day (GPD) per Equivalent Residential Connection (ERC)

Existing Future Land Use Category and Land Uses:

- RURAL & WETLANDS
- Agriculture/Pasture and Homestead use with no potable water service connections.
- 0 ERC at 250 GPD = 0 GPD

Proposed Land Uses:

- Single-family residential
- Max. 122 Dwelling units (ERC) and Amenity Center with pool, per FAC 64E-6.008
    - 122 ERC at 250 GPD = 30,500 GPD
    - Amenity Center (estimated at 4,000 SF x 15 gpd / 100 SF) = 600 GPD
    - Pool/Playground (estimated 30 people x 10 gpd/person = 300 GPD
    - TOTAL = 31,400 GPD

LCU has the current capacity of 11.1 million gallons of water per day (MGD) in excess of the current demand and a planned capacity to provide an additional 3.4 MGD of water for future development. The proposed amendment results in an increased demand of approximately of 51,900 GPD. Thus, there is no lack of potable water capacity expected from the proposed development.

Having the Bayshore Ranch future residential development utilize centralized potable water service and water treatment facilities eliminates potentially hundreds of individual private wells. This results in a key public benefit by eliminating competing water consumption use from groundwater sources and aids in helping to plan and control the surrounding water resources for the growing Lee County.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Surface Water/Drainage Basins – South Florida Water Management District

The subject property is located within the South Florida Water Management's (SFWMD) **Tidal Caloosahatchee Basin**. Lee Plan Map 5-D shows the property within the Palm Creek Watershed area. There is no current surface water management on site and no existing surface water management permit is on file with the South Florida Water Management District. There are existing wetlands on site. The lack of an existing system **does not meet or exceed** the applicable County's LOS Standard, which is as follows per Lee Plan Policy 95.1.3.4:

> ***Policy 95.1.3.4:*** *Stormwater Management Facilities LOS: The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding designated evacuation routes (see Map3J) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.*

A storm water management system will be provided for the property and will benefit the public through clearly defining the storm water treatment methods, maintenance accountability, and runoff attenuation. Runoff from the developed site will continue to discharge to tidal creeks and rivers. The Lee County Public Facilities 2020 LOS and Concurrency Report (2020 Report) indicates all watersheds within the county were studied and found no evacuation routes located within these watersheds are expected to be flooded for more than a 24-hour period. Per the 2020 Report, Lee County states that all new developments receiving approval from SFWMD and comply with appropriate standards will be deemed concurrent with the Lee Plan's surface water management level-of-service standards.

The proposed development will seek and obtain all applicable South Florida Water Management District approvals as well as comply with all Florida Administrative Code Chapter 62-330 standards to ensure consistency with the stated LOS standards per Policy 95.1.3.4 of the Lee Plan for surface water management.

Parks, Recreation, and Open Space

The Lee Plan measures the minimum acceptable level of service for parks, recreations and open space utilizing two standards: Regional Parks and Community Parks. According to the Lee County 2020 Public Facilities Level of Service and Concurrency Report, there are over 3,500 acres of developed regional and community park lands. Additionally, there are several county parks and State/Federal recreational areas that provide several thousand more acres of recreational options to the community.

The county's adopted Level of Service for parks per Policy 95.1.3 – Non-regulatory Standards of the Capital Improvements element within the Lee Plan (Comprehensive Plan) is as follows:

- Regional Parks: 6 acres per 1,000 total seasonal county population for all of Lee County
- Community Parks: 0.8 acres per 1,000 unincorporated Lee County permanent population

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Existing Future Land Use Category and Land Uses:

- RURAL & WETLANDS
- Agriculture/Pasture and a single-family dwelling use with no parks, recreation, and open space required

Proposed applicable Land Uses:

- Single-family residential
- 122 Dwelling units at 2.34 estimated persons per household (Lee County, Florida) (The Bureau of Economic and Business Research – University of Florida; April 1, 2020) = 285.48 persons projected
    - Regional Park at 6 acres per 1,000 residents = 1.71 acres required
    - Community Park at 0.8 acres per 1,000 residents = 0.22 acres required

The proposed text amendment that would allow up to 122 dwelling units within the Bayshore Ranch project results in an added demand of 1.71 acres of Regional Park land and 0.22 acres of Community Park land. According to the Lee County 2020 Public Facilities Level of Service and Concurrency Report, there is currently an overall total of 7,051.2 acres of existing regional parks consisting of local, state and federal lands in operation, exceeding the adopted level of service standard by 1,849 acres (867,000 [Seasonal Population] x (6 acres/1,000 population) = 5,202 acres). Additionally, according to the Lee County 2020 Public Facilities Level of Service and Concurrency Report, there is currently 743.1 acres of existing community park land in operation, which exceeds the adopted level of service standard by 454 acres (361,315 [Permanent Population] x (0.8 acres/1,000 population) = 289 acres).

The requested 122 dwelling units will not negatively impact the regional or community parks level of service. The current non-regulatory level of service standard for both regional and community parks far exceed the targeted levels. There is adequate acreage within the existing parks to meet the needs of the proposed maximum 122 dwelling units.

The proposed Bayshore Ranch Planned Development will provide the required open space and preserve area to support native habitat as well as areas to provide recreational activities, such as, integrated and shared use trails/greenways, amenity recreational areas for the residents and their guests, and an opportunity for equestrian related uses integrated within the community.

Public Schools

The subject property is located within the School District of Lee County, which is split into Choice Zones and Sub Zones. According to the Lee County 2020 Public Facilities Level of Service and Concurrency Report, the subject property is in the designated East Choice Zone, E1. School concurrency is reviewed at time of local development order and per LDC Section 2-45, further defines school concurrency that "public school facilities needed to serve new development must be in place or under actual construction within three years after the local government approves a development permit, or its functional equivalent, that results in a generation of students."

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

According to the Lee Plan Policy 68.1.1, level of service standards for public schools are based upon Permanent Florida Inventory School Houses (FISH). Per Policy 95.1.3 – Regulatory Standards (5), the county adopted LOS standard for Elementary, Middle, High, and Special Purpose Schools to account for measurable programmatic changes are as follows:

- 100% of Permanent FISH Capacity as adjusted by the School Board annually.

The 2020 Concurrency Report shows the following for the E1 Choice Zone:

- Elementary School: 65 seat total available capacity
- Middle School: 1,108 seat deficit in available capacity
- High School: 469 seat deficit in available capacity

These deficits, according to the 2020 Concurrency Report, within the Middle and High School grade levels will be addressed in two ways: (1) by adding portable seats and (2) by the construction of new schools. The proposed new schools are the "MM" middle school scheduled to open in school year 2021-2022 – adding 1,210 seats, and the "Gateway High School" scheduled to open this following school year (2021) and will create 525 seats with an additional 1,475 seats coming in 2021-2022.

Existing Future Land Use Category:

- RURAL & WETLANDS
- 122 proposed maximum dwelling units associated with the proposed Bayshore Ranch development at 0.297 students per household = approximately 36 potential students
- The total number of potential students can be further broken down by grade level:
    - Elementary at 0.149 x 122 dwelling units = 18 students
    - Middle School at 0.071 x 122 dwelling units = 9 students
    - High School at 0.077 x 122 dwelling units = 9 students

The proposed comprehensive plan map amendment effectively would result in 36additional students within the E1 Choice Zone. Based on the Concurrency Analysis Report and letter of availability provided by The School District of Lee County included with this submittal, there is capacity currently available at all educational levels within E1 Choice Zone to handle the proposed planned residential development of up to 122 dwelling units.

Solid Waste

Solid waste services for the property will be handled at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

According to the 2020 Concurrency Report, the level of service regulatory standards for solid waste disposal are as follows:

- Required Capacity: 7 pounds per day per capita

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

- Available Capacity: 7.9 pounds per day per capita

Existing Development Potential: 101 maximum dwelling units
101 dwelling units x 2.34 person per household = 236 persons
236 persons x 7 lbs/day = 1,652 lbs

Proposed Development Potential: 21 additional (122 maximum dwelling units)
21 dwelling units x 2.34 person per household = 49 persons
49 persons x 7 lbs/day = 344 lbs

Total: 1,996 lbs

The 2020 Concurrency Report states that all unincorporated areas of Lee County are concurrent with the level of service standard set forth in the Lee Plan for solid waste. Additionally, the report states that at the total system capacity of 1,134,667 tons per year, the Lee County Integrated Waste Management System (IWMS) would be capable of providing a 7.0 pounds-per-capita-per-day level of service to a full-time combined Lee and Hendry County population of 888,000.

The proposed increase in density will result in an additional 1,996 pounds per day. The Lee County Resources Facility and the Lee-Hendry Regional Landfill has available capacity to accommodate the proposed increase in density. Further evidence of adequate capacity is outlined in letter of availability provided by the Lee County Solid Waste Department for the proposed development included with this submittal.

Conclusions

This analysis, as demonstrated and provided above, confirms that there are adequate public facilities to support the residential development of the Bayshore Ranch with a potential maximum number of 122 dwelling units. The comprehensive plan text amendment as applied to the concurrent Bayshore Ranch Residential Planned Development will be adequately supported and will not cause any adverse impacts or deficiencies to the surrounding public facilities as well as result in key public environmental benefits.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Comprehensive Plan Text Amendment
(CPA)

EXHIBIT T6

Request Justification and Lee Plan Analysis Narrative

OVERVIEW OF REQUEST AND JUSTIFICATION

The proposed comprehensive plan text amendments seeks to add Policy 123.2.17 to incentivize the creation, preservation and restoration of Rare and Unique upland habitats, and the preservation of flowways and creeks on lands within the Rural Future Land Use category. Through the creation, preservation and/or restoration of Rare and Unique uplands, flowways/creeks, and native plant communities, Policy 123.2.17 enables proposed developments through the planned development process to achieve one (1) additional dwelling unit for each acre of environmentally sensitive area that is retained or improved. Additionally, Policy 1.4.1 is amended for consistency with Policy 123.2.17 to provide language cross-referencing the potential for additional density being applied within the Rural areas.

The addition of Policy 123.2.17 supports an effort to balance future residential development needs in rural lands of Lee County with ensuring that native plant communities are enhanced and maintained in a planned and sustainable manner. Residential development within rural areas typically results in large lot (ranchette style) development pursuant to current regulations that require no common open space, no native indigenous preserve and no requirement mandating connection to adjacent public water and sanitary sewer utilities.

Allowing a slight increase in density in exchange for greater open space and preserve as well as reducing impacts from individual well and septic systems in Rural lands will provide environmental and public benefit without eliminating the option for large lot homesites desired in certain areas. The proposed policy encourages developments to utilize available alternative site design and environmental resource protection measures, which are outlined in Policy 123.2.17:

- Be developed as a unified planned development through a rezoning process;
- The project shall be a minimum of 100 acres;
- Development is clustered to provide for contiguous tracts of open space, which can consist of created or restored wetlands, flowways, or created and/or restored Rare and Unique upland habitats

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

- The land where creation and/or restoration of Rare and Unique upland habitats must comply with the minimum dimensions required for indigenous open space areas set forth in the LDC;
- The land where flowways and creeks are preserved must include a 25-foot buffer to protect the flowway or creek, and the buffer will be included in the density incentive acreage.
- Any preserved, enhanced, restored or created flowway must be designed to maintain conveyance for a 25 year, 3 day storm event;
- Have direct access to an arterial road;
- Provide a connection to public water and sewer services;
- The land where Rare and Unique upland habitat is going to be created or restored must contain the soil(s) needed to support the establishment and success of Rare and Unique upland habitats;
- A conservation or restoration easement must be dedicated to a maintenance entity, consistent with the LDC requirements, with third party enforcement rights. The conservation or restoration easement must be recorded for areas used towards the density incentive. The conservation or restoration easement will permit cleaning and snagging in any flowways or creeks. All Conservation or restoration Easements required as part of the planned development for the density incentive must be recorded within 5 years from the date of issuance of the first development order.
- A minimum of 40% open space is required, of which 30% must be indigenous preserve, wetlands, and creeks or flowways and buffers associated therewith. The indigenous preserve may consist of existing, created or restored wetlands, flowways, native plant communities, and/or Rare and Unique upland habitats.

An analysis of current Rural areas based on the criteria outlined in proposed Policy 123.2.17, indicates that there are limited undeveloped 100-acre parcels within the Rural area that are located along an arterial roadway and able to connect to existing public water and sanitary sewer utilities. Pursuant to a preliminary mapping analysis, only those properties within the Rural category and located along the Bayshore Road, SR 31 and SR 80 would be subject to Policy 123.2.17. These identified corridors represent growth areas for Lee County and are a natural extension of existing development patterns. These corridors have the needed infrastructure to accommodate future growth, and larger properties along those corridors should be incentivized to develop in a more environmentally sustainable way, while maintaining the low-density rural character interface with existing development as described in their subject community plans.

While the proposed policy would apply to a limited number of parcels, these parcels are larger in size and located along growth corridors, which makes them attractive for immediate development as either large lot subdivisions or planned developments. If not for the proposed Policy, many of these parcels may develop without central water and sewer and without dedicated open space and preserves. The proposed density increase, while very limited, may provide a sufficient incentive for developers to include central water and sewer systems, invest in providing common open space and protect environmentally sensitive

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

areas. The minimum project size of 100 acres provides sufficient size and rooftops to justify the added expense of central water and sewer and make the clustered development approach feasible.

Proposed Policy 123.2.17 results in appreciable environmental and public benefits while also maintaining the desired lower-density rural character. Having a significant portion of a property devoted to open space and perpetually set aside as preserve, along with the reduction in well and septic systems, is a win-win for environmental protection efforts in Lee County as well as the landowner seeking a slight density increase that can make a well-designed planned development feasible.

The following section describes how the proposed policy requirements/criteria would apply to the concurrent Bayshore Ranch Residential Planned Development (DCI2021-00025). Please see Exhibit T5 for an analysis of potential impacts from the application of the proposed text amendment to the Bayshore Ranch project.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

PROJECT BACKGROUND AND APPLICATION OF REQUEST

The subject property is located in North Fort Myers, FL, (Unincorporated Lee County) west/northwest of the intersection of Bayshore Rd and Palm Creek Dr. (See Figure 1.) and consists of 109.67+/- acres encompassing eight (8) parcels, STRAP No's.:

23-43-25-00-00007.0000; 23-43-25-00-00013.0000; 23-43-25-00-00014.0000; 23-43-25-00-00014.0020; 23-43-25-00-00014.0030; 23-43-25-00-00014.0040 23-43-25-00-00014.0050; and 23-43-25-00-00014.0010

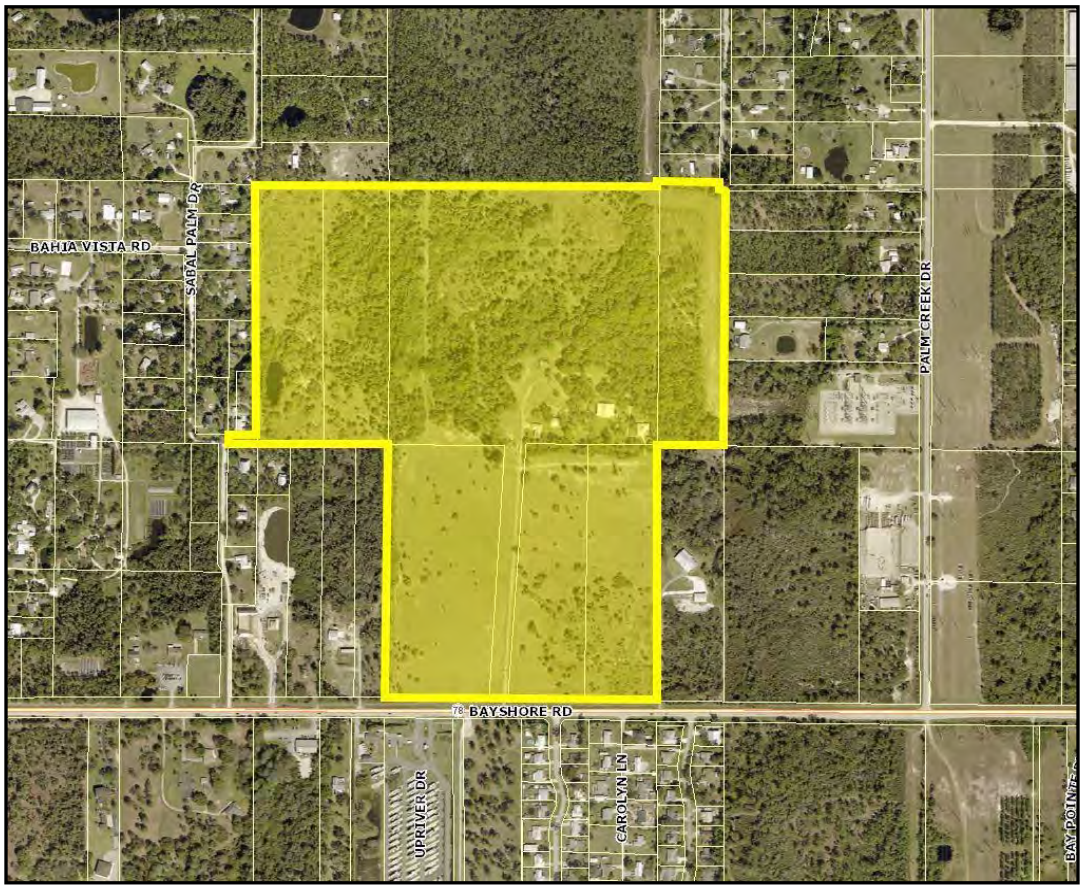


Figure 1. Subject Property Location Map

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Bayshore Ranch is in an area of Lee County that is proximate to I-75 to the west; along the north side of Bayshore Road, a state maintained arterial corridor; and to the east is SR31, a major north-south arterial corridor. The property is zoned Agriculture (AG-2) and the current uses on the subject property are agricultural grazing lands and a residential homestead consisting of a single-family dwelling, barn, and other accessory structures. The property is in an area of the county consisting of mainly large vacant/agricultural lands, single-family detached homesites, RV Resort, and limited commercial uses. The current Future Land Use Map (FLUM) categories based on Lee Plan Map 1-A are Rural and Wetlands.

Under the concurrent Bayshore Ranch Residential Planned Development (RPD) zoning application (DCI2021-00025), the intended development plan will provide for a clustered single-family residential community consisting of no more than 122 lots and a density of 1.11 dwelling units per acre. Incorporated within the development will be an extensive separation between the adjacent properties and the residential structures in the proposed community. The community will include significant open space/preserve, environmental stewardship, and recreational areas. These areas will provide the opportunity for horseback riding and shared use trails ensuring compatibility with the surrounding properties. Although the property is located within the Rural FLU category, adequate urban services exist to justify and support the development with a proposed density of 1.11 dwelling units per acre without negatively impacting the natural resources or burdening the infrastructure and public services.

The Bayshore Ranch subject property is 109.67 acres. Under current policies and zoning regulations, a residential subdivision can be developed at a density of 1 du/acre within the Rural and Wetlands FLUM categories allowing for up to approximately 101 individual homesites with a minimum lot area of 39,500 square feet. Lot sizes 6,500 square feet or greater, as part of the residential subdivision, require zero (0) open and native indigenous preserve areas. No additional buffering or separation between properties would be required. The homesites would have no obligation to connect to centralized water and wastewater and thus would contribute to the proliferation of individual well and septic systems. There would most likely be no unified stormwater management system.

This amendment, along with an existing comprehensive plan text amendment (CPA2020-00005) will allow for density transfer of 1 du/acre be applied to preserved wetland adjacent to uplands in Rural areas, and the concurrent RPD (DCI2021-00025) will ensure the following justifiable benefits applicable to this project site:

- Opportunity to provide up to 122 homesites (increase of 21 units) maintaining a low density of 1.11 du/acre in return for:
- Homesite minimum lot area will be 12,750 square feet.
- Clustered development site layout allowing for greater open space and protection of large tracts of environmentally sensitive lands.
- Extensive areas of open space utilized for increased separation between adjacent properties and opportunities for passive recreation as well as common area amenities.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

- Minimum of 40% open space is required, of which 30% must be indigenous preserve, wetlands, and creeks or flowways and buffers associated therewith. The indigenous preserve may consist of existing, created or restored wetlands, flowways, native plant communities, and/or Rare and Unique upland habitats.
- Future development will connect to and be served by existing adjacent urban services; thus, eliminating negative impacts from potentially hundreds of individual well and septic systems.
- Assurances of an enhanced unified water management system for the entire 110+/- acres to ensure improved water quality and quantities are sustained.
- Dedicated conservation or restoration easement which will ensure management and maintenance in perpetuity.

LEE PLAN ANALYSIS

FUTURE LAND USE ELEMENT:

As previously referenced, the 109.67± acre Bayshore Ranch subject property is within the Rural and Wetlands FLUM categories. Under Policy 1.4.1, the maximum density allowed in the Rural category is 1 dwelling unit (du) per acre, which would be applied to approximately 100.78 acres of upland area allowing for up to 101 dwelling units. Additionally, under the proposed text amendment, an additional one (1) dwelling unit may be created for each one (1) acre of created, preserved and/or restored indigenous Rare and Unique upland habitats, flowways and creeks if approved and development as a unified planned development meeting specific criteria as outlined previously.

Under Policy 1.5.1 for the Wetlands category and further described under proposed amendment to Policy 124.1.1 under CPA2020-00005, specific to all wetland areas, the maximum density allowed is 1 dwelling unit per 20 acres, unless wetlands are preserved. Of the preserved wetlands, density shall be transferred at 1 du/acre consistent with the Rural category; thus, resulting in 2.07 units for the 2.07± acres of preserved wetlands as described in the concurrent RPD rezoning (DCI2021-00025).

For Bayshore Ranch, the proposed density transfer for preserved wetlands, as well as the additional density allotment for protection of environmental areas, could provide an additional 21 units, for a total 122 dwelling units.

All the adjacent properties to the north, east and west of the Bayshore Ranch are also within the Rural and Wetlands FLUM categories. To the south and across Bayshore Road, properties are predominantly within the Sub-Outlying Suburban category, which allows a density range of 1 du/acre to 2 du/acre under Policy 1.1.11, as well as potentially supporting a variety of urban activities based upon anticipated growth patterns and the availability of public facilities and services per Objective 1.1. Less than a mile to the west are properties also under the Sub-Outlying Suburban category. To the east, is the SR 31 corridor, which is planned for an extensive expansion as a result of the planned and anticipated growth due to Babcock Ranch and the existence of urban infrastructure and services. These same growth elements carry over to the west along Bayshore Road. They influence residential and commercial land use development

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

patterns along that corridor and create conditions that support infill development such as the Bayshore Ranch property and justify the appropriateness of the proposed text amendment. This amendment incentivizes minimal density increases in areas subject continued growth pressures in exchange for increased open space and preserves. This provides environmental and public benefits while maintaining low density residential development consistent with the surrounding densities and future land use categories.

The request is also consistent with Objective 1.5 (Wetlands) and its corresponding applicable policies outlining the necessary protections and delineation of such environmentally sensitive areas. An Environmental Impact Analysis report has been conducted on the subject site. The report initially delineated the lands that are identified as wetlands, at 8.89 acres, which has subsequently been revised up to 8.94 acres per the jurisdictional determination in accordance with the provision listed under Objective 1.5 with regards to the use of the unified state delineation methodology. Any action associated with thisamendment will continue to adhere to the provisions proposed and listed within the Lee Plan to protect these environmentally sensitive lands.

Growth Management

The request is consistent with Objective 2.1 (DEVELOPMENT LOCATION), and the corresponding applicable Policies 2.1.1 and 2.1.2, which outline the intent to promote contiguous and compact growth patterns and contain urban sprawl. As previously stated, although within a Rural FLU category, adequate urban services exist for such development to proceed without negatively affecting natural resources or requiring additional infrastructure. The proposed amendment will not result in urban sprawl, which is defined in the lee plan as "*The uncontrolled, premature, or untimely expansion and spreading out of urban levels of density or intensity into out-lying, non-urban areas*." The availability of urban services provides supporting evidence for some controlled development to take place in the area, which will utilize and adhere to the strict regulations associated with the planned development process to deliver a quality product which closely aligns with the needs and desires of the Bayshore Community. The subject property also is consistent with infill development potential and clustered compact site design, as it consistent with the definitions found in the Lee Plan and Land Development Code.

The request is consistent with Objective 2.2 (DEVELOPMENT TIMING), which outlines the intent to direct new growth to future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. The existing residential and limited commercial uses surrounding the property, and adequate urban services justify the timing of this text amendment, which will allow for low-density development that will help fulfill housing needs in Lee County.

The project will comply with Objective 2.7 (HISTORIC RESOURCES). A Historical Resources Impact Analysis for reference was provided under a separate petition applicable to this subject property delineating the location of the property regarding historical andculturally sensitive areas in Lee County. The subject property was found to be clear of any cultural or historical resources.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

General Development Standards

The request is consistent with Standard 4.1.1 (WATER), AND 4.1.2 (SEWER), and 4.1.4 (ENIRONMENTAL FACTORS). The property's existing and proposed density does not and will not exceed 2.5 dwellings units. As a result,it is not required to connect to a public water system as required by Standard 4.1.1. The subject property is currently outside of the LCU service area. However, according to Map 4-A of the Lee Plan, the subject property is within the LCU future water service area. The project intends to tap into LCU for potable water service.A letter of availability from LCU was provided under a separate prior petition for the subject property demonstrating sufficient capacity within the North Lee County Water Treatment Plant.

Due to the property's existing and proposed density, it is not required to connect to a public sewer system as required by Standard 4.1.2. However, the project will not use septic tanks and proposes centralized wastewater to be provided by the Florida Governmental Utility Authority (FGUA) with privately funded expansion of sewer service. A letter of availability from FGUA was provided under a separate prior petition for the subject property , demonstrating sufficient treatment capacity and a letter from Lee County Utilities (LCU) was issued on June 17, 2021, that they have "no objection" to the FGUA providing sanitary sewer service to the subjectproperty.

Consistent with Standard 4.1.4, an Environmental Impact Analysis Report was provided under separate petition for the subject property. The report analyzes environmentally sensitive areas of the site. The concurrent Planned Development, consistent with the proposed text amendment (Policy 123.2.17) will utilize a clustered development pattern ensuring the development is well-integrated, properly designed, functionally interconnected, and not impacting, but preserving the natural and most environmentally sensitive areas of the site.

Residential Land Uses

Goal 5 (RESIDENITAL LAND USES) outlines the need to "provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types." According to the Bureau of Economic and Business Research (BEBR), the medium range population projection for Lee County anticipates a population increase from 735,148 in 2020 to 904,700 by 2030. This influx of an additional 169,552 residents further emphasizes the need to provide housing to accommodate the projected population growth for the area. The utilization of this land for some additional housing will assist in achieving this goal. Consistent with Policy 5.1.1., this request will incentivize allow for a unique and attractive detached single-family product that will provide "market driven housing" that is undersupplied in the area. Furthermore, in alliance with Policy 5.1.3 – which emphasizes directing residential developments to locations near employment and shopping centers, parks, and schools – the proposed development is proximate to I-75, the SR 31 corridor growth, existing neighborhood commercial within 3 miles, public parks, and public schools to serve its residents.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

The request is consistent with Policy 5.1.2, which outlines the intent to prohibit residential development where physical constraints or hazards exist. The subject property is outside of any Coastal High Hazard Area as delineated in Map 5 of the Lee Plan. As a result of the criteria in the proposed text amendment and the Planned Development process, the proposed cluster development will provide the necessary environmental, historical, water quality, and infrastructure enhancement measures needed to ensure proper functionality and design.

The proposed Bayshore Ranch project, as detailed in the concurrent Bayshore Ranch RPD application, is a low density residential use. Surrounding the Bayshore Ranch property are mostly low density residential lots, RV Park, and existing home sites. The newer residential communities in the area include amenitized clustered residential development. No buffers are required of Bayshore Ranch due to the proposed residential use adjacent to other existing residential uses. Ensuring the future Bayshore Ranch residentialdevelopment is consistent with Policy 5.1.5 of the Lee Plan, which is to "protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment," extensive areas of open space, preservation areas, and a perimeter separation of 75 feet wide will be provided from adjacent properties.

Policy 5.1.6 calls for development regulations requiring high-density, multi-family, cluster**,** and mixed-use developments to have open space, buffering, landscaping, and recreation areas appropriate for their density and design**.** The concurrent Bayshore Ranch RPD application is not proposing multi-family residential uses, but the clustered development plan, supporting conditions of approval, and development regulations will provide for extensive open space, required preservation areas and recreational areas incorporated within a 75-foot-wide area of separation from adjacent properties along the perimeter.

Policy 5.1.7 requires that community facilities (such as park, recreational, and open space areas) in residential developments to be functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. The proposed development provides for an amenity center facility which will be centrally located and with multi- access for all residents. Additionally, open space areas will exceed requirements of the LDC, and passive recreational areas will be provided, such as a shared-use pathway network linked to interior sidewalks and any existing or proposed pedestrian/bicycle facilities along Bayshore Road, as well as the opportunity for horseback riding trails to compliment the potential for limited private stables as part of the recreational/amenity center are within the development.

COMMUNITY PLANNING

The subject property is identified within the Lee Plan Map 16 as being within the Bayshore Planning Community. Listed as Goal 18 within the Lee Plan (Bayshore Community Plan), the intent for the area outlines the need to "protect the existing rural residential, agricultural and equestrian-oriented character of the community by maintaining low residential densities and minimal commercial activities and exclude incompatible uses that are destructive to the character of this rural residential environment." The requested comprehensive plan text amendment will reinforce this goal by providing the sought after low-

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

density, rural residential form with opportunities for horseback riding activities. Additionally, and consistent with Objective 18.1, a Residential Planned Development (RPD) zoning application (DCI2021-00025 has been submitted concurrently with this future land use text amendment request for review. The RPD, through"appropriate conditions of approval," will implement the low residential density and ensure compatibilityto those adjacent large lot residential properties as well as those higher density residential developmentssouth of Bayshore Road through increased areas of separation from adjacent properties, open space, and a clustered development land use pattern. Also, consistent with Objective 18.1, the proposed text amendment will also ensure protection or enhancement of "high quality environmental areas, such as creeks, oak hammocks, floodplains and wetlands from potential impacts of development."

TRANSPORTATION ELEMENT

A Traffic Study prepared by David Plummer & Associates was previously provided for the subject property. In summary, the study reveals that with or without the initially proposed Comprehensive Plan Amendment that would have allowed up to 204 dwelling units (82 units more than what the concurrent Bayshore Ranch RPD is requesting), the resulting project will not:

- Cause additional needed improvements on the public road network as no roadway, with the exception of SR 31) will be operating below the recommended minimum Level of Service Standards;
- Warrant revisions to the County's five-year CIP of FDOT's five-year work program

The Transportation Element also provides objectives and policies, such as, Objective 39.2 and 39.6 to ensure land use and transportation coordination resulting in increased mobility options and improving allmodes of transportation. The proposed concurrent Bayshore Ranch RPD, ensures consistency with Policy 39.2.2 by incorporating site design elements such as sidewalk on all roads, shared use pathways to encourage pedestrian, bicycle, and alternative modes other than motor vehicles, while ensuring connection to the adjacent public right-of-way (Bayshore Road).

Consistent with Policies 39.6.1, 39.6.2, and 39.6.3, the proposed Bayshore Ranch development, at time of Development Order, will ensure all necessary traffic management infrastructure and pedestrian/bicycle connections are in place. Providing proper access both internally as well as externally to the planned shared use path along Bayshore Road per Map3-D and connection with the Pine Island – Hendry Trail per Map 4-E of the Lee Plan.

COMMUNITY FACILITIES & SERVICES ELEMENT

Potable Water

The subject property is not currently located within the Lee County Utilities (LCU) service area based on the most recent Lee County Utilities Water Franchise Area Map, dated May 29, 2019. The Lee County Utilities Potable Water Letter of Availability, dated June 1, 2021, indicates that potable water mains "are in operation adjacent" to the subject property, but for service to be provided, a Lee County Comprehensive Plan Amendment will be required. Comprehensive Plan Amendment, CPA2021-00001 –

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Lee Plan 2045 Update, has been adopted and is in effect. That amendment revised the Lee County Utilities Future Water Service Areas map (prior Lee Plan Map 6 – Now Lee Plan Map 4-A). Adopted Lee Plan Map 4-A identifies the subject property as being within the Lee County Utilities Future Water Service Area and thus able to receive water and sewerservices consistent with the Lee Plan.

Consistent with Policies 53.1.2 and 95.1.3, and pursuant to the Letter of Availability and supporting data presented, it has been determined that LCU has sufficient capacity to meet the needs of the proposed development.

Sanitary Sewer

The subject property is not located within any current sanitary sewer service franchise area or future service area based on Lee Plan Map 4-B. However, Florida Governmental Utility Authority (FGUA) operateswastewater lines in the vicinity of the subject property and under Lee County Standards. The subject property will be served by these existing facilities through developer funded system enhancements. Theproperty will likely be served by FGUA's Del Prado Wastewater Facility. The needs of the proposed development are expected to stay well within FGUA's wastewater treatment capacity per the Letter of Availability and the 2020 Report, which indicates an overall projected capacity of 12.1 million gallons per day (MGD) for 2024. Therefore, the proposed text amendment and resulting project will be consistent with Policies 56.1.2 and 95.1.3 of the Lee Plan.

Surface Water Management

The subject property is located within the South Florida Water Management District's (SFWMD) **Tidal Caloosahatchee Basin**. Lee Plan Map 5-D shows the property within the Palm Creek Watershed area. There is no current surface water management system on site and no surface water management permit on file with the South Florida Water Management District. There are existing wetlands on site. The lack of an existing system **does not meet or exceed** the applicable County's LOS Standard, which is as follows per Lee Plan Policy 95.1.3.4:

> ***Policy 95.1.3 - Standard4:*** *Stormwater Management Facilities LOS: The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding designated evacuation routes (see Map3-F) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.*

A storm water management system will be provided for the property and will benefit the public through clearly defining storm water treatment methods, establishing maintenance accountability, and providing runoff attenuation consistent with Objective 60.1 and Policy 60.1.1. Treated runoff from the developed site will discharge to adjacent tidal creeks and rivers. The Lee County Public Facilities 2020 LOS and Concurrency Report (2020 Report) indicates that all watersheds within the county were studied and concluded that no evacuation routes located within these watersheds are expected to be flooded for more than a 24-hour period. Per the 2020 Report, Lee County states that all new developments receiving approval from SFWMD and in compliance with appropriate standards will be deemed concurrent with the

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Lee Plan's surface water management level-of-service standards.

The proposed development will seek and obtain all applicable South Florida Water Management District approvals, as well as comply with all Florida Administrative Code Chapter 62-330 standards to ensure consistency with the stated LOS standards per Policy 95.1.3.4 of the Lee Plan. Additionally, through the utilization of clustered development and criteria laid out per the proposed text amendment, the proposed development will ensure preservation of existing waterways and wetland habitats consistent with Policy 60.1.2.

Objective 60.4 outlines the intent to incorporate natural systems into surface water management systems to improve water quality, air quality, water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief. The proposed development will provide Florida Friendly Landscaping vegetation, retention/detention lakes, and preserved wetlands, flowways/creeks, and Rare and Unique upland habitat per the proposed Policy 123.2.17 text amendment. It will also provide a surfacewater management system that will incorporate the existing wetland systems and natural flow ways; thus,complying with policies 60.4.1,60.4.2, and 60.4.3.

Lee Plan Policy 61.3.3 is provided to "keep floodways as unobstructed as possible." A portion of the property is located within a FIRM floodway as identified on the Supplemental Exhibit A – Project Boundary & FEMA Flood Hazard Zone Areas. The future Bayshore Ranch development, as proposed in our concurrent rezoning applications' Master Concept Plan, is not proposing to construct or place any infrastructure near the FIRM floodway. The existing FIRM floodway is within the proposed preserve and the existing FP&L powerline area along the northeastern property boundary as shown on Supplemental Exhibit C – Master Concept Plan & FEMA Flood Hazard Zone Areas as provided under a prior amendment petition, further indicating consistency with Policy 61.3.3.

Consistent with Policy 61.3.6, a surface water management system will be provided within the proposed development area, which will be designed to meet or exceed Lee County and the South Florida Water Management District standards. Post-development runoff conditions will be consistent with the pre-development conditions. Additionally, stormwater runoff from the developed site will discharge to the Bayshore Road right-of-way, which will be required to meet Florida Department of Transportation drainage criteria. This drainage criteria includes demonstrating the post-development discharge rates will be less than the pre-developed discharge rates as well as maintaining existing drainage patterns. The required water quality volume and attenuation as prescribed by the South Florida Water Management District will also be provided within the stormwater management system. Homeowners' documents for the project will include information on the operation and maintenance of the stormwater management system as well as best management practices.

PARKS, RECREATION & OPEN SPACE ELEMENT

Due to the low density, large lot nature of this proposed development, no open space and indigenous native vegetation preserve areas are required (LDC Sec.10-415). However, through the criteria under the proposed text amendment, clustered design and site layout of the proposed project a significant amount

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

of land area will be provided for open space.These open spaces will encompass preserve areas, passive recreational areas, lakes, and extensive areas of separation from adjacent properties along the development perimeter, ensuring consistency with Goal77 – requiring new development to provide open space for "improved aesthetic appearance, visual relief,environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation." This design also provides consistency with Policy 77.3.4 by incorporating "large, contiguous open spaces areas."

CONSERVATION & COASTAL MANAGEMENT ELEMENT

An environmental assessment was conducted, and a report by Passarella & Associates, Inc., dated June 2021, was previously submitted under a prior petition, ensures overall consistency with Goal 123 of the Lee Plan. More specifically, the project is consistent with Policy 123.1.7, as the proposed clustered development, enabled through the concurrent Bayshore Ranch planned development rezoning, will provide designated preserve areas for potential future area wide conservation efforts. These preserves will protect high quality wetlands, plant communities, and indigenous uplands, while addressing restoration and management of non-indigenous/invasive areas of the property that have been impacted by cattle grazing and agricultural use.

The Bayshore Ranch project will be subject to a long-term plan, as approved by Lee County, to ensure no plantings of exotic species occur and any existing exotics are removed through appropriate managementand maintenance of the preservation areas that are placed under conservation easements to SFWMD in accordance the Environmental Resource Permit (ERP) requirements. Thus, the project is consistent with the intent of Policies 123.2.8 and 123.2.11.

Consistent with Policy 123.2.15, one rare and unique upland habitat exists in the northeast portion of the project site and is mapped as Upland Scrub/Pine and Hardwoods, Disturbed (0-24% Exotics) (Florida Land Use, Cover and Forms Classification System 4369 E1). The site plan has been designed to preserve 100 percent of this habitat type.

Proposed Policy 123.2.17 establishes further incentives to ensure the preservation, enhancement, and restoration of Rare and Unique upland habitats, and preservation of flowways/creeks on land within the Rural Land Use category. This policy, when effective, will be consistent with and will further implement Objective 123.2 and the overarching Goal 123 of resource protection of wetlands, critical upland ecosystems and natural resources in Lee County.

Policy 123.8.1 provides for methods to address the protection of Gopher Tortoises within the Bayshore Project area. After construction of the project is completed, there will not be enough suitable gopher tortoise (Gopherus polyphemus) habitat remaining on-site for the long-term survivability of the species. Therefore, consistent with Policy 123.8.1, the applicant will obtain a permit from the Florida Fish and Wildlife Conservation Commission (FWCC) to relocate gopher tortoises to a protected recipient site prior to site clearing activities. The recipient site will be approved by the FWCC and managed in perpetuity, consistent with FWCC's 2012 Gopher Tortoise Management Plan. Details regarding the relocation activities will be provided in a protected species management plan prior to development order approval.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Lee Plan Goal 124 provides overarching language to ensure adequate maintenance and enforcement for any development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems. Due to the existing and mostly cleared nature of the subject property, as well as the existing cattle grazing use on-site, only a small portion of wetlands exist on site (8.94± acres), of which the majority are of very low quality and are not intended to remain. The Bayshore Ranch project will abide by the criteria outlined in the proposed text amendment to reduce any negative impacts to high quality wetlands and no development impacts will occur until the ERP permit hasbeen issued by the state or SFWMD. The development, as it moves through the permitting process, will be reviewed by the South Florida Water Management District and as a result will be consistent with overall Goal 124, and Policies 124.1.1 and 124.1.2.

The proposed Bayshore Ranch residential development is consistent with Lee Plan Goal 125, Objective 125.1, and Policies 125.1.1 through 125.1.6. The proposed development will not generate pollution and will meet all conditions and requirements of Lee County's Wellfield Protection Ordinance No. 07-35 per Policy 125.1.6. In addition, given the distance to Lee County's nearest production well, the vertical extent of confining unit sediments above the potable supply well's production intervals, and the fact that the Lower Hawthorn production interval exhibits an upward head gradient (i.e., groundwater levels are approximately 19 feet above land surface) which prevents the downward migration of sanitary hazards. Collectively, these aspects provide substantial assurance the proposed development will be consistent with Policy 125.1.6. If the County desires more specific criteria in regards to "pre and post" development water quality, details can be provided upon submittal of the first Development Order.

It is important to note that in 1990, the FDEP developed and implemented the State Water Resource Implementation Rule (Chapter 62-40 F.S.). The Rule codifies implementation guidelines for the State's stormwater program under 62-40.431. As stated in Ch. 62-40.431 2(a) "The primary goals of the state's stormwater management program are to maintain, to the maximum extent practical, during and after construction and development, the pre-development stormwater characteristics of a site; to reduce stream channel erosion, pollution, siltation, sedimentation and flooding; to reduce stormwater pollutant loadings discharged to waters to preserve or restore designated uses...".

The Applicant is of the opinion that the criteria set forth in Chapter 62-40, applied through the South Florida Water Management District's Environmental Resource Permitting (ERP) program, provides reasonable assurance that the surface water resources of Lee County will be protected and maintained, and meets the intent of Lee Plan Goal 125. Furthermore, Lee Plan Policy 126.1.4 requires that "development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions." For the Bayshore Ranch property, existing site conditions include historically constructed drainage features and north-south trending conveyance ditches that facilitate unimpeded stormwater discharges to downstream receiving waters, including the Caloosahatchee River. Conveyance features, similar to those onsite, can also facilitate seasonal drainage of the shallow Water Table Aquifer.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Consistent with Policy 126.1.4, the Applicant's proposed residential development will include an engineered surface water (stormwater) management system, based on the rules, standards, and criteria of the SFWMD ERP program, and be consistent with the criteria of Part IV of Chapter 373, Florida Statutes. Through the elimination of the existing conveyance features, and construction of the stormwater management system, predevelopment water resources conditions (shallow groundwater and surface water) will be maintained, or otherwise enhanced. The attenuation of stormwater flows through the creation of wet detention areas (lakes), results in surface water supplies being seasonally stored, thereby improving recharge potential to the underlying Water Table Aquifer and enhancing shallow groundwater levels. The features also provide improved surface water quality treatment, provide wildlife habitat, and can be used to supplement irrigation supplies. Therefore, the development design not only maintains, but potentially improves existing water resource conditions.

HOUSING ELEMENT

Goal 135 outlines the need to provide adequate housing for existing and future residents of Lee County. Objective 135.1 requires the county to work with private and public housing providers to ensure that the additional dwellings needed by 2025 are provided in a variety of types, costs, and locations. According tothis objective, the county will need an additional 114,927 units by 2025, of which 39,637 will be needed in unincorporated Lee County. The proposed comprehensive plan amendment and companion Planned Development will allow for up to 130 new housing units to help reach Objective 135.1. Consistent with Policy 135.1.9.

EFFECT ON POPULATION

The proposed text amendment will not negatively affect the population projections for Lee County. Based on the United States Census Bureau's Quick Facts database, there are 2.64 persons per household and an overall population of 618,754 (2010 Census) in Lee County. The Bayshore Ranch property subject to this text amendment and concurrent RPD rezoning application, which is to voluntarily cap density at 122 units, could accommodate approximately 322 people (122 units x 2.64 persons per household).

According to the University of Florida's College of Liberal Arts & Sciences - Bureau of Economic and Business Research, the projected 2030 population in Lee County will be 904,700 and 1,010,900 in the year 2040. Considering these projections and the previously stated housing needs from Objective 135.1, over 100,000 dwelling units will be needed within the next 5 to 10 years. The proposed text amendment and concurrent residential planned development rezoning could provide up to 122 residential dwelling units to support the future population growth in Lee County, in a quality housing development that is compatibleand complementary to the surrounding community.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Comprehensive Plan Text Amendment

EXHIBIT T7

Environmental Impacts Analysis

The proposed comprehensive plan text amendment application seeks to add Policy 123.2.17 to the Conservation & Coastal Management Element to incentivize the creation, preservation and restoration of Rare and Unique upland habitats, and the preservation of flowways and creeks on lands within the Rural Future Land Use category. Through the creation, preservation and/or restoration of Rare and Unique uplands, flowways/creeks, and native plant communities, Policy 123.2.17 enables proposed developments through the planned development process to achieve limited additional residential density.

The addition of Policy 123.2.17 supports an effort to balance future residential development needs in rural lands of Lee County with environmental protection measures ensuring that native plant communities are enhanced and maintained in a planned and sustainable manner. Residential development within rural areas typically results in large lot (ranchette style) development pursuant to current regulations that require no open space, no native indigenous preserve and no connection to adjacent public water and sanitary sewer utilities.

Allowing a slight increase in density in exchange for greater open space and preserve as well as reducing impacts from individual well and septic systems in Rural lands will provide environmental and public benefit without eliminating the option for large lot homesites desire in certain areas. The proposed policy does, however, encourage developments to utilize desired alternative site design to enable positive impacts on the surrounding environment and resource protection measures that are outlined in Policy 123.2.17:

- Be developed as a unified planned development through a rezoning process;
- The project shall be a minimum of 100 acres;
- Development is clustered to provide for contiguous tracts of open space, which can consist of created or restored wetlands, flowways, or created and/or restored Rare and Unique upland habitats

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

- The land where creation and/or restoration of Rare and Unique upland habitats must comply with the minimum dimensions required for indigenous open space areas set forth in the LDC;
- The land where flowways and creeks are preserved must include a 25-foot buffer to protect the flowway or creek, and the buffer will be included in the density incentive acreage.
- Any preserved, enhanced, restored or created flowway must be designed to maintain conveyance for a 25 year, 3 day storm event;
- Have direct access to an arterial road;
- Provide a connection to public water and sewer services;
- The land where Rare and Unique upland habitat is going to be created or restored must contain the soil(s) needed to support the establishment and success of Rare and Unique upland habitats;
- A conservation or restoration easement must be dedicated to a maintenance entity, consistent with the LDC requirements, with third party enforcement rights. The conservation or restoration easement must be recorded for areas used towards the density incentive. The conservation or restoration easement will permit cleaning and snagging in any flowways or creeks. All Conservation or restoration Easements required as part of the planned development for the density incentive must be recorded within 5 years from the date of issuance of the first development order.
- A minimum of 40% open space is required, of which 30% must be indigenous preserve, wetlands, and creeks or flowways and buffers associated therewith. The indigenous preserve may consist of existing, created or restored wetlands, flowways, native plant communities, and/or Rare and Unique upland habitats.

An analysis of current Rural areas based on the criteria outlined in proposed Policy 123.2.17, indicates that there are limited undeveloped 100 acre parcels within the Rural area that are located along an arterial roadway and able to connect to existing public water and sanitary sewer utilities. Pursuant to a preliminary mapping analysis, only those properties within the Rural category and located along the Bayshore Road, SR 31, and SR 80 would be subject to Policy 123.2.17. These identified corridors represent growth areas for Lee County and are a natural extension of existing development patterns. These corridors have the needed infrastructure to accommodate future growth, and these larger properties along those corridors should be incentivized to develop in a more environmentally sustainable way, while maintaining the low-density rural character described in various community plans.

While the proposed policy would apply to a limited number of parcels, these parcels are larger in size and located along growth corridors, which makes them attractive for immediate development as either large lot subdivisions or planned developments. If not for the proposed Policy, many of these parcels may develop without central water and sewer and without dedicated open space and preserves. The proposed density increase, while limited, may provide a sufficient incentive for developers to build modern utilities, invest in providing common open space and protect environmentally sensitive areas. The minimum project size of 100 acres provides sufficient size and rooftop potential to justify the added expense of central water and sewer, and make the clustered development approach feasible.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Proposed Policy 123.2.17 results in appreciable environmental and public benefits while also maintaining the desired low-density rural character. Having a significant portion of a property devoted to open space and perpetually set aside as preserve along with the reduction in well and septic systems, is a win-win for environmental protection efforts in Lee County as well as the landowner seeking a slight density increase that can make a well-designed planned development feasible.

The following Bayshore Ranch Environmental Assessment, dated June 2021, is again provided to document the land use and environmental aspects of the property, while also specifically identifying those areas of that are rare and unique habitat, jurisdictional wetlands and flowways. These rare and unique habitats, wetlands, and flowways are those components of the property, which under the proposed text amendment are incentivized to be enhanced, restored, and preserved to ensure a continued effort of furthering environmental resource protection in Lee County.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

BAYSHORE RANCH
ENVIRONMENTAL ASSESSMENT

June 2021

Prepared For:

Lennar
10481 Ben C. Pratt/Six Mile Cypress Parkway
Fort Myers, Florida 33966
(239) 278-1177

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Project No. 20LLL3353

TABLE OF CONTENTS

LIST OF FIGURES

Page

LIST OF TABLES

LIST OF EXHIBITS

INTRODUCTION

An environmental assessment was conducted on Bayshore Ranch (Project) to document existing land uses and vegetative cover; document the presence of state jurisdictional wetlands; research potential utilization by wildlife and plant species listed by the Florida Fish and Wildlife Conservation Commission (FWCC), the Florida Department of Agriculture and Consumer Services (FDACS), and the U.S. Fish and Wildlife Services (USFWS) as Threatened, Endangered, or Species of Special Concern; and document listed species utilization within the Project site. The assessment included field surveys to map vegetation communities, an office review of agency records for documented occurrences of listed species on the property, and field surveys to document listed species utilization within the Project. This report summarizes the results of the environmental assessment.

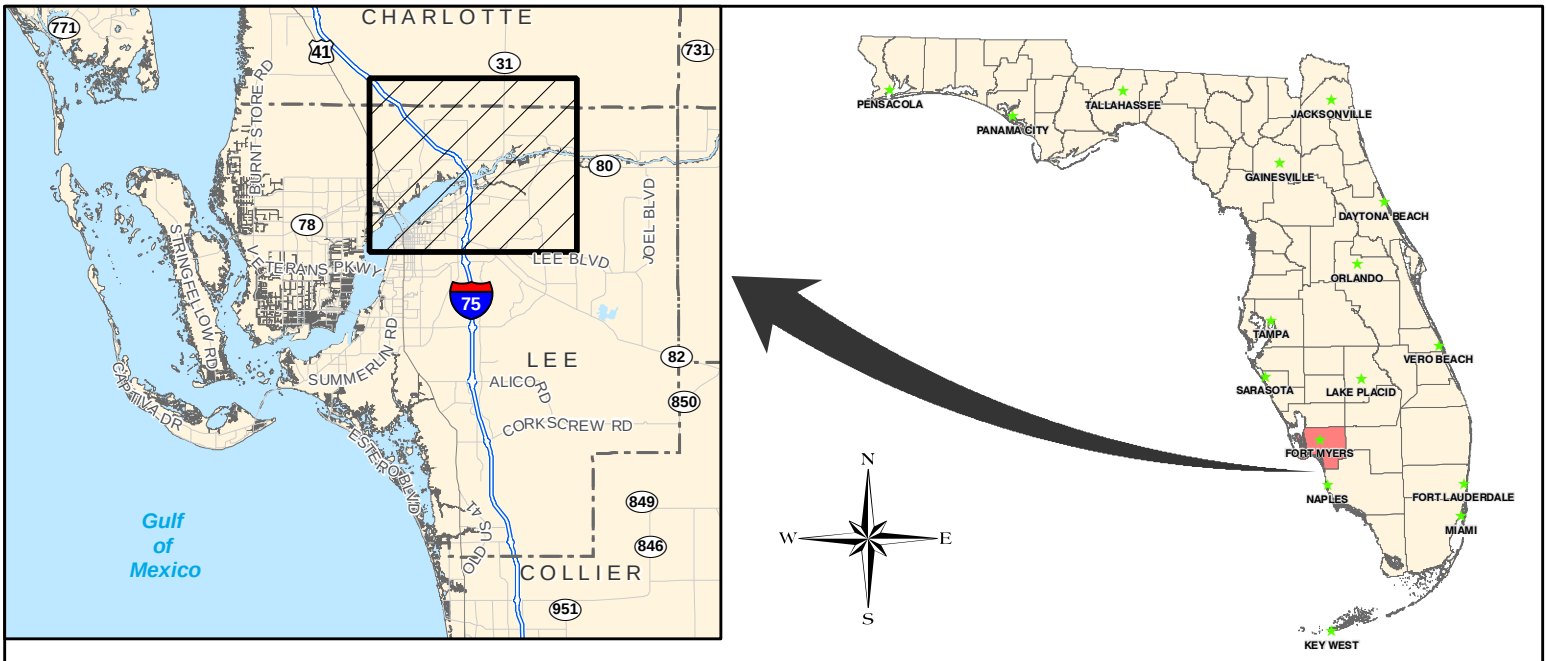
The Project totals 109.63± acres and is located in Section 23, Township 43 South, Range 25 East, Lee County (Figure 1). More specifically, the site is bordered to the north, east, and west by undeveloped land and single-family residences; and to the south by Bayshore Road (Exhibit 1).

The property consists of indigenous and non-indigenous upland and wetland habitats and ditches.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation and land cover mapping for the Project was conducted using Lee County 2020 rectified aerials. Groundtruthing of the vegetative communities was conducted on November 3, 2020 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Level III (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbance and hydrologic conditions. "E" codes were used to identify levels of exotic and invasive vegetation (e.g., Brazilian pepper (*Schinus terebinthifolia*), melaleuca (*Melaleuca quinquenervia*), and bamboo (*Bambusa vulgaris*)). AutoCAD 3D 2021 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS and Wetlands Map for the Project (Exhibit 2). An aerial photograph of the property with an overlay of the FLUCFCS and Wetlands Map is provided as Exhibit 3.

A total of 23 vegetative and land cover types (i.e., FLUCFCS codes) were identified within the Project site. The site contains disturbed native wetland systems including mixed wetland hardwoods, wetland shrub, and freshwater marsh. The on-site wetland habitats have been disturbed by ditching and exotic infestation. Additionally, one rare and unique upland habitat exists in the northeast portion of the Project site and is mapped as Upland Scrub/Pine and Hardwoods, Disturbed (FLUCFCS Code 4369 E1). This area contains scrub plant species including Chapman oak (*Quercus chapmanii*) and sand live oak (*Quercus geminata*). A summary of the FLUCFCS codes with acreage breakdown and description of each FLUCFCS is presented in Exhibit 4.



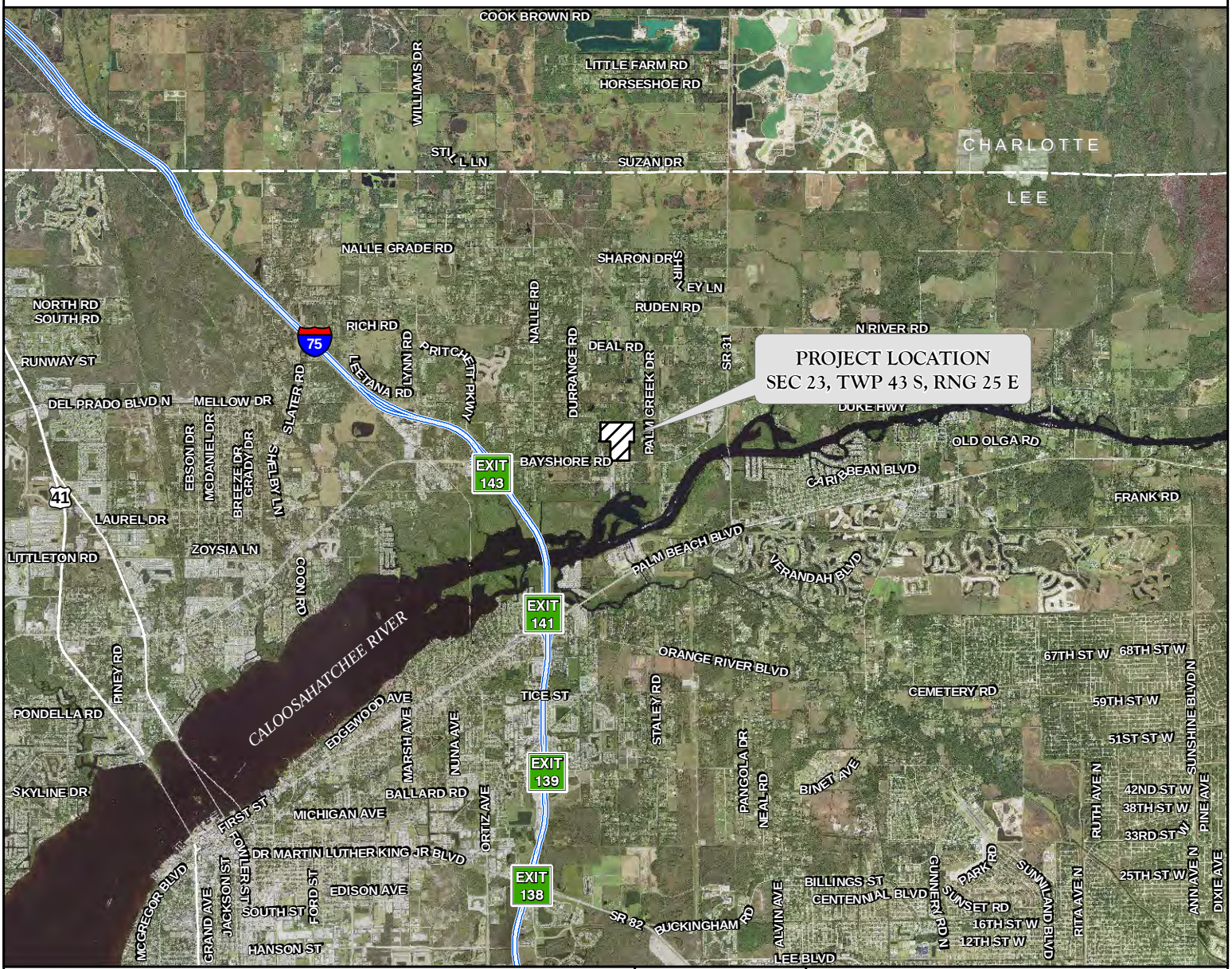


FIGURE 1. PROJECT LOCATION MAP
BAYSHORE RANCH

DRAWN BY	DATE
R.F.	06/14/21
REVIEWED BY	DATE
B.T.	06/14/21
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2020\20LL3353\GIS\2021\ENVIRONMENTAL_ASSESSMENT\EXHIBITS\FIGURE_1_PROJECT_LOCATION_MAP.MXD - 6/14/2021 @ 3:08:09 PM

SOILS

The soils for the property, per the Natural Resources Conservation Service (formerly the Soil Conservation Service), are shown on Exhibit 5. A brief description for each soil type per the Soil Survey of Lee County, Florida (U.S. Department of Agriculture 1984 & 2020) is presented in Exhibit 6.

JURISDICTIONAL WETLANDS

The jurisdictional wetlands and "other surface waters" (OSWs) by FLUCFCS code are summarized in Table 1. South Florida Water Management District (SFWMD) jurisdictional wetlands constitute a total of 8.89± acres or approximately 8.1 percent of the Project site. SFWMD jurisdictional OSWs constitute a total of 3.34± acre or approximately 3.0 percent of the Project site.

Table 1. SFWMD Wetland and OSW Acreages by FLUCFCS Code

FLUCFCS Code	Description	Acreage
Wetlands		
262	Low Pasture, Hydric	1.31
514H	Ditch, Hydric	0.27
6179 E3	Mixed Wetland Hardwoods, Disturbed (50-75% Exotics)	3.96
6319 E4	Wetland Shrub, Disturbed (76-100% Exotics)	2.06
6149 E1	Freshwater Marsh, Disturbed (0-24% Exotics)	1.29
Wetlands Total		**8.89**
OSWs		
510	Stream	0.26
514	Ditch	2.64
520	Pond	0.44
OSWs Total		**3.34**

The prominent wetland feature consists of mixed wetland hardwood area in the northwestern portion of the Project site in addition the OSWs mapped on the property include a natural stream in the northeastern portion of the site which is a tributary of the Caloosahatchee River. A U.S. Geological Survey quadrangle map is provided as Exhibit 7. This map shows the location of some of the wetland systems within the Project.

LISTED SPECIES

Listed wildlife species as listed by the FWCC and the USFWS that have the potential to occur on the Project site are listed in Table 2 (FWCC 2016 and USFWS 1999). Listed plant species as listed by the FDACS and the USFWS (FDACS Chapter 5B-40) that have the potential to occur on the Project site are listed in Table 3. Information used in assessing the potential occurrence of these

species included the Lee County Land Development Code, Field Guide to the Rare Plants of Florida (Chafin 2000), Atlas of Florida Vascular Plants (Wunderlin 2004), and professional experience and knowledge of the geographic region. In addition, FWCC and USFWS records for documented listed species were reviewed for listed species records on or adjacent to the property (Exhibit 8).

Table 2. Listed Wildlife Species That Could Potentially Occur Within the Project

Common Name	Scientific Name	Designated Status		Potential Habitats (FLUCFCS Code)
		FWCC	USFWS	
Reptiles				
American alligator	*Alligator mississippiensis*	FT(S/A)	FT(S/A)	262, 510, 514, 520, 6419
Eastern indigo snake	*Drymarchon corais couperi*	FT	FT	3219, 4119, 4159
Gopher tortoise	*Gopherus polyphemus*	ST	*	211, 213, 3219, 4119, 4159, 4349, 4369, 743
Birds				
Crested caracara	*Caracara cheriway*	FT	FT	211, 213, 3219
Everglade snail kite	*Rostrhamus sociabilis plumbeus*	FE	FE	262, 514, 520, 6419
Florida burrowing owl	*Athene cunicularia floridana*	ST	-	211, 213
Florida sandhill crane	*Grus canadensis pratensis*	ST	-	211, 213, 262, 3219, 6419
Little blue heron	*Egretta caerulea*	ST	-	262, 510, 514, 520, 6179, 6319, 6419
Red-cockaded woodpecker	*Picoides borealis*	FE	FE	4119, 4159
Roseate spoonbill	*Ajaia ajaja*	ST	-	262, 510, 514, 520, 6419
Southeastern American kestrel	*Falco sparverius paulus*	ST	-	3219, 4119, 4159, 4369
Tri-colored heron	*Egretta tricolor*	ST	-	262, 510, 514, 520, 6179, 6319, 6419
Wood stork	*Mycteria americana*	FT	FT	
Mammals				
Big cypress fox squirrel	*Sciurus niger avicennia*	ST	-	4119, 4159, 4349, 6179
Florida black bear	*Ursus americanus floridanus*	**	-	3219, 4119, 4159, 4349, 438, 6179
Florida bonneted bat	*Eumops floridanus*	FE	FE	4119, 4159

FWCC – Florida Fish and Wildlife Conservation Commission
USFWS – U.S. Fish and Wildlife Service
FE – Federally Endangered
FT – Federally Threatened
FT(S/A) – Federally Threatened due to similarity of appearance
ST – State Threatened
*The gopher tortoise is currently listed as a candidate species by the USFWS.
**No longer listed by the FWCC; however, certain protection measures still apply

Table 3. Listed Plant Species That Could Potentially Occur Within the Project

Common Name	Scientific Name	Designated Status		Potential Location (FLUCFCS Code)
		FDACS	USFWS	
Cardinal airplant	*Tillandsia fasciculata*	E	-	4119, 4159, 4349, 4369, 6179
Giant wild pine	*Tillandsia utriculata*	E	-	4119, 4159, 4349, 4369, 6179
Twisted airplant	*Tillandsia flexuosa*	T	-	4119, 4159, 4349, 4369, 6179
Butterfly orchid	*Encyclia tampensis*	CE	-	4119, 4159, 4349, 4369, 6179
Curtiss' milkweed	*Asclepias curtissii*	E	-	4369
Beautiful pawpaw	*Deeringothamnus pulchellus*	E	E	4119, 4159

FDACS – Florida Department of Agriculture and Consumer Services
USFWS – U.S. Fish and Wildlife Service
CE – Commercially Exploited
E – Endangered
T – Threatened

American Alligator (*Alligator mississippiensis*)
The American alligator could potentially occur within the ditches, stream, pond, and native herbaceous wetlands within the site.

Eastern Indigo Snake (*Drymarchon corais couperi*)
The Eastern indigo snake could potentially occur within the native uplands on the Project site. The Eastern indigo snake is typically found in association with populations of gopher tortoise (*Gopherus polyphemus*).

Gopher Tortoise (*Gopherus polyphemus*)
Potential habitat for gopher tortoise on the Project site includes pasture areas, upland pine (*Pinus* sp.) forest, palmetto prairies, scrub, and spoil piles.

Crested Caracara (*Caracara cheriway*)
Potential foraging habitat for the crested caracara on the Project site includes pasture areas and palmetto prairies. Its primary habitat in Florida is the native prairie with associated marshes, cabbage palm (*Sabal palmetto*), and cabbage palm/live oak (*Quercus virginiana*) hammocks (Rodgers et al. 1996).

Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
Potential foraging habitat for the Everglade snail kite includes ditches, ponds, low pasture, and freshwater marsh.

Florida Burrowing Owl (*Athene cunicularia floridana*)
Potential Florida burrowing owl habitat exists within the upland pastures on the Project site.

Florida Sandhill Crane (*Grus canadensis pratensis*)
Potential foraging habitat for the Florida sandhill crane may exist within the Project's upland pastures, palmetto prairies, freshwater marsh, and low pasture. Preferred sandhill crane habitat

includes prairies and shallow marshes dominated by pickerelweed (*Pontederia cordata*) and maidencane (*Panicum hemitomon*).

Little Blue Heron (*Egretta caerulea*) and Tri-Colored Heron (*Egretta tricolor*)
Potential foraging habitat for state-listed wading birds within the Project site includes the forested and herbaceous wetlands, as well as the ditches, stream, and pond.

Red-Cockaded Woodpecker (*Picoides borealis*)
Potential habitat for the red-cockaded woodpecker on the Project site includes the pine and pine/cypress/cabbage palm habitats.

Roseate Spoonbill (*Ajaia ajaja*)
Potential habitat for the roseate spoonbill on the Project site includes freshwater marsh habitat, as well as the ditches, stream, and pond.

Southeastern American Kestrel (*Falco sparverius paulus*)
Potential foraging habitat for the Southeastern American kestrel on the Project site may exist within the pine, upland scrub, and palmetto prairie. Since 1980, observations of Southeastern American kestrel in Florida have occurred primarily in sandhill or sand pine (*Pinus clausa*) scrub areas of North and Central Florida (Rodgers *et al.* 1996).

Wood Stork (*Mycteria americana*)
Potential wood stork foraging habitat within the Project site includes forested and herbaceous wetlands, as well as the ditches, stream, and pond. Almost any wetland depression where fish tend to become concentrated, either through local reproduction by fish or as a consequence of area drying, may be good for feeding habitat (Rodgers *et al*. 1996).

Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
Potential nesting and foraging habitat on the Project site for the Big Cypress fox squirrel includes the pine, hardwood/conifer, and mixed wetland hardwoods. Dense interiors of mixed cypress-hardwood strands seem to be avoided by fox squirrels (Moler 1992).

Florida Black Bear (*Ursus americanus floridanus*)
Potential habitat for the Florida black bear includes the native upland and wetland forested habitats on the Project site.

Florida Bonneted Bat (*Eumops floridanus*)
Florida bonneted bats could potentially roost within the forested upland and wetland habitats on the Project site, and/or forage over the herbaceous wetlands and open water areas. The Florida bonneted bat is known to occur in cities and forested areas on both the east and west coasts of South Florida from Charlotte County to Palm Beach County (Marks and Marks 2006; Humphrey 1992).

A Lee County protected species survey (PSS) was conducted on the Project site on March 18, 2021. A total of 51 gopher tortoise burrows, one Florida sandhill crane, and one American alligator were observed on the Project site during the PSS. The gopher tortoise and sandhill crane are listed

as threatened by the FWCC (2018). The American alligator is listed as threatened by the FWCC due to similarity of appearance to the American crocodile (*Crocodylus acutus*). No listed species nests or nesting activity were observed on the property during the PSS.

No Lee County protected plant species were observed on the property during the PSS. However, one giant wild pine (*Tillandsia utriculata*) was documented on the site. The giant wild pine is listed as endangered by the FDACS.

A summary of the listed wildlife species, their sign (i.e., burrow), and listed plant species observed and documented within the Project are provided in Tables 4, 5. The locations of the observed listed species are depicted in Exhibit 9.

Table 4. Listed Wildlife Species Observed

Common Name	Scientific Name	Designated Status		Observed Location (FLUCFCS Code)
		FWCC	USFWS	
American alligator	*Alligator mississippiensis*	ST (SA)	FT (SA)	520
Florida sandhill crane	*Grus canadensis pratensis*	ST	-	211

FWCC – Florida Fish and Wildlife Conservation Commission
USFWS – U.S. Fish and Wildlife Service
FT – Federally Threatened
ST – State Threatened
SA – Similar Appearance

Table 5. Listed Plant Species Observed

Common Name	Scientific Name	Designated Status		Observed Location (FLUCFCS Code)
		FDACS	USFWS	
Giant wild pine	*Tillandsia utriculata*	E	-	110

FDACS – Florida Department of Agriculture and Consumer Services
USFWS – U.S. Fish and Wildlife Service
E – Endangered

SUMMARY

A total of 23 vegetative and land cover types (i.e., FLUCFCS codes) were identified within the Project site. One rare and unique upland habitat exists in the northeast portion of the Project site and is mapped as Upland Scrub/Pine and Hardwoods. This area contains scrub plant species including Chapman oak and sand live oak. SFWMD jurisdictional wetlands constitute a total of 8.89± acres or approximately 8.1 percent of the Project site. SFWMD jurisdictional OSWs constitute a total of 3.34± acre or approximately 3.0 percent of the Project site. The OSW acreage includes a natural stream in the northeastern portion of the site which is a tributary of the Caloosahatchee River.

A Lee County PSS was conducted on the Project site on March 18, 2021. A total of 51 gopher tortoise burrows, one Florida sandhill crane, and one American alligator were observed on the Project site during the PSS. The gopher tortoise and sandhill crane are listed as threatened by the FWCC (2018). The American alligator is listed as threatened by FWCC due to similarity of appearance to the American crocodile. No listed species nests or nesting activity were observed on the property during the PSS.

No Lee County protected plant species were observed on the property during the PSS. However, one giant wild pine was documented on the site. The giant wild pine is listed as endangered by the FDACS.

REFERENCES

Chafin, Linda G. 2000. Field Guide to the Rare Plants of Florida. Florida Natural Areas Inventory. Tallahassee, Florida.

Florida Department of Agriculture and Consumer Services. Florida's Federally Listed Plant Species. Chapter 5B-40, F.A.C.

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

Florida Fish and Wildlife Conservation Commission. 2018. Florida's Endangered Species, Threatened Species and Species of Special Concern. Official Lists. Florida Fish and Wildlife Conservation Commission. Tallahassee, Florida.

Humphrey, Stephen R. 1992. Rare and Endangered Biota of Florida; Volume I. Mammals. University Press of Florida, Gainesville, Florida. 392 pages.

Marks, C.S. and G.E. Marks. 2006. Bats of Florida. University Press of Florida, Gainesville, Florida.

Moler, P.E. 1992. Rare and Endangered Biota of Florida. Volume III. Amphibians and Reptiles. University Press of Florida, Gainesville, Florida.

Rodgers, J.A, H.W. Kale, and H.T. Smith. 1996. Rare and Endangered Biota of Florida. Volume V. Birds. University Press of Florida, Gainesville, Florida.

U.S. Department of Agriculture, Soil Conservation Service. 1984. Soil Survey of Lee County, Florida.

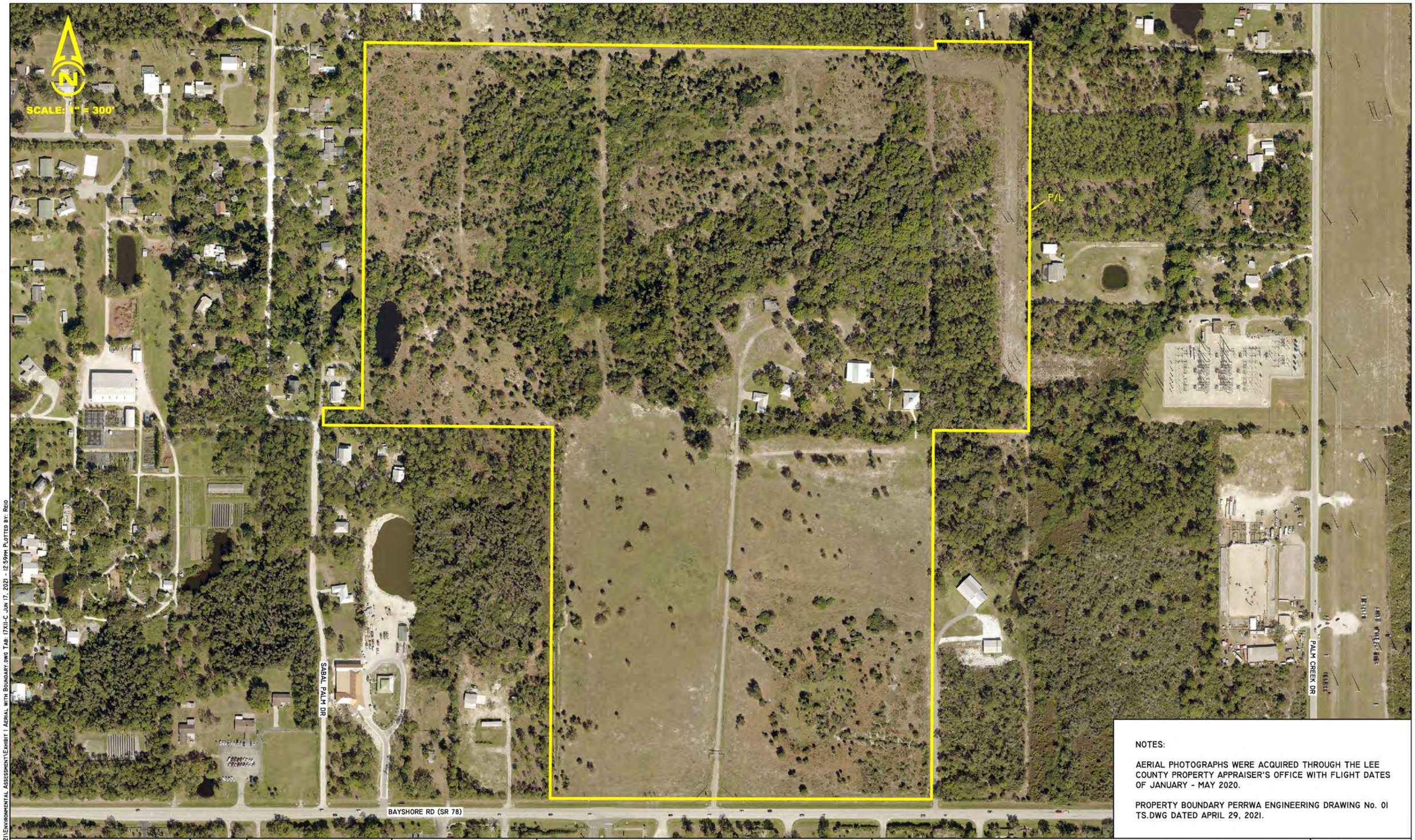
U.S. Department of Agriculture, Soil Conservation Service. 2020. Soil Survey of Lee County, Florida.

U.S. Fish and Wildlife Service. 1999. Multi-Species Recovery Plan for South Florida. U.S. Fish and Wildlife Service, Vero Beach, Florida.

Wunderlin, R. P., and B. F. Hansen. 2004. *Atlas of Florida Vascular Plants*. (http://www.plantatlas.usf.edu/).] Institute for Systematic Botany, University of South Florida, Tampa.

EXHIBIT 1

AERIAL WITH BOUNDARY



NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MAY 2020.

PROPERTY BOUNDARY PERRWA ENGINEERING DRAWING No. 01 TS.DWG DATED APRIL 29, 2021.

REVISIONS	DATE

DRAWN BY: R.F.	DATE: 06/14/21
DESIGNED BY: B.T.	DATE: 06/14/21
REVIEWED BY: S.J.	DATE: 06/14/21

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

BAYSHORE RANCH

AERIAL WITH BOUNDARY

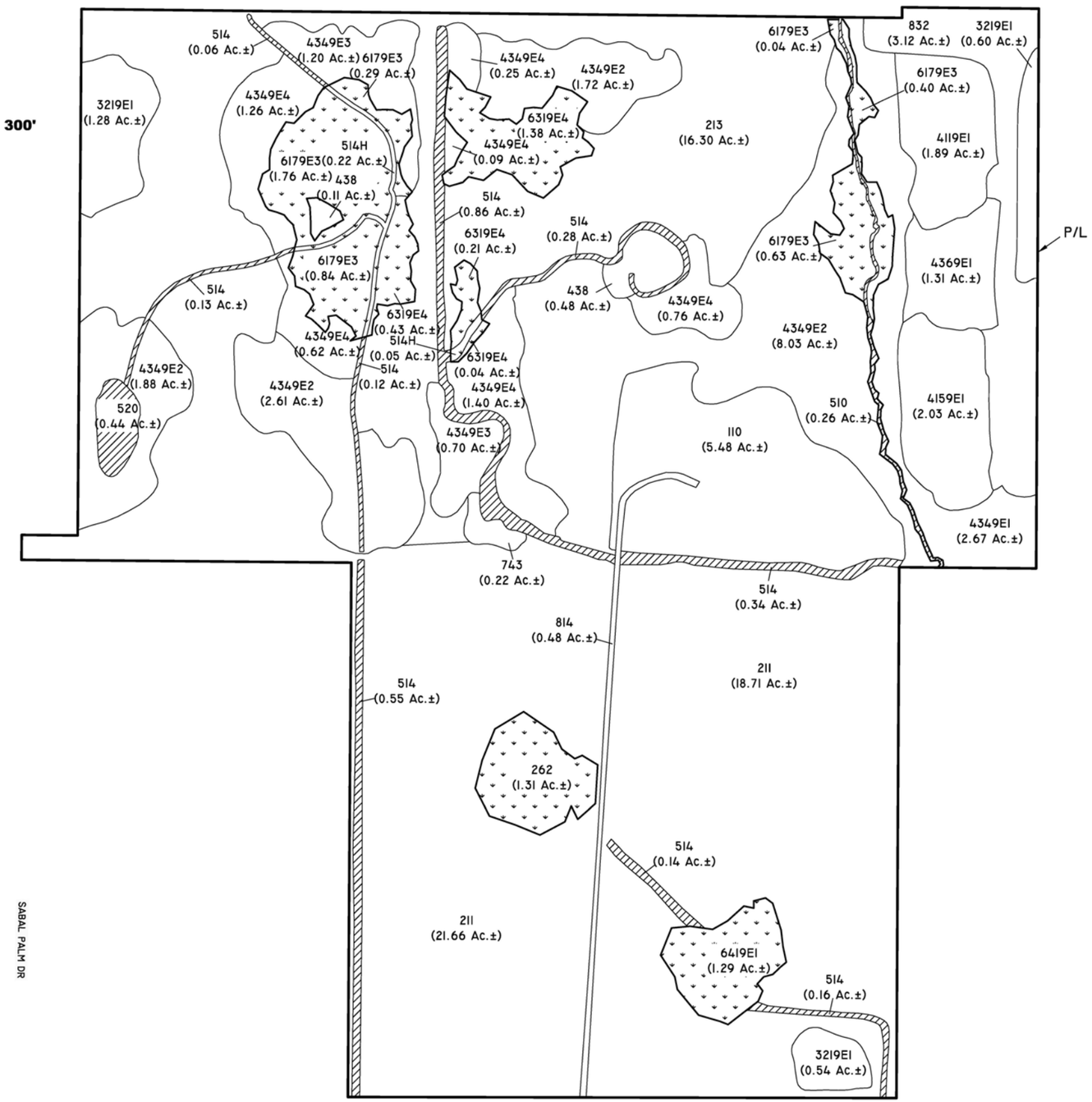
DRAWING No. 20LLL3353

SHEET No. EXHIBIT 1

J:\2020\20LLL3353\2021\Environmental Assessment\Exhibit | Aerial with Boundary.dwg Tab: 17x11-C Jun 17, 2021 - 12:59pm Plotted by: Reid

EXHIBIT 2

FLUCFCS AND WETLANDS MAP



SCALE: 1" = 300'

LEGEND:

- SFWMD WETLANDS (8.89 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (3.34 Ac.±)
- SURVEYED WETLAND LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	5.48 Ac.±	5.0%
211	IMPROVED PASTURE	40.37 Ac.±	36.8%
213	WOODLAND PASTURES	16.30 Ac.±	14.9%
262	LOW PASTURE, HYDRIC	1.31 Ac.±	1.2%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	2.42 Ac.±	2.2%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	1.89 Ac.±	1.7%
4159 E1	PINE, DISTURBED (0-24% EXOTICS)	2.03 Ac.±	1.9%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	2.67 Ac.±	2.4%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	14.24 Ac.±	13.0%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	1.90 Ac.±	1.7%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	4.38 Ac.±	4.0%
4369 E1	UPLAND SCRUB/PINE AND HARDWOODS, DISTURBED (0-24% EXOTIC	1.31 Ac.±	1.2%
438	MIXED EXOTICS	0.59 Ac.±	0.5%
510	STREAM	0.26 Ac.±	0.2%
514	DITCH	2.64 Ac.±	2.4%
514 H	DITCH, HYDRIC	0.27 Ac.±	0.2%
520	POND	0.44 Ac.±	0.4%
6179 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	3.96 Ac.±	3.6%
6319 E4	WETLAND SHRUB, DISTURBED (76-100% EXOTICS)	2.06 Ac.±	1.9%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	1.29 Ac.±	1.2%
743	SPOIL AREA	0.22 Ac.±	0.2%
814	ROAD	0.48 Ac.±	0.4%
832	ELECTRICAL POWER TRANSMISSION LINES	3.12 Ac.±	2.8%
	TOTAL	**109.63 Ac.±**	**100.0%**

NOTES:

PROPERTY BOUNDARY AND WETLAND LINES PER RWA ENGINEERING DRAWING No. 01 TS.DWG DATED APRIL 29, 2021.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2020\20LLL3353\2021\ENVIRONMENTAL ASSESSMENT\EXHIBIT 2 FLUCFCS AND WETLANDS 050521.DWG TAB: 17X11-M JUN 17, 2021 - 1:00PM PLOTTED BY: REID

REVISIONS	DATE

		DATE
DRAWN BY	P.F., R.F.	06/14/21
DESIGNED BY	B.T.	06/14/21
REVIEWED BY	S.J.	06/14/21

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC. Consulting Ecologists

BAYSHORE RANCH

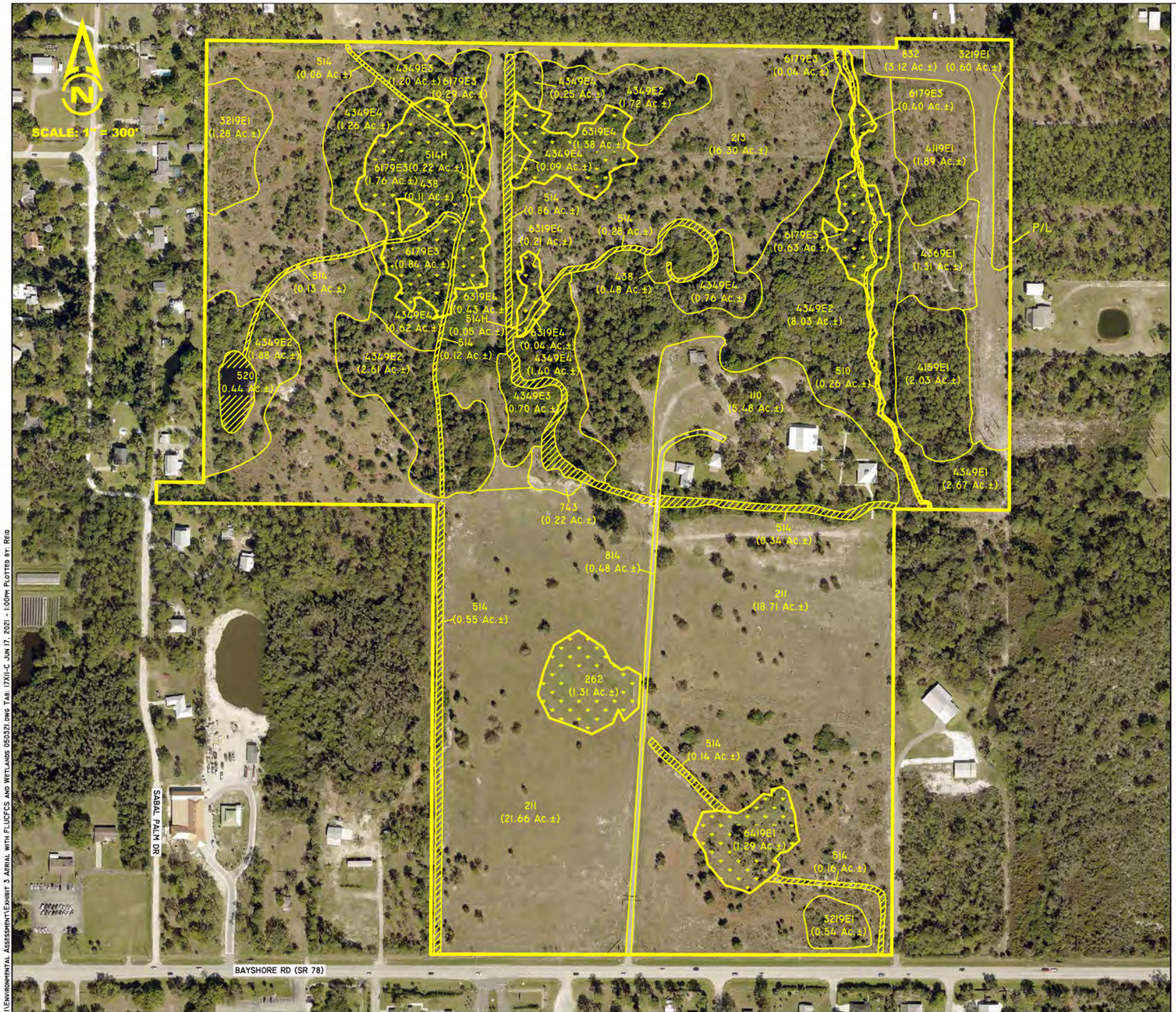
FLUCFCS AND WETLANDS MAP

DRAWING No. 20LLL3353

SHEET No. EXHIBIT 2

EXHIBIT 3

AERIAL WITH FLUCFCS AND WETLANDS MAP



LEGEND:

- SFWMD WETLANDS (8.89 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (3.34 Ac.±)
- SURVEYED WETLAND LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	5.48 Ac.±	5.0%
211	IMPROVED PASTURE	40.37 Ac.±	36.8%
213	WOODLAND PASTURES	16.30 Ac.±	14.9%
262	LOW PASTURE, HYDRIC	1.31 Ac.±	1.2%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	2.42 Ac.±	2.2%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	1.89 Ac.±	1.7%
4159 E1	PINE, DISTURBED (0-24% EXOTICS)	2.03 Ac.±	1.9%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	2.67 Ac.±	2.4%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	14.24 Ac.±	13.0%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	1.90 Ac.±	1.7%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	4.38 Ac.±	4.0%
4369 E1	UPLAND SCRUB/PINE AND HARDWOODS, DISTURBED (0-24% EXOTIC	1.31 Ac.±	1.2%
438	MIXED EXOTICS	0.59 Ac.±	0.5%
510	STREAM	0.26 Ac.±	0.2%
514	DITCH	2.64 Ac.±	2.4%
514 H	DITCH, HYDRIC	0.27 Ac.±	0.2%
520	POND	0.44 Ac.±	0.4%
6179 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	3.96 Ac.±	3.6%
6319 E4	WETLAND SHRUB, DISTURBED (76-100% EXOTICS)	2.06 Ac.±	1.9%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	1.29 Ac.±	1.2%
743	SPOIL AREA	0.22 Ac.±	0.2%
814	ROAD	0.48 Ac.±	0.4%
832	ELECTRICAL POWER TRANSMISSION LINES	3.12 Ac.±	2.8%
	TOTAL	**109.63 Ac.±**	**100.0%**

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MAY 2020.

PROPERTY BOUNDARY AND WETLAND LINES PER RWA ENGINEERING DRAWING No. 01 TS.DWG DATED APRIL 29, 2021.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2020\20LL3353\2021\Environmental Assessment\Exhibit 3 Aerial with FLUCFCS and Wetlands 05032021.dwg Tab: 17x11-C Jun 17, 2021 - 1:00pm Plotted By: Reid

REVISIONS	DATE

DRAWN BY	DATE
P.F., R.F.	06/14/21
DESIGNED BY	DATE
B.T.	06/14/21
REVIEWED BY	DATE
S.J.	06/14/21

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

BAYSHORE RANCH

AERIAL WITH FLUCFCS AND WETLANDS MAP

DRAWING No. 20LL3353

SHEET No. EXHIBIT 3

EXHIBIT 4

EXISTING LAND USE AND COVER SUMMARY TABLE AND FLUCFCS DESCRIPTIONS

BAYSHORE RANCH
EXISTING LAND USE AND COVER SUMMARY TABLE
AND FLUCFCS DESCRIPTIONS

June 2021

Table 1 provides a summary and an acreage breakdown of the existing land use and habitat cover types (i.e., Florida Land Use, Cover and Forms Classification System (FLUCFCS) codes) found on the Project site, while a description of each of the FLUCFCS classifications follows.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
110	Residential, Low Density	5.48	5.0
211	Improved Pasture	40.37	36.8
213	Woodland Pasture	16.30	14.9
262	Low Pasture, Hydric	1.31	1.2
3219 E1	Palmetto Prairie, Disturbed (0-24% Exotics)	2.42	2.2
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	1.89	1.7
4159 E1	Pine, Disturbed (0-24% Exotics)	2.03	1.9
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	2.67	2.4
4349 E2	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	14.24	13.0
4349 E3	Hardwood/Conifer Mixed, Disturbed (50-75% Exotics)	1.90	1.7
4349 E4	Hardwood/Conifer Mixed, Disturbed (76-100% Exotics)	4.38	4.0
4369 E1	Upland Scrub/Pine and Hardwoods, Disturbed (0-24% Exotics)	1.31	1.2
438	Mixed Exotics	0.59	0.5
510	Stream	0.26	0.2
514	Ditch	2.64	2.4
514H	Ditch, Hydric	0.27	0.2
520	Pond	0.44	0.4
6179 E3	Mixed Wetland Hardwoods, Disturbed (50-75% Exotics)	3.96	3.6
6319 E4	Wetland Shrub, Disturbed (76-100% Exotics)	2.06	1.9
6419 E1	Freshwater Marsh, Disturbed (0-24% Exotics)	1.29	1.2
743	Spoil Area	0.22	0.2
814	Road	0.48	0.4
832	Electrical Power Transmissions Lines	3.12	2.8
Total		**109.63**	**100.0**

Residential, Low Density (FLUCFCS Code 110)
This land use includes existing single-family residences located in the center of the Project area.

Improved Pasture (FLUCFCS Code 211)
This upland land use is used primarily to support cattle grazing activities. The canopy and sub-canopy strata are mostly open with scattered cabbage palm (*Sabal palmetto*), Brazilian pepper, and live oak (*Quercus virginiana*). The ground cover consists of bahiagrass (*Paspalum notatum*), Bermuda grass (*Cynodon dactylon*), carpetgrass (*Axonopus* sp.), broomsedge (*Andropogon virginicus*), dog fennel (*Eupatorium capillifolium*), spermacoce (*Spermacoce verticillata*), frog-fruit (*Phyla nodiflora*), sweetbroom (*Scoparia dulcis*), black root (*Pterocaulon pycnostachyum*), Mexican clover (*Richardia brasiliensis*), and caesarweed *(Urena lobata*).

Woodland Pastures (FLUCFCS Code 213)
This upland land use type consists of moderately forested lands that are used to support cattle grazing operations. The canopy and sub-canopy include scattered slash pine (*Pinus elliottii*), live oak, cabbage palm, earleaf acacia (*Acacia auriculiformis*), and Java plum (*Syzygium cumini).* The ground cover includes bahiagrass, Mexican clover, ringworm senna (*Senna alata*), and caesarweed.

Low Pasture, Hydric (FLUCFCS Code 262)
This wetland land use includes a low area within the existing cattle pasture. The canopy is primarily open with widely scattered laurel oak (*Quercus laurifolia*). The sub-canopy is open. The ground cover includes water lily (*Nymphaea* sp.), torpedograss (*Panicum repens*), primrose willow (*Ludwigia repens*), scattered dog fennel, many-flower marsh pennywort (*Hydrocotyle umbellata*), Asiatic pennywort (*Centella asiatica*), and scattered dotted smartweed (*Persicaria punctata*).

Palmetto Prairie, Disturbed, (0-24% Exotics) (FLUCFCS Code 3219 E1)
The canopy of this upland community is open. The sub-canopy includes scattered live oak, gallberry (*Ilex glabra*), Brazilian pepper, and slash pine. The ground cover is composed primarily of saw palmetto (*Serenoa repens*), muscadine grapevine (*Vitis rotundifolia*), and gallberry.

Pine Flatwoods, Disturbed, (0-24% Exotics) (FLUCFCS Code 4119 E1)
The canopy and sub-canopy of this upland community are comprised of slash pine and cabbage palm. The ground cover includes saw palmetto, muscadine grapevine, caesarweed, spermacoce, and greenbrier (*Smilax* sp.).

Pine, Disturbed, (0-24% Exotics) (FLUCFCS Code 4159 E1)
The canopy of this upland community is composed of slash pine and cabbage palm. The sub-canopy includes cabbage palm, hog plum (*Ximenia americana*), and beautyberry (*Callicarpa americana*). The ground cover consists of caesarweed, scattered saw palmetto, greenbrier, and muscadine grapevine.

Hardwood/Conifer Mixed, Disturbed, (0-24% Exotics) (FLUCFCS Code 4349 E1)
The canopy of this upland community is comprised of slash pine, cabbage palm, live oak, laurel oak, and Java plum. The sub-canopy consists of cabbage palm, beautyberry, Brazilian pepper, and Surinam cherry (*Eugenia uniflora*). The ground cover includes dog fennel, muscadine grapevine, spermacoce, caesarweed, greenbrier, wild coffee (*Psychotria nervosa*), air potato (*Dioscorea bulbifera*), sword fern (*Nephrolepis* spp.), and Guinea grass (*Panicum maximum*).

Hardwood/Conifer Mixed, Disturbed, (25-49% Exotics) (FLUCFCS Code 4349 E2)
This land use type is similar to FLUCFCS Code 4349 E1, but with higher concentrations of Brazilian pepper in canopy and sub-canopy.

Hardwood/Conifer Mixed, Disturbed, (50-75% Exotics) (FLUCFCS Code 4349 E3)
This land use is similar to FLUCFCS Code 4349 E2, but with higher concentrations of exotics in the sub-canopy and ground cover.

Hardwood/Conifer Mixed, Disturbed, (76-100% Exotics) (FLUCFCS Code 4349 E4)
This land use type is similar to FLUCFCS Code 4349 E3, but with higher concentrations of exotics in the canopy, sub-canopy, and ground cover.

Upland Scrub/Pine and Hardwoods, Disturbed, (0-24% Exotics) (FLUCFCS Code 4369 E1)
The canopy of this upland community consists of slash pine, live oak, Chapman oak (*Quercus chapmanii*), and sand live oak (*Quercus geminata*). The sub-canopy includes Chapman oak, sand live oak, saw palmetto, hog plum, and rusty lyonia (*Lyonia fruticosa*). The ground cover is comprised of saw palmetto, blazing star (*Liatris* sp.), greenbrier, muscadine grapevine, gopher apple (*Licania michauxii*), running oak (*Quercus pumila*), and spermacoce.

Mixed Exotics (FLUCFCS Code 438)
The canopy and sub-canopy of this land use type are comprised of Brazilian pepper and bamboo. The ground cover consists of Boston fern (*Nephrolepis exaltata*).

Stream (FLUCFCS Code 510)
The canopy of this surface water feature contains live oak, laurel oak, cabbage palm, and Java plum along the edges. The sub-canopy is comprised of cabbage palm and wild coffee along the edges. The ground cover includes swamp fern (*Telmatoblechnum serrulatum*) and chain fern (*Woodwardia virginica*).

Ditch and Ditch, Hydric (FLUCFCS Code 514 and 514H)
The canopy of this surface water feature includes melaleuca, laurel oak, cabbage palm, and Java plum along the edges. The sub-canopy consists of wax myrtle (*Morella cerifera*), Carolina willow (*Salix caroliniana*), and wild coffee. The ground cover is primarily open with scattered West Indian marsh grass (*Hymenachne amplexicaulis*), spikerush (*Eleocharis interstincta*), and swamp fern.

Pond (FLUCFCS Code 520)
The canopy of this surface water feature is comprised of melaleuca and Brazilian pepper on the edge. The sub-canopy consists of wax myrtle, Brazilian pepper, and melaleuca on the edge. The ground cover is primarily open with widely scattered pickerelweed (*Pontederia cordata*), maidencane (*Panicum hemitomon*), and cattails (*Typha* sp.).

Mixed Wetland Hardwoods, Disturbed, (50-75% Exotics) (FLUCFCS Code 6179 E3)
The canopy of this wetland habitat cover type includes red maple (*Acer rubrum*) and melaleuca. The sub-canopy includes wax myrtle, Brazilian pepper, scattered Carolina willow, and red maple.

The ground cover consists of swamp fern, chain fern, many-flower marsh pennywort, Asiatic pennywort, and swamp flatsedge (*Cyperus ligularis*).

Wetland Shrub, Disturbed, (76-100% Exotics) (FLUCFCS Code 6319 E4)
The canopy of this wetland habitat is open. The sub-canopy includes Peruvian primrose willow (*Ludwigia peruviana*), Carolina willow, wax myrtle, and Brazilian pepper. The ground cover consists of red ludwigia (*Ludwigia repens*), air potato, muscadine grapevine, many-flower marsh pennywort, Asiatic pennywort, and dog fennel.

Freshwater Marsh, Disturbed, (0-24% Exotics) (FLUCFCS Code 6419 E1)
The canopy of this wetland habitat is composed of widely scattered laurel oak and cabbage palm. The sub-canopy includes widely scattered red maple, wax myrtle, and melaleuca. The ground cover contains swamp fern, pickerelweed, swamp flatsedge, torpedograss, and many-flower marsh pennywort.

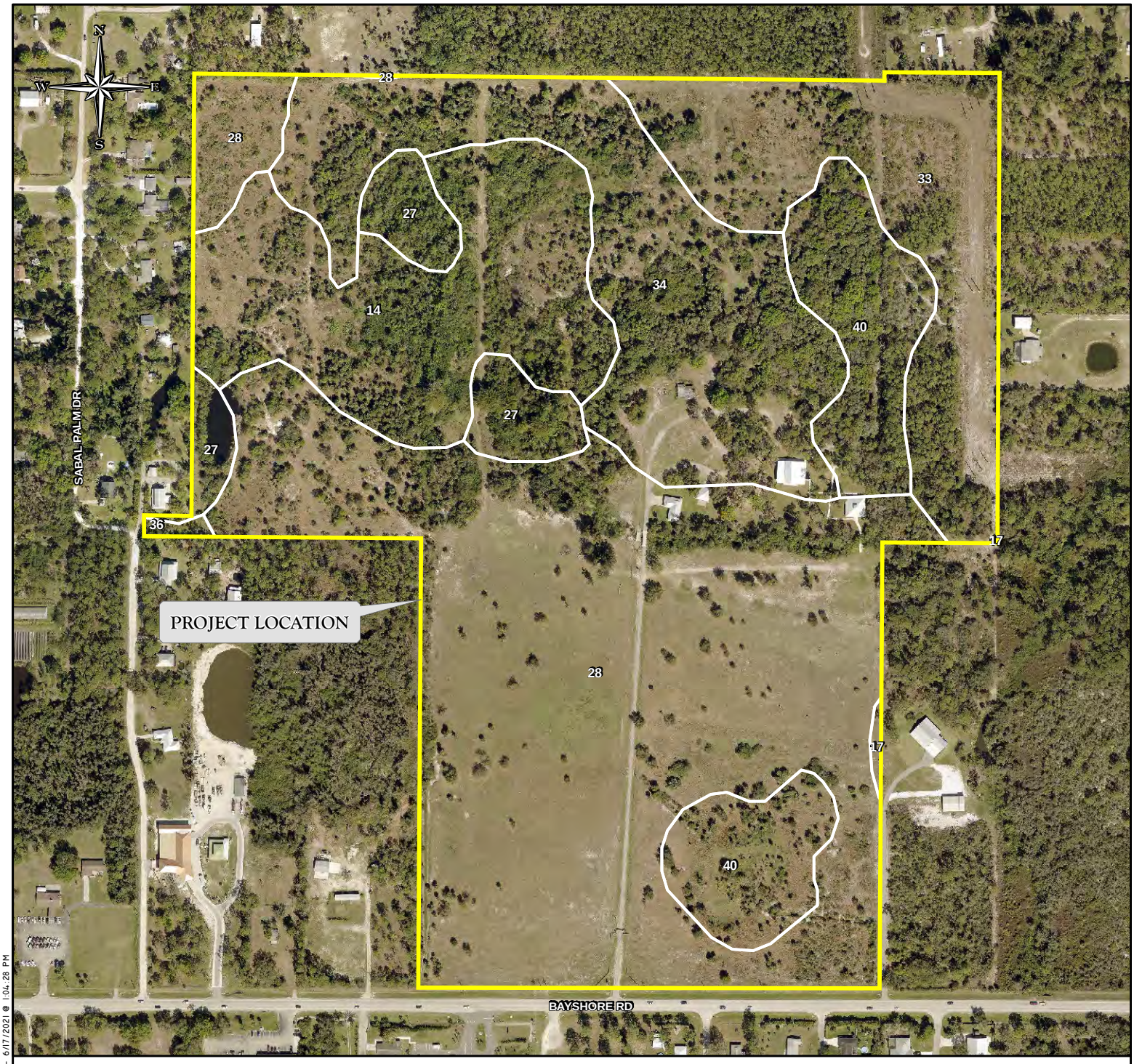
Spoil Area (FLUCFCS Code 743)
The canopy of this disturbed land use contains widely scattered Australian pine (*Casuarina equisetifolia*). The sub-canopy is open. The ground cover includes widely scattered caesarweed.

Road (FLUCFCS Code 814)
This land use includes a paved road running through the center of the property.

Electrical Power Transmission Lines (FLUCFCS Code 832)
This land use includes an electrical power line on the northeast side of the property.

EXHIBIT 5

SOILS MAP



LEGEND

BAYSHORE RANCH

0 200 400

Feet

Soil Unit	Description
14	Valkaria fine sand, 0 to 2 percent slopes
17	Daytona sand, 0 to 5 percent slopes
27	Pompano fine sand, frequently ponded, 0 to 1 percent slopes
28	Immokalee sand, 0 to 2 percent slopes
33	Oldsmar sand, 0 to 2 percent slopes
34	Malabar fine sand, 0 to 2 percent slopes
36	Immokalee sand-Urban land complex, 0 to 2 percent slopes
40	Anclote sand, frequently ponded, 0 to 1 percent slopes

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MAY 2020.

PROPERTY BOUNDARY PER RWA ENGINEERING DRAWING No. 01 TS.DWG DATED APRIL 29, 2021.

ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

SOILS MAPPING WAS ACQUIRED FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE WEBSITE APRIL 2021.

EXHIBIT 5. SOILS MAP
BAYSHORE RANCH

DRAWN BY	DATE
R.F.	06/14/21
REVIEWED BY	DATE
B.T.	06/14/21
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2020\20LL3353\GIS\2021\ENVIRONMENTAL_ASSESSMENT\EXHIBITS\EXHIBIT_5_SOILS_MAP.MXD - 6/17/2021 @ 1:04:28 PM

EXHIBIT 6

SOILS SUMMARY TABLE AND DESCRIPTIONS

BAYSHORE RANCH
SOILS SUMMARY TABLE AND DESCRIPTIONS

June 2021

Table 1. Soils Listed by the Natural Resource Conservation Service on the Project

Mapping Unit	Description
14	Valkaria Fine Sand, 0 to 2 percent slopes
17	Daytona Sand, 0 to 5 percent slopes
27	Pompano Fine Sand, frequently ponded, 0 to 1 percent slopes
28	Immokalee Sand, 0 to 2 percent slopes
33	Oldsmar Sand, 0 to 2 percent slopes
34	Malabar Fine Sand, 0 to 2 percent slopes
36	Immokalee Sand-Urban Land Complex, 0 to 2 percent slopes
40	Anclote Sand, frequently ponded, 0 to 1 percent slopes

14 – Valkaria Fine Sand, 0 to 2 percent slopes
This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 2 percent. Typically, the surface layer is about 2 inches of dark grayish brown fine sand. The subsurface layer is 5 inches of very pale brown fine sand. The subsoil is loose fine sand to a depth of 80 inches or more. The upper 9 inches is yellow, the next 4 inches is brownish yellow, the next 6 inches is yellowish brown, and the lowermost 54 inches is pale yellow, yellow, brown, and very pale brown. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for about 6 months and recedes to a depth of more than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more.

17 – Daytona Sand, 0 to 5 percent slopes
This is a nearly level to gently sloping, moderately well drained soil on low ridges on the flatwoods. Slopes are smooth to convex and are 0 to 5 percent. Typically, the surface layer is dark gray sand about 4 inches thick. The subsurface layers are light gray and white sand about 39 inches thick. The subsoil is sand to a depth of 80 inches or more. The upper 7 inches is mixed black and dark reddish brown, and the lower 30 inches is dark brown. In most years, under natural conditions, the water table is at a depth of 24 to 40 inches for about 1 to 4 months.
It is at a depth of 40 to 60 inches for 8 months.

27 – Pompano Fine Sand, frequently ponded, 0 to 1 percent slope
This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The substratum is fine sand to a depth of 80 inches or more. The upper 32 inches is light brownish gray with few, fine, faint yellowish brown mottles. The lower 45 inches is light gray. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months and stands above the surface for about 3 months. It is 10 to 40 inches below the surface for more than 5 months.

28 – Immokalee Sand, 0 to 2 percent slope

This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand to a depth of 69 inches. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It recedes to a depth of more than 40 inches during extended dry periods.

33 – Oldsmar Sand, 0 to 2 percent slope

This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sand about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods.

34 – Malabar Fine Sand, 0 to 2 percent slopes

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 2 percent. Typically, the surface layer is dark gray fine sand about 5 inches thick. The next 12 inches is light gray and very pale brown fine sand. Below this is a 16-inch layer of light yellowish brown fine sand with yellow mottles and a 9-inch layer of brownish yellow fine sand. The subsoil layer is gray loamy fine sand about 9 inches thick with large yellowish-brown mottles. The next 8 inches is gray fine sandy loam with large brownish yellow mottles. Below is light gray loamy fine sand with yellowish brown mottles to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 2 to 4 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

36 – Immokalee Sand – Urban Land Complex, 0 to 2 percent slopes

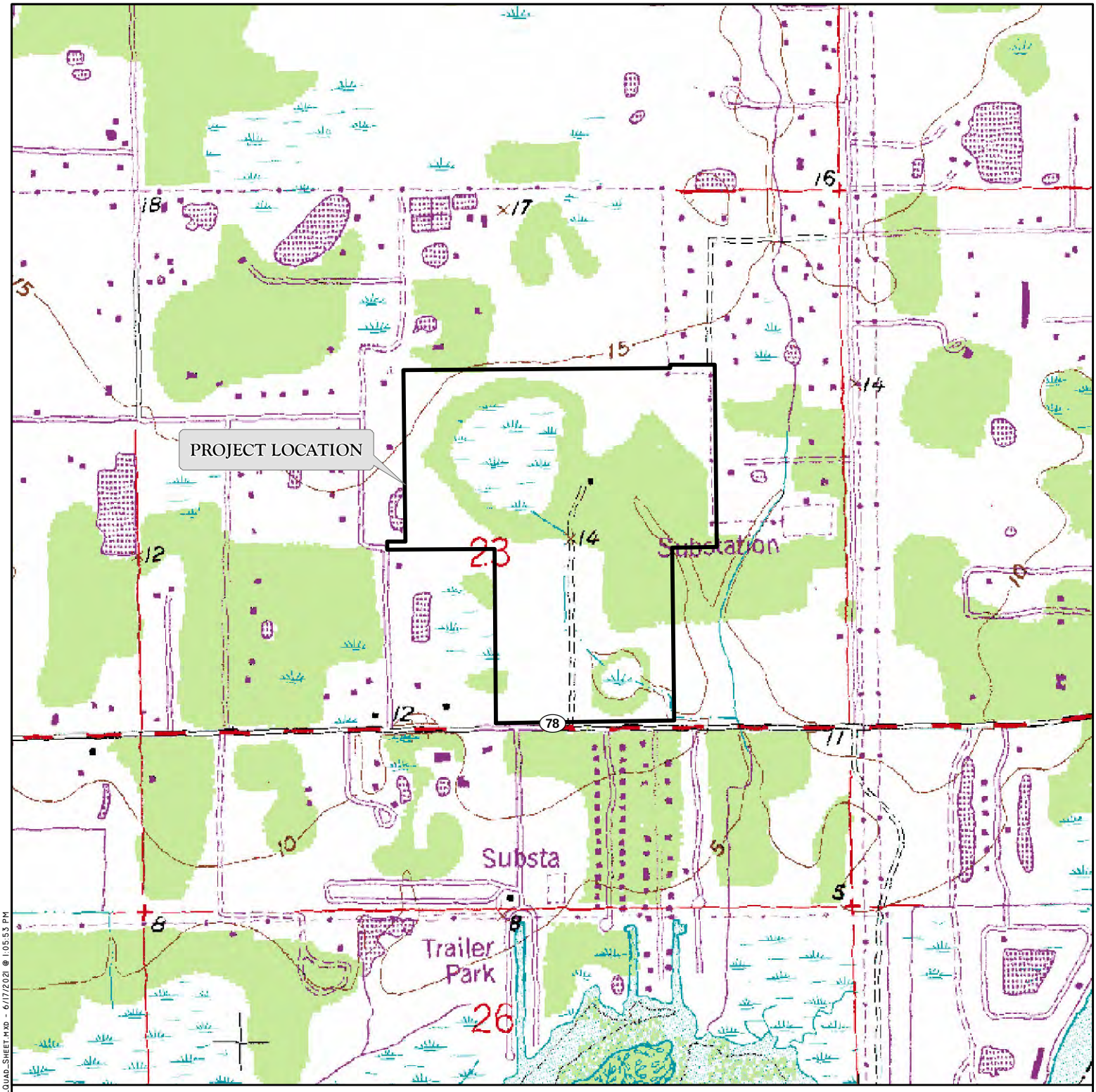
This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is very dark gray fine sand about 6 inches thick. The sub-surface layer is light gray fine sand about 31 inches thick. The subsoil is fine sand about 33 inches thick. The upper 4 inches is black and friable, the next 6 inches is dark reddish brown, and the lower 23 inches is dark brown. The substratum is brown fine sand that extends to a depth of more than 80 inches. In undrained areas, the water table is within 10 inches of the surface for 1 to 4 months in most years. It recedes to more than 40 inches below the surface during the dry season.

40 – Anclote Sand, frequently ponded, 0 to 1 percent slopes

This is a nearly level, very poorly drained soil in isolated depressions. Slopes are smooth to concave and less than 1 percent. Typically, the surface layer is about 22 inches thick. The upper 8 inches is black sand, and the lower 14 inches is black sand with common light gray pockets and streaks throughout. The substratum is sand to a depth of 80 inches or more. The upper 18 inches is light brownish gray, and the lower 40 inches is light gray. Included with this soil in mapping are small areas of Pompano and Floridana soils. Included soils make up about 10 to 15 percent of any mapped area. In most years, under natural conditions, the soil is ponded for more than 6 months.

EXHIBIT 7

QUAD SHEET



LEGEND

BAYSHORE RANCH

N
W E
S

0 500 1,000
Feet

NOTES:

COUNTY INFORMATION AND ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

DIGITAL RASTER GRAPHIC USGS TOPOGRAPHIC QUADRANGLES WERE ACQUIRED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) WEBSITE JULY 2007.

EXHIBIT 7. QUAD SHEET
BAYSHORE RANCH

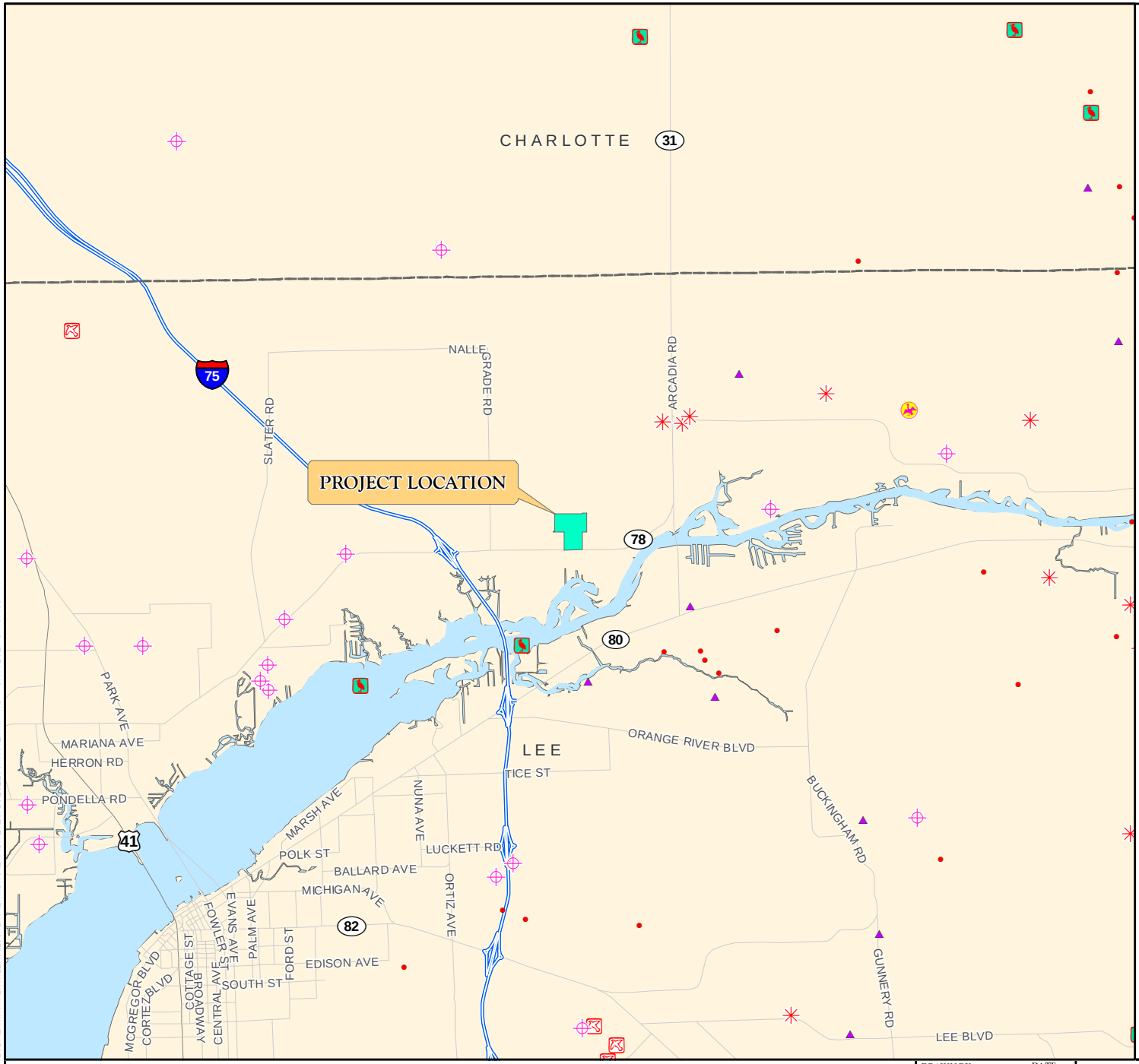
DRAWN BY	DATE
R.F.	06/14/21
REVIEWED BY	DATE
B.T.	06/14/21
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2020\20LLI3353\GIS\2021ENVIRONMENTAL_ASSESSMENT\EXHIBITS\EXHIBIT_7_QUAD_SHEET.MXD - 6/17/2021 @ 10:55:53 PM

EXHIBIT 8

DOCUMENTED OCCURRENCES OF LISTED SPECIES



LEGEND

- Bayshore Ranch
- Bald Eagle Nest Location
- Crested Caracara Location
- Florida Panther Telemetry
- Black Bear Location
- Red Cockaded Woodpecker Location
- Wading Bird Location
- Scrub Jay Location

N
W E
S

0 1 2
Miles

NOTES:

EAGLE NEST LOCATIONS WERE ACQUIRED FROM THE FWCC AND AUDUBON EAGLEWATCH ON NOVEMBER 2020 AND ARE CURRENT TO 2020.

BLACK BEAR LOCATIONS WERE ACQUIRED FROM THE FWCC ON DECEMBER 2020 AND ARE CURRENT TO 2007.

CRESTED CARACARA LOCATIONS WERE ACQUIRED FROM THE USFWS ON AUGUST 2017 AND ARE CURRENT TO 2016.

PANTHER TELEMETRY WAS ACQUIRED FROM THE FWCC ON MAY 2021 AND IS CURRENT TO JUNE 2020.

RED COCKADED WOODPECKER LOCATIONS WERE ACQUIRED FROM THE FWCC ON DECEMBER 2020.

SCRUB JAY LOCATIONS WERE ACQUIRED FROM THE USFWS FTP SITE ON OCTOBER 2019.

WADING BIRD ROOKERIES WERE ACQUIRED FROM THE FWCC DECEMBER 2020 AND ARE CURRENT TO 1999.

J:\2020\20LLL3353\GIS\2021\ENVIRONMENTAL_ASSESSMENT\EXHIBITS\EXHIBIT_8_SPECIES_LOCATION_MAP.MXD - 6/17/2021 @ 1:07:05 PM

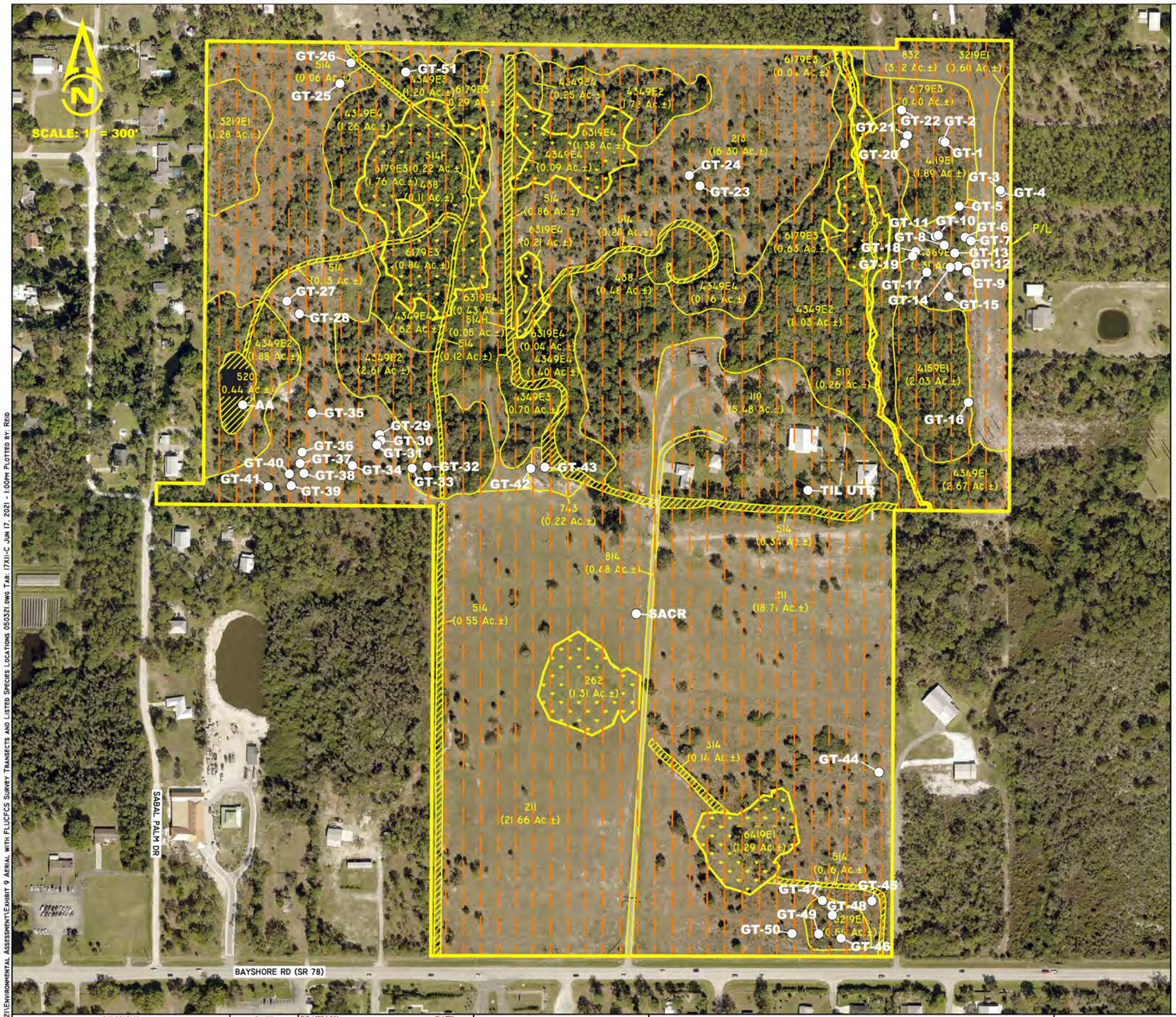
EXHIBIT 8. DOCUMENTED OCCURRENCES OF LISTED SPECIES
BAYSHORE RANCH

DRAWN BY	DATE
R.F.	06/14/21
REVIEWED BY	DATE
B.T.	06/14/21
REVISED	DATE

Passarella & Associates, Inc. Consulting Ecologists

EXHIBIT 9

AERIAL WITH FLUCFCS, SURVEY TRANSECTS, AND LISTED SPECIES LOCATIONS MAP



LEGEND:

- SFWMD WETLANDS (8.89 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (3.34 Ac.±)
- SURVEYED WETLAND LINE
- APPROXIMATE LOCATION OF WALKED TRANSECTS
- **AA** AMERICAN ALLIGATOR
- **GT-1** GOPHER TORTOISE BURROW (TYP.)
- **SACR** SANDHILL CRANE
- **TIL UTR** GIANT WILD PINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	5.48 Ac.±	5.0%
211	IMPROVED PASTURE	40.37 Ac.±	36.8%
213	WOODLAND PASTURES	16.30 Ac.±	14.9%
262	LOW PASTURE, HYDRIC	1.31 Ac.±	1.2%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	2.42 Ac.±	2.2%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	1.89 Ac.±	1.7%
4159 E1	PINE, DISTURBED (0-24% EXOTICS)	2.03 Ac.±	1.9%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	2.67 Ac.±	2.4%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	14.24 Ac.±	13.0%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	1.90 Ac.±	1.7%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	4.38 Ac.±	4.0%
4369 E1	UPLAND SCRUB/PINE AND HARDWOODS, DISTURBED (0-24% EXOTIC	1.31 Ac.±	1.2%
438	MIXED EXOTICS	0.59 Ac.±	0.5%
510	STREAM	0.26 Ac.±	0.2%
514	DITCH	2.64 Ac.±	2.4%
514 H	DITCH, HYDRIC	0.27 Ac.±	0.2%
520	POND	0.44 Ac.±	0.4%
6179 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	3.96 Ac.±	3.6%
6319 E4	WETLAND SHRUB, DISTURBED (76-100% EXOTICS)	2.06 Ac.±	1.9%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	1.29 Ac.±	1.2%
743	SPOIL AREA	0.22 Ac.±	0.2%
814	ROAD	0.48 Ac.±	0.4%
832	ELECTRICAL POWER TRANSMISSION LINES	3.12 Ac.±	2.8%
	TOTAL	**109.63 Ac.±**	**100.0%**

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MAY 2020.

PROPERTY BOUNDARY AND WETLAND LINES PER RWA ENGINEERING DRAWING No. 01 TS.DWG DATED APRIL 29, 2021.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2020\20LL3353\202\ENVIRONMENTAL ASSESSMENT\EXHIBIT 9 AERIAL WITH FLUCFCS SURVEY TRANSECTS AND LISTED SPECIES LOCATIONS 050321.DWG TAB: 17X11-C JUN 17, 2021 - 1:00PM PLOTTED BY: REID

REVISIONS	DATE

		DATE
DRAWN BY	P.F., R.F.	06/14/21
DESIGNED BY	B.T.	06/14/21
REVIEWED BY	S.J.	06/14/21

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

BAYSHORE RANCH
AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS, AND LISTED SPECIES LOCATIONS MAP

DRAWING No. 20LL3353

SHEET No. EXHIBIT 9

Comprehensive Plan Text Amendment

EXHIBIT T9 & T10

State Policy Plan and Regional Policy Plan

State Comprehensive Plan

With the sweeping changes to Florida's growth management laws resulting from the Community Planning Act of 2011 (HB 7207), the State's focus in terms of Growth Management and Land Use regulation was narrowed to matters of critical State concern. As a result, the consistency requirement between local comprehensive plans and the state comprehensive plan was eliminated. The following lists goals, strategies, action, and policies of the State's Comprehensive Plan relevant to the proposed plan amendment.

(4) HOUSING.

(a) Goal.—The public and private sectors shall increase the affordability and availability of housing for low-income and moderate-income persons, including citizens in rural areas, while at the same time encouraging self- sufficiency of the individual and assuring environmental and structural quality and cost-effective operations.

(b) Policies.—

1. Eliminate public policies which result in housing discrimination, and develop policies which encourage housing opportunities for all Florida's citizens.
3. Increase the supply of safe, affordable, and sanitary housing for low-income and moderate-income persons and elderly persons by alleviating housing shortages, recycling older houses and redeveloping residential neighborhoods, identifying housing needs, providing incentives to the private sector to build affordable housing, encouraging public-private partnerships to maximize the creation of affordable housing, and encouraging research into low-cost housing construction techniques, considering life-cycle operating costs.
4. Reduce the cost of housing construction by eliminating unnecessary regulatory practices which add to the cost of housing.

(7) WATER RESOURCES.

(a) Goal. Florida shall assure the availability of an adequate supply of water for all competing uses deemed reasonable and beneficial and shall maintain the functions of natural systems and the overall present level of surface and ground water quality. Florida shall improve and restore the quality of waters not presently meeting water quality standards.

(b) Policies.—

5. Ensure that new development is compatible with existing local and regional water supplies.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

8. Encourage the development of a strict floodplain management program by state and local governments designed to preserve hydrologically significant wetlands and other natural floodplain features.
9. Protect aquifers from depletion and contamination through appropriate regulatory programs and through incentives.
10. Protect surface and groundwater quality and quantity in the state.
11. Promote water conservation as an integral part of water management programs as well as the use and reuse of water of the lowest acceptable quality for the purposes intended.
12. Eliminate the discharge of inadequately treated wastewater and stormwater runoff into the waters of the
    state.

(9) NATURAL SYSTEMS AND RECREATIONAL LANDS.

(a) Goal. Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forests, and restore degraded natural systems to a functional condition.

(b) Policies.—

1. Conserve forests, wetlands, fish, marine life, and wildlife to maintain their environmental, economic, aesthetic, and recreational values.
3. Prohibit the destruction of endangered species and protect their habitats.
4. Establish an integrated regulatory program to assure the survival of endangered and threatened species within the state.
6. Encourage multiple use of forest resources, where appropriate, to provide for timber production, recreation, wildlife habitat, watershed protection, erosion control, and maintenance of water quality.
7. Protect and restore the ecological functions of wetlands systems to ensure their long-term environmental, economic, and recreational value.

(12) HAZARDOUS AND NONHAZARDOUS MATERIALS AND WASTE

(a) Goal. All solid waste, including hazardous waste, wastewater, and all hazardous materials, shall be properly managed, and the use of landfills shall be eventually eliminated.

(14) PROPERTY RIGHTS.

(a) Goal. Florida shall protect private property rights and recognize the existence of legitimate and often competing public and private interests in land use regulations and other government action.

(15) LAND USE.

(a) Goal. In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

(b) Policies.—

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.
2. Develop a system of incentives and disincentives which encourages a separation of urban and rural land uses while protecting water supplies, resource development, and fish and wildlife habitats.

(17) PUBLIC FACILITIES

(a) Goal. - Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.

(b) Policies.—

1. Provide incentives for developing land in a way that maximizes the uses of existing public facilities.
2. Promote rehabilitation and reuse of existing facilities, structures, and buildings as an alternative to new construction.
3. Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.

Southwest Florida Regional Planning Council Strategic Regional Policy Plan (SRPP)

The proposed amendment can contribute to or further the following Goals and related Strategies of the SRPP:

Economic Development Element

Strategy: Maintain the physical infrastructure to meet growth demands

Affordable Housing Element

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

Natural Resources Element

Goal 3: The Florida Department of Environmental Protection, Water Management Districts, and local governments must have programs based on scientific modeling to protect surface water, potable wells, wellfields and contributing areas from contamination.

Livable Communities - Natural Resources

Goal 2: Livable communities designed to improve quality of life and to provide for the sustainability of our natural resources.

Strategy: Promote through the Council's review roles community design and development principles that protect the Region's natural resources and provide for an improved quality of life … support implementation where possible development concepts put forth by Cross Streets, Low Impact Design, Fit-Friendly Southwest Florida, Climate Prosperity, Food Systems Planning, and other initiatives consistent with the mission of the SWFRPC.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com

Livable Communities - Affordable Housing

Goal 4: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Development livable, integrated communities that offer residents a high quality of life.

Affordable Housing Element

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

12800 University Drive, Suite 175 Fort Myers, FL 33907 | (239) 597-0575 | Fax (239) 597-0578
www.consult-rwa.com