



Lee County
Southwest Florida

Owl Creek

CPA2020-00004 and CPA2020-00005
Privately Initiated Map and Text Amendments

BoCC Transmittal Hearing – April 20, 2022

Request

Wetland Density Calculations - County Wide

- Amend Lee Plan Policy 124.1.1 and Table 1(a), Note 8 to allow for the capture of density from preserved wetlands when adjacent to the Rural future land use category.

Rare and Unique Incentive - North Olga Community Plan Area

- Add a new policy, Policy 29.2.4, to the Lee Plan that provides incentives for preservation or restoration of Rare and Unique Upland Habitats in developments that are located in the North Olga Community Plan area, clustered, and approved through the planned development process.

Future Water Service Area - Property Specific

- Amend the Lee County Utilities Future Water Service Areas (Lee Plan Map 4A) to add property to the Lee County Utilities Future Water Service Area.

Wetland Density Calculations

The proposed amendments encourage freshwater wetlands to be preserved, ensuring development will not adversely affect the ecological function of wetlands – consistent with and furthering **Policy 1.5.1**

With very minor exceptions, the use of wetlands is regulated consistently across unincorporated Lee County. The proposed amendments address wetlands adjacent to the Rural future land use category for all of unincorporated Lee County.

The proposed “wetlands density calculation” for wetlands adjacent to the Rural future land use category will be consistent with the treatment of wetlands for other future land use categories.

- (b) Dwelling units may be relocated to developable contiguous uplands designated **Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, Outlying Suburban, Sub-Outlying Suburban, Rural, and New Community** from preserved freshwater wetlands at the same underlying density as permitted for those uplands (see Policy 124.1.1). Impacted wetlands will be calculated at the standard Wetlands density of 1 du/20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

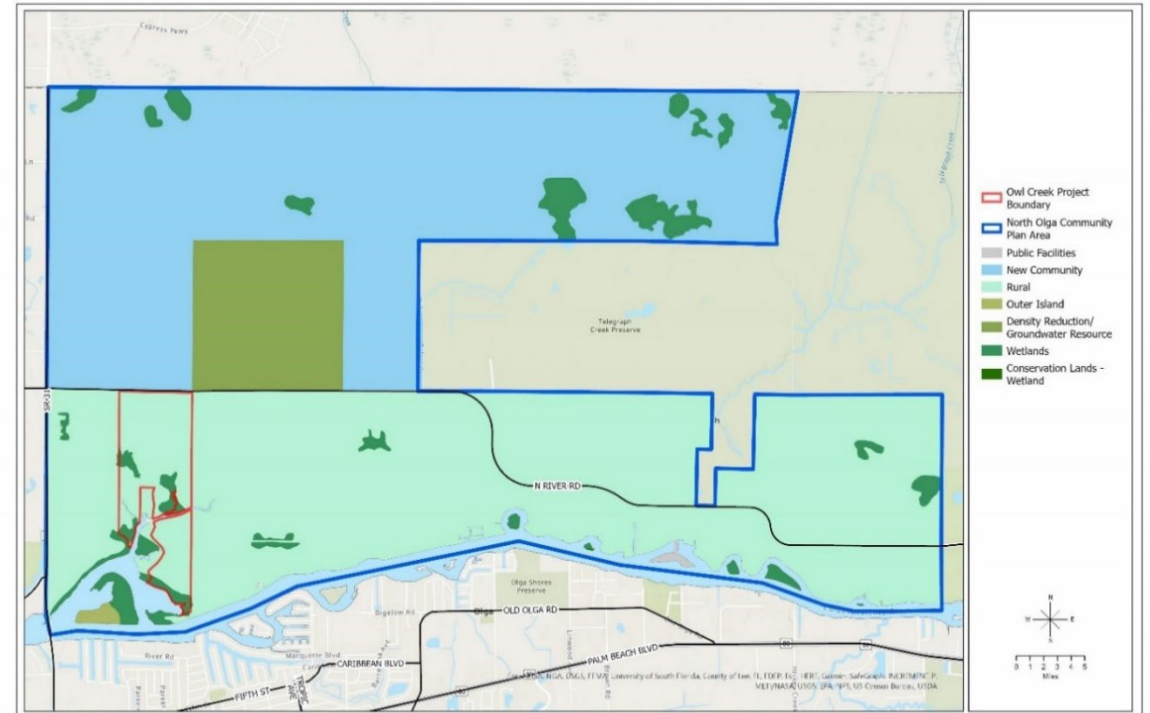
Rare and Unique Incentive

The proposed amendments incentivize developments to maintain and enhance the rural character of Northeast Lee County through the use of clustered development in order to conserve “large areas of open lands.” – consistent with and furthering **Objective 27.1** and **Policy 27.1.1**

The proposed amendments are consistent with and further **Objective 27.2** and **Policy 27.2.1**, which directs applicants to develop and refine rural planning tools in order to “enhance and maintain Northeast Lee County’s sense of place and provide for the long-term preservation of large tracts of contiguous natural resource and open space areas.”

The proposed amendments will encourage the design of planned developments to include a mix of unit types and flexible lot sizes to allow for clustering, affordability, preservation of open space, natural assets and diversity of choice within the community – consistent with and furthering **Policy 29.2.1**

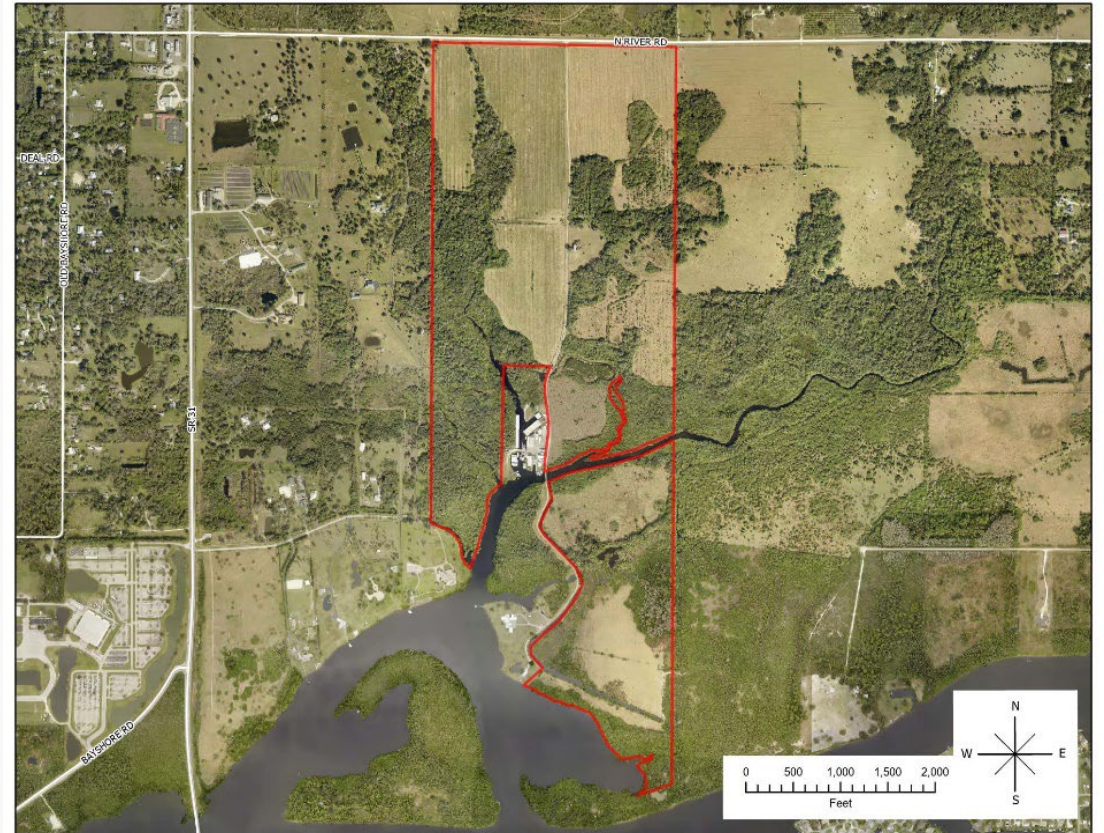
The proposed amendments are consistent with the Goals, Objectives and Policies within the Northeast Lee County and North Olga Community Plans by incentivizing the use of clustered development with large, contiguous tracts of open space, contributing to the unique rural character, heritage, and natural resources of the North Olga Community Plan area



Future Water Service Area

The proposed amendments will allow for connection to LCU's potable water which will help to maintain groundwater levels at or above existing levels – consistent with and furthering **Policy 126.1.4**

The applicant has stated the intent to connect to FGUA for sanitary sewer. This does not require an amendment to the Lee Plan



Conclusion & Recommendation

Conclusion

- The proposed amendments incentivize clustering of residential development to protect and preserve large areas of open space, natural resources, unique habitats and rural aesthetic qualities, consistent with Goals 27 and 29 of the Lee Plan.
- The proposed amendments incentivize preservation of wetlands adjacent to uplands in the Rural future land use category, consistent with the County's overall wetland protection policies.
- The proposed amendments preserve the distinction between future non-urban and suburban areas, consistent with the vision of the Lee Plan.
- The proposed amendment to Map 4-A helps to ensure area groundwater levels will be maintained at or above existing levels, consistent with the Lee Plan.

Recommendation

- LPA and Staff recommend the BoCC *transmit* the proposed amendments as shown in Attachment 1