



Lee County
Southwest Florida

Bayshore Ranch

CPA2021-00005

Privately Initiated Text Amendment

BoCC Adoption Hearing – November 2, 2022

Request

Rare and Unique Incentive – Rural Future Land Use Category

- Amend the Lee Plan to provide criteria and allow incentives for the creation, preservation and restoration of Rare and Unique upland habitats on land within the Rural future land use category and rezoned to a planned development.

Summary

- The request expands the applicability of amendments recently adopted by Ordinance #22-25, known as Owl Creek, which, in part, created incentives to create, preserve or restore Rare and Unique upland habitats in the North Olga Community Plan area.
- The amendments proposed with this request will make the incentive available to lands based on the following criteria:
 - Property is in the Rural future land use category
 - Property is 10 acres or more,
 - Property has ability to connect to public potable water and sanitary sewer service,
 - Soils are suitable to the survival of Rare and Unique upland habitats.

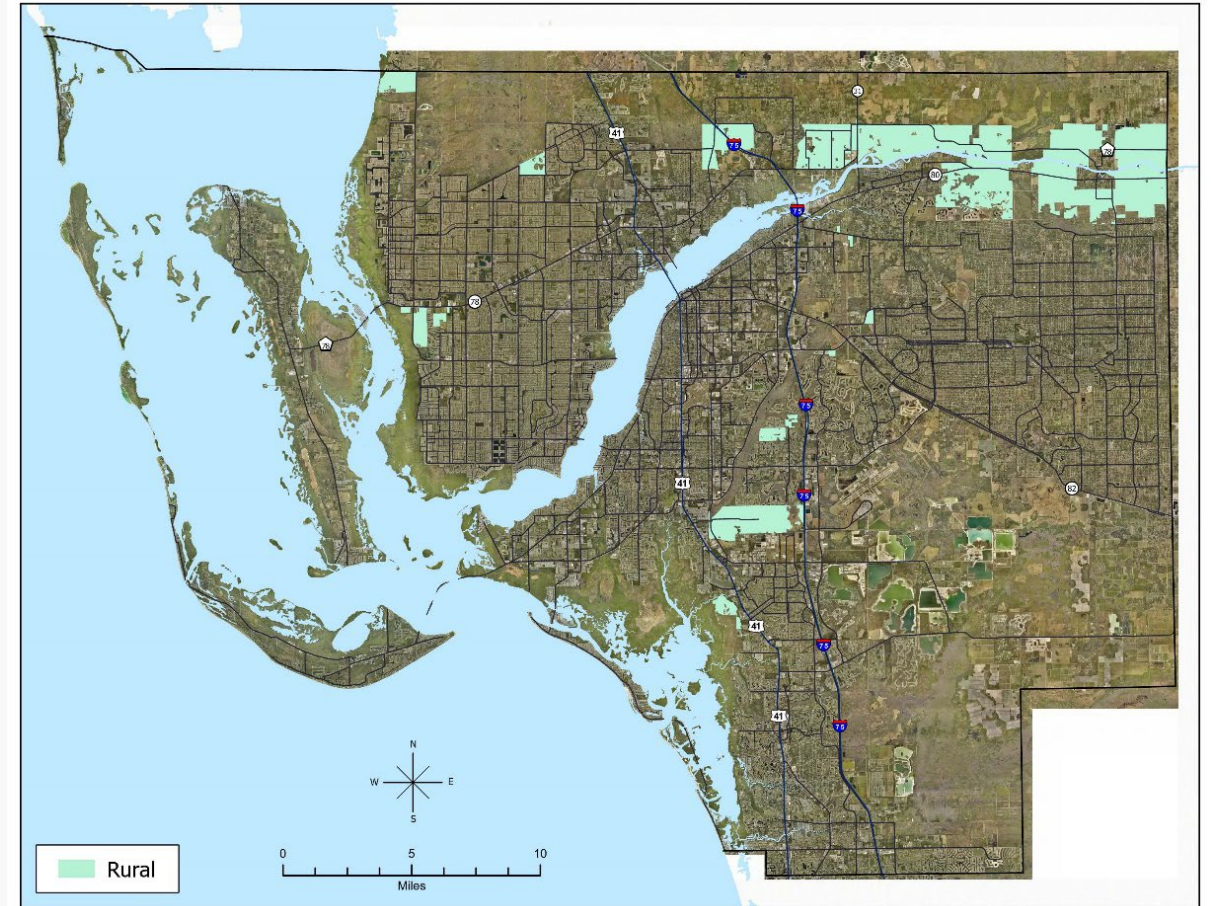
Rare and Unique Incentive

The proposed amendments provide standards for implementing the protection, preservation and creation of Rare and Unique upland habitats. This is consistent with **Goal 123**; **Objectives 123.1**; and, **Policies 123.1.1, 123.1.5, 123.2.2, and 123.2.9**.

The proposed amendments will encourage protection of sensitive or high-quality plant communities, including Rare and Unique upland habitats, within developments, through site design. This is consistent with **Policies 123.2.4, 123.2.6, and 123.2.15**.

The proposed amendments will help to accommodate a slight increase in residential density are consistent with **Goals 5 and 135, and Policy 135.1.9** of the Lee Plan by helping to assure projected populations are accommodated and will help Lee County maintain consistency with **Florida Statute 163.3177(1)(f)3**.

The proposed amendment is consistent with **Objective 2.1** by allowing more dwelling units to accommodate more population on the same amount of land where public facilities are available, minimizing the cost of public services and will delay or forgo the need to develop lands more distant from existing public services.



State Review & Recommendation

State Review

- The BoCC Transmitted the amendments to the State Reviewing Agencies on August 3, 2022, and received responses from the following agencies:
 - Florida Department of Economic Opportunity,
 - Florida Department of Environmental Protection,
 - Florida Fish and Wildlife Conservation Commission,
 - Florida Department of Education,
 - South Florida Water Management District, and
 - Florida Department of Agriculture and Consumer Services.
- There were no objections concerning the proposed amendments. Technical assistance comments were received from the Florida Fish and Wildlife Conservation Commission and the South Florida Water Management District.

Recommendation

- Staff recommends the BoCC **Adopt** the proposed amendments as shown in Attachment 1



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Questions

