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COMMUNITY DEVELOPMENT

July 30, 2024

Ms. Katie Woellner, AICP
Lee County Government
1500 Monroe Street
Ft. Myers, FL 33901

**RE: Babcock Ranch Text Amendment
CPA2023-00012**

Dear: Ms. Woellner:

Enclosed please find responses to Staff's comments below in bold, along with the following revised application materials:

1. Revised Text Amendment;
2. Revised Density Calculation; and
3. Revised CPA Narrative.

PLANNING SECTION REVIEW:

1. Provide verification that the increased residential density will not exceed the acreage allowances in Table 1 (b) for New Community in the Northeast Lee County Planning District.

RESPONSE: Based upon discussions with Staff, Table 1(b) does not require modification to support the proposed amendment.

2. Schedule a meeting with staff to discuss the final amendment language and any substantive concerns.

RESPONSE: Please refer to the revised Text Amendment document based upon discussion with staff. The changes reflect insubstantive updates to improve clarity and memorialize the correct density post conveyance of the SR 31 right-of-way to FDOT. To ensure all documentation is up to date, the Preliminary Density Calculation and Project Narrative have been updated accordingly and are also include.

Thank you in advance for your consideration of the above information. We look forward to being found sufficient and scheduled for public hearing. If you require further information, please do not hesitate to contact me at 941.706.6132 or tsacharski@rviplanning.com.

Sincerely,

RVI Planning + Landscape Architecture

Tom Sacharski, AICP

Project Director

cc: Erica Woods & John Broderick, Kitson & Partners
Richard Akin, Henderson Franklin Starnes & Holt, P.A.
Laura Herrero, Johnson Engineering
Stephen Leung & Chris Posey, David Plummer & Associates
David Mercer, Kimley-Horn



**Babcock Mixed Use Planned Development
Lee Plan Text Amendment**

REVISED JULY 2024

POLICY 1.1.15: The New Community future land use category are areas of land that can be planned and developed as a cohesive unit in order to better achieve the conservation of important environmental resources and to initiate area-wide surface water management. New Community land must be located such that the area is capable of being developed with a balance of residential and non-residential uses and that major impacts of the development are internalized and/or alleviated by existing infrastructure that is existing or will be funded privately. New Community areas will be developed as freestanding economic units and will not impose negative fiscal impacts on the County (other than those associated with the delay in placing property improvements on the tax rolls). The residential density is one unit per 2.5 1.9 gross acres (1 du/2.5 1.9 acres) except within the Gateway/Airport Planning District, where a residential density of up to six dwelling units per gross acre (6 du/acre) may be permitted.

Development within the New Community future land use category must have at least the following characteristics:

1. The land will be developed under a well-conceived overall Planned Development;
2. The land can be served with all necessary facilities and services at no expense to the County. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;
3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;
4. The land must be developed in such a manner as to protect environmentally sensitive areas;
5. The land must be developed as a free-standing community offering a complete range of land uses (e.g. a full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law enforcement offices, public recreational

areas, health care facilities, and community commercial areas). The mix of land uses will be evaluated through buildout of the New Community to ensure developments include both residential and non-residential uses;¹

6. Off-site impacts must be mitigated;
7. On-site levels of service must meet the County-wide standards contained in this plan;
8. The land area must exceed a minimum of 2,000 acres to ensure an appropriate balance of land uses; and
9. The land must be developed consistent with Goal 29 if located within the North Olga Community Plan area identified on Lee Plan Map 2-A.

OBJECTIVE 29.9: NEW COMMUNITY. Land designated as New Community on the Future Land Use Map within the North Olga Community Plan area will be developed as a unified planned development in order to achieve conservation and enhancement of important environmental resources; initiate area wide surface water management; prevent sprawling land use patterns; create critical hydrological and wildlife corridors and connections; and protect rural character of the surrounding community. (Ord. No. [18-06](#), [18-18](#))

POLICY 29.9.1: Residential densities for land within the New Community future land use category may be permitted up to a maximum of 1 du/[2.5](#) [1.9](#) acres. In no case shall the unit count in the New Community future land use category in North Olga exceed [1,630](#) [2,078](#) dwelling units. (Ord. No. [18-06](#), [18-18](#))

POLICY 29.9.2: Non-residential intensities for lands within the New Community future land use category will be limited to a maximum permitted Floor Area Ratio (FAR) of 0.15. The FAR will be based upon the gross acreage dedicated to non-residential uses within the overall planned development boundary, including all uplands, wetlands, open space, rights-of-way, recreation areas, and/or lake. In no case shall the total commercial square footage in the New Community future land use category in North Olga exceed 1,170,000 square feet, in addition to [600](#) [250](#) hotel rooms. (Ord. No. [18-06](#), [18-18](#))

¹ Planned Developments in the New Community future land use category in the North Olga Community Plan area must have a minimum of 50,000 square feet of non-residential floor area under construction prior to construction of the 1,000th residential dwelling unit.

POLICY 29.9.3: Prior to development, a planned development rezoning must be approved, and include conditions and requirements that demonstrate the following:

- a. Environmental Enhancements.
 1. A minimum of 60% open space, inclusive of onsite preserve, to accommodate the following:
 - i. Water quality enhancement areas, including but not limited to natural systems-based stormwater management facilities, filter marshes, and wetland buffers to reduce the rate of run-off and associated nutrient loads;
 - ii. Existing regional flow-ways;
 - iii. Preservation of 90% of the onsite wetlands;
 - iv. Critical wildlife connection(s) to adjacent conservation areas through on-site preserve areas;
 - v. Roadway setbacks and perimeter buffers; and
 - vi. Passive recreational and civic areas that comply with the definition of open space, as set forth in the LDC.
 2. Open space areas must be platted in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. A Community Development District (CDD), Independent Special District (ISD), or a master property owners association must be created to accept responsibility for perpetually maintaining the open space areas identified in the planned development.
 3. Record a conservation easement for a minimum of 50% of the planned development benefiting a public agency acceptable to Lee County, or Lee County itself, and dedicated to an appropriate maintenance entity. Land subject to conservation easement(s) can be used for on-site mitigation and will be recorded as development orders are issued. The timing of conservation easement(s) and restoration may be phased so long as the area dedicated to conservation easement is equal to or greater than the area of land approved for development on a cumulative basis.
 4. Provide a protected species management plan to address human wildlife coexistence, including educational programs and development standards.
 5. Provide wildlife crossings on-site and to adjacent wildlife habitat areas.
 6. Provide recreational connections to adjacent public and private conservation and preserve land, subject to approval by the appropriate agencies, through the provision of publicly accessible trailheads and similar facilities within the development.
 7. Incorporate Florida Friendly Landscaping with the low irrigation requirements in common areas.

8. A binding commitment as part of the planned development to implement an environmental education program for homeowners, businesses and visitors to describe the local ecology, including but not limited to wildlife, plant communities, and native habitats, in addition to the design standards, restoration projects, and management programs/plans, incorporated into the development to address environmental protection.
 9. Incorporate energy efficiency and other Low Impact Development (LID) performance standards within the development.
 10. Minimize impacts to natural areas and native habitat by concentrating development primarily in areas previously impacted by agricultural uses and other development activities.
- b. Water Quality & Hydrological Enhancements.
1. The stormwater management system must demonstrate through design or other means that water leaving the development meets current state and federal water quality standards. Outfall monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the SFWMD. Monitoring may be eliminated after 5 years if the water quality standards are met.
 2. Demonstrate an additional 50% water quality treatment beyond the treatment required by the SFWMD for the on-site stormwater management basins.
 3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, as applicable by SFWMD permits.
 4. Provide a lake management plan that requires best management practices for the following:
 - i. fertilizers and pesticides;
 - ii. erosion control and bank stabilization; and
 - iii. lake maintenance requirements and deep lake management for lakes exceeding 12 feet below lake surface (BLS).
 5. Provide a site-specific ecological and hydrological plan, which includes at a minimum the following: preliminary excavation and grading plans, exotic removal and maintenance plan, supplemental planting plan, and success criteria for meeting established goals.
 6. Provide a site-specific mitigation and enhancements to reduce discharge rates.
 7. Utilize reuse and surface water generated by the development to meet the irrigation demands of the recreation and development areas, to the extent such reuse is available.

8. Demonstrate that the proposed planned development will not result in significant detrimental impacts on present or future water resources.
- c. Infrastructure Enhancements.
 1. All development within the planned development must connect to centralized water and sewer services, with the exception of interim facilities used on a temporary basis during construction, and for unmanned essential services on a temporary basis until water and sewer service is extended to the development.
 2. Written verification as to adequate public services for the planned development from the sheriff, EMS, fire district, and Lee County School District, or via interlocal agreements with adjacent jurisdictions and/or special districts.
 3. Civic space, recreational areas, and a variety of amenities distributed throughout the development for use by the general public, to be maintained by the property owners' association or similar entity.
 4. Sufficient right-of-way to accommodate an 8-foot wide multi-purpose pathway along the roadway frontages, where the planned development abuts SR 31 and CR 78.
 - d. Community Character.
 1. Transition to lower densities and intensities where adjacent to off-site conservation lands.
 2. Enhanced buffers and setbacks along external roadways to preserve rural vistas and viewsheds that are at least 50% wider than the LDC requirements.
 3. Locate access points onto adjacent arterial roadways to minimize impact to the surrounding rural community.

TABLE 1(a)
SUMMARY OF RESIDENTIAL DENSITIES¹

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM ² (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY ³ (Dwelling Units per Gross Acre)
Intensive Development ¹⁴	8	14	22
General Interchange ²	8	14	22
Central Urban ¹⁵	4	10	15
Urban Community ^{4,5,16}	1	6	10
Suburban ¹⁷	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban	1	2	No Bonus
Rural ¹⁰	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve ⁶	No Minimum	1	No Bonus
Open Lands ⁷	No Minimum	1 du/10 acres	No Bonus
Density Reduction/Groundwater Resource ¹³	No Minimum	1 du/10 acres	No Bonus
Wetlands ⁸	No Minimum	1 du/20 acres	No Bonus
New Community ¹⁹	No Minimum	6	No Bonus
University Community ⁹	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent ¹¹	6	9.36	No Bonus

Burnt Store Marina Village ¹²	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus
Coastal Rural ¹⁸	No Minimum	1 du/2.7 acres	No Bonus

CLARIFICATIONS AND EXCEPTIONS

¹See the glossary in Chapter XII for the full definition of “density”.

²Except in the General Interchange future land use category adherence to minimum densities is not mandatory but is recommended to promote compact development.

³These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Bonus Density Program identified in the LDC, Chapter 2.

⁴Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 du/acre must “acquire” the density above 3 du/acre utilizing Greater Pine Island TDUs (see Objective 24.6), or transfer dwelling units in accordance with Policy 24.3.4.

⁵In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.

⁶Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet (see Policy 20.1.3).

⁷A maximum density of 1 du/5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.

⁸Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

- (a) If the dwelling units are relocated off-site through the TDR program provided in LDC, Chapter 2; or
- (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.

⁹The overall average density for the University Village sub-district must not exceed 2.5 du/acre.

¹⁰In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres.

¹¹The overall number of residential dwelling units is limited to 271 units in the DRMUWD future land use category.

¹²The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Map 5-A.

¹³See Objectives 33.2 and 33.3 for potential density adjustments.

¹⁴The maximum total density may be increased to 30 du/acre utilizing Greater Pine Island TDUs. ¹⁵The maximum total density may be increased to 20 du/acre utilizing Greater Pine Island TDUs. ¹⁶The maximum total density may be increased to 15 du/acre utilizing Greater Pine Island TDUs. ¹⁷The maximum total density may be increased to 8 du/acre utilizing Greater Pine Island TDUs.

¹⁸The standard maximum density is 1 du/2.7 acres unless the “Adjusted Maximum Density” of 1 du/acre is achieved (see Policy 1.4.7 and LDC, Chapter 33).

¹⁹The maximum density in the New Community future land use category is limited to 1 du/2.5 1.9 acres in the North Olga Community Plan area (see Policy 1.1.15).



**BABCOCK MPD AMENDMENT
PRELIMINARY DENSITY CALCULATION**

REVISED JULY 2024

The Babcock Mixed Use Planned Development Amendment application is companion to the Babcock Comprehensive Plan Amendment. The CPA proposes to increase the maximum allowable density from 1 du/2.5 acres to 1 du/1.9 acres, and reduce the number of hotel rooms from 600 to 250 rooms. No change to the project intensity is proposed. The amendments will continue to allow for clustered mixed-use development, in a manner that supports specific and measurable enhancements relating to protection, conservation, enhancement and restoration of natural resources, as well as furthering the County's defined economic development goals, all of which result in significant regional benefits. The amendment also specifically supports housing diversity and the inclusion of multi-family and ALF units in the northern portion of the MPD, adjacent to more intensive "town center" uses in the Town of Babcock Ranch.

The following is a breakdown of the project density based upon the companion Comprehensive Plan Amendment.

Future Land Use	Maximum Density	Acreage	Unit Count
New Community (Uplands & Preserved Wetlands)	1 du/1.9 AC	4,100.6 AC	2,158 DU
Wetlands (Impacted)	1 du/20 AC	56.52 AC	3 DU
TOTAL PERMITTED UNIT COUNT*			2,161 DU
TOTAL REQUESTED UNIT COUNT*			2,078 DU

*Companion MPD zoning limits unit count to 2,078 DU



Babcock Comprehensive Plan Amendment Request Narrative

REVISED JULY 2024

I. Request

Babcock Property Holdings, LLC ("Applicant") is requesting approval of a Text Amendment Petition relating to the 4,157.2 +/-acre site known as "Babcock Ranch." The proposed text amendment will amend Policy 1.1.15 relating to the New Community Future Land Use Category and Objective 29.9 relating to New Community North Olga future land use category, to allow an increase in the number of dwelling units (DUs) from 1,630 DUs to 2,078 DUs and a reduction in hotel rooms from 600 to 250 rooms. An amendment to the Mixed-Use Planned Development (MPD) approval per Resolution Z-17-026 is being filed concurrently with this petition. The amendment does not propose any changes to the non-residential intensity of 1,170,000 SF and the maximum proposed building height is 65 feet. The project is connected to central water and sanitary sewer services via Babcock Ranch Community (BRC) Independent Special District (ISD).

This amendment will allow for increased diversity of housing types, including additional multi-family units. The amendment will also provide opportunities for Assisted Living Facilities through the Land Use Equivalency Matrix ("LUEM"). The proposed additional density will be sensitively located in the far northern limits of the MPD adjacent to the Charlotte County line, and more intensive town center uses in the Town of Babcock Ranch. The requested density increase is offset via additional environmental and public/civic benefits, above and beyond those enhancements already committed through the existing MPD.

The proposed petition will support and enhance the development of a clustered, mixed-use community on impacted areas of the subject property, which are adjacent to the Town of Babcock Ranch. The petition also serves to substantially increase the specific and measurable enhancements relating to protection, conservation, enhancement and restoration of natural resources. Due to the location of the proposed additional density, the development will continue to maintain compatibility with the surrounding low-density, rural communities in North Olga.

II. Property Information & Existing Conditions

The Property is comprised of 4,157.2 acres and is generally located north of North River Road/CR 78, south of the Lee/Charlotte County line, east of SR 31, and west of 20/20 Conservation lands in Northeast Lee County.

The subject property consists of a large assemblage of agricultural lands formerly owned and operated by the Babcock Family, until acquired by the Applicant in 2006. The underlying future land use designation is New Community and Wetlands per Ordinance 18-06, and all parcels are zoned Mixed Use Planned Development (MPD) per Resolution Z-17-026. Portions of the property are currently under development for permitted uses under the MPD zoning approval, while other portions continue to be used for agricultural purposes.

Pursuant to the CPA and MPD zoning approvals in 2018, the development of 1,000 dwelling units has commenced in the MU-2 and MU-1/R Tracts in a community known as TerraWalk at Babcock Ranch.

Lands in MPD have been conveyed to Pulte and Florida Power & Light (FPL) within the MPD boundary, as evidenced by the attached affidavits and disclosures of interest.

III. Town of Babcock Ranch/Project History

Occupying land in both Charlotte and Lee Counties, the historical footprint of Babcock Ranch covers over 90,000 acres and was primarily used for logging and agricultural purposes. The property is named after Edward Vose Babcock, who purchased the land in 1914.

In 2006, Babcock Ranch Holdings, LLC (Kitson & Partners) acquired the property with the intent of conveying the majority of the Ranch's environmentally sensitive areas to the State for permanent preservation, thereby providing an alternative mechanism for ensuring the long-term conservation of this environmental corridor. The remaining 18,000 acres, and the areas most significantly impacted by the historical agricultural and timber operations, would be utilized for development of a new town.

Since acquisition, Babcock Ranch Holdings has conveyed 74,000 acres to the State and secured all required development approvals for development of the Town of Babcock Ranch within Charlotte County, including but not limited to: Development of Regional Impact (DRI); Comprehensive Plan Amendment; Planned Unit Development rezoning; South Florida Water Management District (SFWMD) permits; Department of Environmental Protection 404 Permit, and an Army Corps of Engineers (ACOE) permit. The subject property is subject to both a conceptual SFWMD Environmental Resource Permit and ACOE permit.

Babcock Ranch was sensitively planned to maintain large tracts of open space and preserve areas within the development boundary to allow for the long-term protection of native habitats, facilitation of water quality improvements, and creation of functional wildlife corridors that connect internal preserves to a regional network of off-site conservation lands.

The DRI allows for the development of 17,870 dwelling units, 6 million square feet of non-residential uses, 600 hotel rooms, 177 hospital beds, 418 Assisted Living Facility (ALF) units, educational facilities, recreational uses, and civic space. The estimated population at build-out is 50,000 residents.

Substantial development has occurred in the Town including the construction of approximately 1,861 dwelling units, and the construction of 69,000+/- SF of retail and 13,000 SF of office uses per the 2022 DRI Monitoring Report.

Of the 18,000 acres within Babcock Ranch, 4,157 acres are located in Lee County. In 2018, the County approved future development of these lands via adoption of the New Community – North Olga future land use category, which allowed for development on upland portions of the property at a density of 1 du/2.5 acre, along with commitments for environmental, infrastructure and civic enhancements. Additionally, the New Community category required 60% of the site to be retained as open space, with 50% of the acreage maintained as native preserve encumbered by a perpetual conservation easement.

The New Community FLU and companion MPD zoning provided Lee County with a mechanism to allow clustered development in areas immediately adjacent to the established Town footprint in Charlotte County, and shift approved commercial intensities into Lee County to realize some of the economic benefit and tax base associated with these uses. The Overlay balanced the County's goals for the preservation, enhancement and restoration of on-site natural resources; protection of North Olga's rural character; and economic development.

IV. Surrounding Land Use Pattern

The subject property is located in a transitional area between the suburban development pattern south of the Caloosahatchee River in Fort Myers Shores; the semi-rural and agricultural lands within the North Olga community; and the urban mixed-use Town of Babcock Ranch, located immediately to the north of the Lee/Charlotte County line. Table 1.1 below further defines the surrounding Future Land Use designations, zoning districts and adjacent land uses.

Table 1.1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USE
NORTH	Babcock Ranch Overlay District	Babcock Overlay Zoning District	Mixed-Use & Residential (Town of Babcock Ranch)
SOUTH	Rural; DR/GR	Agriculture (AG-2)	Public Right-of-Way (CR 78)
EAST	DR/GR	Agriculture (AG-2)	Conservation Lands (20/20); Agriculture; Single-Family Residential
WEST	Rural; DR/GR	Agriculture (AG-2)	Public Right-of-Way (SR 31)

The property has more than 2 miles of frontage on SR 31 and approximately 1.5 miles of frontage on North River Road/CR 78. Both SR 31 and North River Road are 2-lane arterial roadways.

It is important to emphasize that the subject property is largely surrounded by lands owned by the Applicant, government-owned conservation areas, or arterial roadways. The only adjacent properties under residential usage are those parcels in the “cut out” north of North River Road in Section 8. The vast majority of these lands are controlled by the Armeda Family, LLC, and utilized for agricultural purposes, with the exception of four (4) single-family properties on lots ranging from 5 to 7.5 acres along Turkey Run Lane. The lack of established residential communities adjacent to, or near the subject properties mitigates issues concerning neighborhood compatibility.

As outlined in the below analysis of Lee Plan Compliance section and the companion MPD Amendment application, the amendments to allow additional dwelling units within the New Community FLU will be limited to the far northern limits of the property and adjacent to Charlotte County, thereby protecting the surrounding rural lands in Lee County from impacts of additional density. Further, the amendment is offset by substantial reduction to the number of permitted hotel rooms and substantial increase to the on-site preserve areas. The MPD maintains all adopted performance standards to ensure the future development is complimentary to the surrounding land use pattern, including: a clustered development footprint with minimal external impacts; enhanced roadway and PD perimeter setbacks; transitional density from west to east; and increased buffers.

V. Proposed New Community Amendment

The proposed New Community Amendment will continue the development of Babcock Ranch under a Mixed-Use Planned Development program with clustered development pods within the ±4,157-acre site. The proposed Comprehensive Plan Map Amendment will expand the total wetland acreage within the preserve from 608.2 acre to 615.28 acres. Within the development pods, density is proposed to slightly increase and be capped at a maximum of 2,078 dwelling units. This text amendment will continue to allow for the clustering of development in a mixed-use setting by allowing for an additional 360 multifamily dwelling units. The remaining density will be utilized for Assisted Living Facility beds utilizing the Land Use Equivalency Matrix adopted by the MPD. These changes will provide additional housing diversity and allow for aging in place opportunities for existing and future residents and their families.

The text amendment will work to balance the proposed change by reducing the total number of hotel rooms from 600 rooms to 250 rooms. The reduction of hotel rooms lessens the intensity of allowable development within the Lee County portion of Babcock Ranch. The multifamily units will achieve more diverse housing stock for the Babcock Ranch community. Additionally, the companion MPD and supportive Master Concept Plan will delineate substantial increases to preserve areas that will remain under perpetual conservation easements.

The proposed amendments to Lee Plan Policy 1.1.15 and Objective 29.9 are in keeping with the policies and goals of the New Community Future Land Use category as outlined below in Section VII, particularly the protection and enhancement of natural resources and North Olga's rural character.

VI. Public Infrastructure

The subject property is currently serviced, or will be serviced, by public and private infrastructure that can accommodate the proposed mix of uses at the requested densities and intensities. The subject property is located within the Babcock Ranch Community Independent Special District (ISD), established in 2007 by House Bill 1515 (codified in Chapter 2007-306, Laws of Florida) passed by the Florida Legislature, and approved by the Governor of Florida on June 27, 2007, as amended. The ISD will provide for the governing, financing, construction, operation and maintenance of essential public services and facilities within the Town of Babcock Ranch.

Potable water, sanitary sewer, and irrigation services will be provided by BRCISD. In addition, there are adequate community facilities and services in the immediate vicinity of the project, including fire protection, EMS, schools, and public parks.

As detailed in the accompanying Traffic Circulation Analysis prepared by David Plummer & Associates, the surrounding roadway network requires improvements with or without the project. Some of these improvements are currently being planned and funded by the developer of the Town of Babcock Ranch. It is understood the developer will continue to identify funding sources and work with the appropriate state, regional and local transportation agencies for the planning and financing of required improvements.

Please refer to the enclosed agency availability letters for a complete description of available infrastructure and services to support development within the subject property. It should also be noted that as the Town of Babcock Ranch grows, additional services will be readily available to the proposed MPD, and other Charlotte County services by way of interlocal agreements.

VII. Lee Plan Compliance

In accordance with the Lee Plan, the enclosed application demonstrates compliance to the following policies and objectives:

POLICY 1.1.15: *The New Community future land use category are areas of land that can be planned and developed as a cohesive unit in order to better achieve the conservation of important environmental resources and to initiate area-wide surface water management. New Community land must be located such that the area is capable of being developed with a balance of residential and non-residential uses and that major impacts of the development are internalized and/or alleviated by existing infrastructure ~~that is existing~~ or will be funded privately. New Community areas will be developed as freestanding economic units and will not impose negative fiscal impacts on the County (other than those associated with the delay in placing property improvements on the tax rolls). The residential density is one unit per ~~2.5~~ 1.9 gross acres (1 du/~~2.5~~ 1.9 acres) except within the Gateway/Airport Planning District, where a residential density*

of up to six dwelling units per gross acre (6 du/acre) may be permitted. [As proposed via this amendment]

Babcock Ranch is a mixed-use master planned community with the full range of land uses balanced with expansive preservation area in direct compliance with this policy. The community is self-contained in that it provides for a variety of housing types, which is further enhanced by the proposed amendment, as well as goods, services and employment. Adequate resources are available to serve the proposed increase of dwelling units as outlined in the enclosed letter of availability from Babcock Ranch Community Independent Special District (BRCISD).

Development within the New Community future land use category must have at least the following characteristics:

- 1. The land will be developed under a well-conceived overall Planned Development;*

Babcock Ranch is a well-conceived MPD zoning district subject to a binding Master Concept Plan (MCP) with commercial, office, residential, and recreational uses located on impacted uplands of the property. The MCP provides for significant wetland and upland preservation areas, as well as common open space areas demonstrating a sensitively planned project that not only preserves but enhances natural resources.

- 2. The land can be served with all necessary facilities and services at no expense to the County. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;*

Adequate services are available or planned for the proposed community, including those required for the additional density requested through this application. The amendment makes efficient use of the existing investment in developer-funded infrastructure.

- 3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;*

Residential, recreational, and commercial uses are clustered within the Babcock Ranch MPD with extensive preserve area provided around the various development pods. The development pods are connected through a variety of streets, sidewalks, and multi-use trails with parks throughout the development. Mixed-use areas ensure goods and services are proximate to residential neighborhoods.

- 4. The land must be developed in such a manner as to protect environmentally sensitive areas;*

The proposed amendment and corresponding MPD increases the preservation area, as delineated on the MCP Land Use Summary, from 2,079 acres to 2,613, while decreasing acreage of development. This includes increases to both uplands and wetland preserves areas, both providing significant environmental benefit relating to connectivity of habitat for listed species, enhancement of surface water management systems, and protection of groundwater resources. The proposed amendment directly supports the protection of environmentally sensitive areas.

- 5. The land must be developed as a free-standing community offering a complete range of land uses (e.g. full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law*

enforcement offices, public recreational areas, health care facilities, and community commercial areas). The mix of land uses will be evaluated through buildout of the New Community to ensure developments include both residential and non-residential uses;

The Babcock MPD is being developed as a free-standing community with residential within close proximity to a variety of commercial and recreational uses. The Lee County MPD lands are highly integrated with the greater Town of Babcock Ranch within Charlotte County and fully fulfill the intent of this future land use category to create a self-contained community.

6. *Off-site impacts must be mitigated;*

Off-site impacts are mitigated via the MPD zoning conditions relating to protection of natural resources and delivery of infrastructure and services. Letters of availability are provided with this application to support the increased unit count.

7. *On-site levels of service must meet County-wide standards contained in this plan;*

On-site levels of service meet County-wide standards as noted in the provided Utility/Service Demand Analysis, Traffic Impact Study, and the provided Letters of Availability.

8. *The land area must exceed a minimum of 2,000 acres to ensure an appropriate balance of land uses; and*

The proposed amendments do not impact the ±4,157-acre site boundary approved with Ordinance 18-06.

9. *The land must be developed consistent with Goal 29 if located within the North Olga Community Plan area identified on Lee Plan Map 2-A.*

The proposed amendment is consistent with Goal 29, as noted below.

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124. The maximum density is one dwelling units per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII.

The proposed amendment provides for additional 7 acres of jurisdictional wetland preservation. No additional impacts to wetlands are proposed. Thus, the amendment will enhance the project's consistency with this policy.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The proposed density increase will occur in areas of the site approved for development, resulting in no new impacts to preserve or open space areas. The project remains contiguous and interconnected with the Town of Babcock Ranch in Charlotte County with shared infrastructure to serve the proposed modifications to uses. The project

demonstrates clustered development areas that maximize the permanent preservation of thousands of acres of native habitat, wildlife corridors and flowways.

POLICY 2.2.1: Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The surrounding infrastructure has capacity to handle the increase in residential density outlined in the proposed Comprehensive Plan Amendment. Please find attached letters of availability from schools, fire, and police. The availability letter from EMS will be provided in a subsequent submittal.

STANDARD 4.1.1: WATER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22, F.A.C.)
2. If the proposed development lies within the boundaries of a water utility's certified or franchised service area, or Lee County Utilities' future potable water service area, then the development must be connected to that utility.
3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.
5. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4-A), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area in order to provide the required service.
6. If a development lies outside any service area as described above, the developer may: • request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property; • establish a community water system for the development; or • develop at an intensity that does not require a community water system.
7. Lee County Utilities may provide potable water service to properties not located within the future water service area when such potable water service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

Potable water services will be provided by Babcock Ranch Community Independent Special District (BRCISD). Please refer to the enclosed letter from this entity confirming availability of services for the additional proposed density within this petition. All water flows will be in compliance with code requirements.

STANDARD 4.1.2: SEWER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.
2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that

sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.

3. If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.
4. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.
5. If a development lies outside any service area as described above, the developer may: • request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property; • establish a self-provided sanitary sewer system for the development; • develop at an intensity that does not require sanitary sewer service; or • if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.
6. Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

Sanitary sewer services will be provided by Babcock Ranch Community Independent Special District (BRCISD). Please refer to the enclosed letter from this entity confirming availability of services for the additional proposed density within this petition.

POLICY 4.1.4: ENVIRONMENTAL FACTORS

1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District (SFWMD), or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.
2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.
3. Ensure development minimizes the need for expansion and construction of street and utility improvements.

The approved development footprint is reduced by the companion MPD Amendment. The areas proposed for development were carefully located in the prior zoning approval to maximize preservation of existing wetlands, upland habitat and flowways. Development is located in the areas historically impacted by agricultural, leaving over 60% undeveloped. Compliance with this policy is enhanced by the proposed amendment.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to*

minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

The CPA will maintain compatibility with the surrounding rural and residential land uses via expansive buffers and setbacks, limited access to surrounding roadways, and clustering of development adjacent to the Charlotte County line proximate to the urban core of the Town of Babcock Ranch.

Specifically, the CPA and companion MPD amendment will not impact the 1,300' setback from North River Road; prohibition of access onto North River Road; and buffers in excess of the LDC along all roadways. A 50' setback from edge of pavement along SR 31 will be provided.

The proposed additional density will be located in the MU-1 or MU-2 areas of the site shown on the MCP, in the far northern limits of the project to enhance internal accessibility of the Town's goods, services and employment located in the mixed use areas of both Charlotte and Lee Counties.

GOAL 9: AGRICULTURAL LAND USES. *To protect existing and potential agricultural lands from the encroachment of incompatible land uses and to discourage the introduction or expansion of agricultural uses in the Future Urban Areas.*

The New Community policies will continue to require expansive buffers and setbacks from adjacent agriculturally zoned property as well as any agricultural uses that may occur on the abutting Conservation 20/20 lands.

OBJECTIVE 17.3: PUBLIC INPUT: *To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.*

POLICY 17.3.1: *Educate the public regarding comprehensive planning and sound planning principles by requiring public information meetings.*

To coincide with the application and inform the community on the proposed changes, the applicant has met with Alva Inc., North Olga, and held a townhall in Babcock Ranch. These were preliminary meetings, and the official publicly advertised meeting summaries and proof of noticing are provided.

POLICY 17.3.2: *One public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. The meeting must be conducted before the application can be found complete.*

The applicant has held a Babcock Community Meeting on December 8, 2023, a North Olga meeting on January 18, 2024, and a North Olga meeting on February 13, 2024. An additional North Olga Community meeting was held on March 16, 2024. The purpose of these meetings is to inform the community of the proposed amendments. These were preliminary meetings, and the official publicly advertised meeting summaries and proof of noticing has been provided.

GOAL 27: NORTHEAST LEE COUNTY COMMUNITY PLAN. *Maintain, enhance, and support the heritage and rural character, natural resources, and agricultural lands. Alva and North Olga will work*

cooperatively toward this goal through the objectives and policies that follow, and through their individual community plans.

The proposed Map and Text amendments will serve as enhancement to the rural character by clustering development adjacent to Charlotte County and away from low density and agricultural lands in Lee County. The amendment further enhances the natural resource protection elements committed by the original CPA, by increasing the wetland preserve areas shown on the Future Land Use Map. Policy requirements for expansive buffers and setbacks from all adjacent lands and public roadways will be maintained.

***POLICY 27.1.2:** Work with residents and property owners of Alva and North Olga to develop standards and guidelines for clustering future development and conserving large areas of open lands to promote compatibility with adjacent residential and agricultural areas. These standards and guidelines are intended to give clear and meaningful direction for future amendments to the Land Development Code.*

The proposed CPA will continue to cluster development areas in a manner that conserves large areas of undeveloped lands in perpetuity, and also addresses compatibility with active agricultural operations in the area.

***POLICY 27.3.2:** Identify, maintain, and enhance appropriate public access to Northeast Lee County's public lands and surface waters, balanced with new and ongoing efforts to protect and enhance the community's water quality and natural resources.*

An internal trail system will be provided and open to the public. The trails will be accessible by trailheads throughout the development and within the adjacent Town of Babcock Ranch in Charlotte County. Main access points to the project from SR 31 and from the Town of Babcock Ranch will not be gated, and will facilitate public ingress/egress to these trailheads.

***POLICY 27.4.1:** Work to preserve the rural character and scenic qualities of North River Road, and support multiple modes of travel for residents, business, visitors, and commercial agriculture within Northeast Lee County. Implementation of this policy will not impact the function or operation of agricultural lands within the Planning Community for the purposes of scenic preservation.*

The concurrent MPD and MCP will continue to limit access to North River Road for the purposes of preserving the rural character of this corridor. The MPD conditions further limit access to this roadway for emergency purposes only. In addition, development areas are proposed to be setback 1,300 feet from North River Road in order to preserve the expansive rural vistas. The proposed sub-policies also require enhanced setbacks where proposed development abuts adjacent agricultural uses to mitigate impacts to the function and operations of these lands. Therefore, the CPA/MPD is in direction compliance with the above policy.

***GOAL 29: NORTH OLGA COMMUNITY PLAN.** Promote and support the unique rural character, heritage, economy, quality of life, and natural resources in the North Olga Community Plan.*

***POLICY 29.1.1.** Protect the community's rural aesthetic qualities, preserve the natural and historic resources, and support a diverse rural economy by promoting compact or clustered development areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses.*

The proposed amendment increases onsite preservation area from 2,079 acres to 2,613 acres. This promotes the rural character of the North Olga area by preserving sensitive lands and clustering onsite development within pods dispersed throughout the site.

POLICY 29.1.3. Maintain enhanced design, landscaping, signage, and architectural standards to promote the rural character of the North Olga Community Plan area.

The proposed amendment will not alter the approved design or landscaping which takes into consideration traditional Florida architectural Florida-friendly/Florida-native landscaping.

OBJECTIVE 29.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protections of environmentally sensitive lands.

POLICY 29.2.1: Proposed planned developments will be encouraged to provide 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.

The proposed amendment will provide additional types of residential product types increasing affordability within the community. The proposed multifamily units will cluster units and create more of a walkable, mixed-use development.

OBJECTIVE 29.9: NEW COMMUNITY. Land designated as New Community on the Future Land Use Map within the North Olga Community Plan area will be developed as a unified planned development in order to achieve conservation and enhancement of important environmental resources; initial area wide surface water management; prevent sprawling land use patterns; create critical hydrological and wildlife corridors and connections; and protect rural character of the surrounding community.

POLICY 29.9.1: Residential densities for land within the New Community future land use category may be permitted up to a maximum of 1 du/2.5 1.9 acres. In no case shall the unit count in the New Community future land use category in North Olga exceed ~~4,630~~ 2,078 dwelling units. [As proposed via this amendment].

The proposed petition would amend this policy to allow for up to 2,078 dwelling units. As an off-set, the total number of hotel rooms would be decreased from 600 rooms to 250 rooms. The applicant is also proposing to increase the onsite preservation areas from 2,079 acres to 2,613 acres, reducing the overall developable area within Babcock Ranch.

POLICY 29.9.2. Non-residential intensities for lands within the New Community future land use category will be limited to a maximum permitted Floor Area Ratio (FAR) of 0.15. The FAR will be based upon the gross acreages dedicated to non-residential uses within the overall planned development boundary, including all uplands, wetlands, open space, rights-of-way, recreation areas, and/or lake. In no case shall the total commercial square footage in the New Community future land use category in North Olga exceed 1,170,000 square feet in addition to ~~600~~ 250 hotel rooms.

The proposed amendment will not exceed the outlined FAR. The amendment will decrease total hotel rooms from 600 rooms to 250 rooms.

GOAL 54: CONSERVATION. *To ensure that future populations have access to potable water supplies and services at a reasonable price by using and encouraging conservation and resource management measures to reduce consumption of potable water.*

Babcock Ranch is designed to be environmentally conscious through site design, Florida-friendly landscaping, preservation, and clustered development. The community is designed to preserve existing natural resources and continues to educate the community on the importance of conservation and resiliency.

POLICY 60.1.1: *Require design of surface water management systems to protect or enhance the groundwater.*

The CPA will enhance the project's surface water management system that incorporates "green infrastructure" through addition of open space, preserve and wetlands in the easter portion of the site. The surface water management system for the Property has been conceptually permitted through the South Florida Water Management District (SFWMD) to include a net reduction in discharge rates throughout the development. This allows for more contact time between surface water and groundwater tables directly enhancing the potential for recharge in the area. The MPD conditions require an additional 50% water quality treatment in addition to state requirements. This will enhance both groundwater and surface water quality in the vicinity. These commitments are not changed by the proposed amendment.

POLICY 60.1.2: *Incorporate, utilize, and where practicable restore natural surface water flowways and associated habitats.*

Much of the site will remain under a preserve easement with natural surface flowways being maintained.

POLICY 60.4.1: *The County encourages new developments to design their surface water management systems to incorporate best management practices including, but not limited to, filtration marshes, grassed swales planted with native vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.*

The Babcock Ranch site will continue to follow best practices for surface water management through filtration marshes, grassed swales, native vegetation, and increase preserve area, as outlined in the Johnson Engineering Environmental Benefit/Impact Analysis.

POLICY 60.4.2: *The County encourages new developments to design their surface water management system to incorporate existing wetland systems.*

The site has been significantly altered by agricultural operations, and many of the existing flowways have been redefined. The CPA will continue to maintain and enhance the existing flow ways. In addition to preserving much of the land directly encompassing the flowways, the project also includes weirs within the ditched system that will hold back lower flows, thereby restoring natural communities.

As detailed within the Environmental Impact Analysis prepared by Johnson Engineering, the development also includes substantial wetland creation areas throughout the development.

POLICY 60.4.3: *The County encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways.*

Existing natural flowways will continue to be preserved. The proposed CPA increases the total preservation area within Lee County portions of Babcock Ranch.

OBJECTIVE 71.1: ENERGY CONSERVATION. *Support programs on energy efficiency and conservation, resource conservation and recycling, appropriate community technology, and environmental protection.*

The Babcock Ranch community includes 150 MW of solar generation on more than 440 acres. This energy is fed into the FPL energy grid and is sufficiency to power the existing and planned development in Babcock Ranch, thereby contributing to a self-sustained community. Additionally, the project includes substantial environmental protection measures directly relating to conservation of protected species, native habitat, surface water and groundwater. The community is also planned for multimodal transportation and an integrated mix of land uses to reduce Vehicle Miles Travelled (VMT),

POLICY 72.2.2: *Assess the impact of all new residential development upon the projected hurricane evacuation network and upon projected hurricane evacuation times, and require mitigation either through structural (on-site or off-site shelter) provisions or through nonstructural methods or techniques. Pursuant to Policy 24.7.5, all new residential development and redevelopment within the Hurricane Vulnerability Zone in Greater Pine Island must mitigate hurricane sheltering and evacuation impacts in accordance with the LDC, Chapter 2, Article XI.*

Babcock Ranch is located within Hurricane Evacuation Zone D, which is less likely to evacuate during a hurricane. Babcock Ranch demonstrated strong resiliency during Hurricane Ian in September of 2022 and experienced limited flooding impacts due to design consistent with current state and federal regulations. Additionally, the planned widening of the surrounding roadway network will better accommodate an emergency evacuation.

POLICY 123.2.4: *Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.*

The CPA via the companion MPD is increasing the acreage of natural preserve areas to 2,613 acres, which is over 60% of the site. This commitment far exceeds the standards of the Lee Plan and LDC and will provide substantial environmental benefit to the region due to connectivity to vast private and public conservation areas.

POLICY 125.1.2: *New development and additions to existing development must not degrade surface and ground water quality.*

The CPA will continue to include conditions to ensure no degradation to surface and groundwater, including but not limited to Surface Water and Groundwater Monitoring Plans, Water Quality Monitoring Plans, and enhanced standards related to pre-treatment of stormwater and discharge rates. No changes to these commitments are proposed to the MPD. Moreover, the amendment will provide more open space/preserve within the project to enhance the project's stormwater management capabilities via additional pervious areas.

POLICY 126.1.1: *Natural water system features which are essential for retention, detention, purification, runoff, recharge, and maintenance of stream flows and groundwater levels shall be identified, protected, and managed.*

The Flow-ways Map included as Attachment 6 of the Environmental Impacts/Benefits Analysis illustrates the major flowways that were mapped across the Lee County BRC during original permitting. Comparing this map to the Development/Preserves Map and Preserve Phasing Map included as Attachments 7 and 8, respectively, of the same report, illustrates the natural flow-ways have been incorporated into the preserve areas.

POLICY 126.1.4: *Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.*

The development/preserve layout was designed to accommodate major flow-ways remaining in place. As part of the review process for the South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) that has been obtained for the project, surface water flows and groundwater levels were evaluated in great detail to ensure a permitted stormwater management design that does not negatively impact preserved wetlands and surface waters.

VIII. State Comprehensive Plan Analysis

The Community Planning Act of 2011 (HB7207) removed the requirement to address consistency with the local comprehensive plan and state comprehensive plan, however, the proposed amendment is consistent with the State Comprehensive Land Use Plan's intent to ensure the protection of natural resources. Specifically, the amendment is consistent with the following guiding policies:

187.201 (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.**—

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.*

As identified in the attached letters of availability there is service capacity in place to serve the project in terms of potable water and sanitary sewer service. There is also adequate capacity of law enforcement, school services, solid waste, and emergency services.

187.201 (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.*
3. *Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.*

The proposed amendment will utilize existing and already planned facilities. The added density clusters housing within the already planned development pod to minimize impacts. Potable water and sanitary sewer will be privately provided through Babcock Ranch Community Independent Special District.

IX. Conclusion

In sum, the Comprehensive Plan Amendment proposes an increase to residential density and a decrease in total hotel units while maintaining all performance standards and goals, objectives and policies that ensure protection of natural resources and rural character. The additional density will be clustered on impacted areas of the subject property, immediately adjacent to the Town of Babcock Ranch in the far northern portion of the site pursuant to the companion MPD. The development will continue in a manner that creates specific and measurable enhancements relating to protection, conservation, enhancement and restoration of natural resources, as well as furthering the County's defined economic goals and objectives, all of which result in significant regional benefits. These enhancements will fulfill the intent of the New Community-North Olga future land use category. The Applicant has committed to additional Wetland future land use acreage as further evidence of their commitment to environmental protection. The proposed amendment will meet or exceed the standards set forth in the LDC is consistent and supportive of the Lee Plan as a whole, and the specific intent for North Olga. For these reasons, the Applicant respectfully requests approval of this Comprehensive Plan Amendment as proposed.