

kwiktag®

022 562 307



**CPA2000-09
BoCC SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

January 10, 2002

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2000-09**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
✓	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 16, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map to redesignate 5,929± acres, purchased through the Conservation 2020 Program and 1,245 acres purchased by the State from various land use categories to Conservation Lands, as specified under Objective 1.4.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends the Board of County Commissioners (BOCC) transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Upland and Wetland Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property). The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland

conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Conservation Lands category was created to accurately depict the use of lands for conservation purposes.
- Lee County currently includes conservation areas owned by various agencies in the Conservation Lands Future Land Use Category.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has purchased 34 nominated properties through the Conservation 2020 Program as of August 1, 2001, and will continue to purchase lands for preservation.
- On July 12, 2001, CLASAC recommended that the proposed amendment be approved by the BOCC.
- In February 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the State preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Rural, Suburban, and Wetlands on the Future Land Use Map (FLUM).

- The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

C. BACKGROUND INFORMATION

1. COMPREHENSIVE PLAN POLICY BACKGROUND

On June 3, 1998 the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category. Currently, 50,000± acres are classified in the Conservation Lands category, and almost 15,000 acres of this total is owned by Lee County.

2. CONSERVATION 2020 PROGRAM

CLASAC was established by Ordinance 96-12 to develop and implement a conservation land acquisition and stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers. As of August 1, 2001, thirty-four properties have been acquired totaling 5,929± acres.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation and recommends the BOCC transmit this amendment.

3. EXISTING CONDITIONS OF ACQUIRED 2020 PROPERTIES

TOTAL ACREAGE: 5,929± acres

LOCATIONS: Conservation 2020 properties are located throughout Lee County (see Attachment 1 map).

EXISTING USES: The subject properties contain wetlands, passive agricultural uses, and vacant land.

CURRENT ZONING CLASSIFICATIONS: Attachment 2 details the individual parcel data including the acreage figures provided by the County Lands Department, which manages the Conservation 2020 program. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

CURRENT FUTURE LAND USE CLASSIFICATIONS: The subject properties are classified as Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, Rural, Rural Community Preserve, Open Lands, Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachment 2 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

4. ESTERO SCRUB PRESERVE aka SAHDEV PROPERTY

In February of 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the state preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Suburban, Rural, and Wetlands on the Future Land Use Map. These designations are no longer appropriate since the property is now part of the State conservation lands. The local representative of DEP who manages the Estero Bay Aquatic Preserve has been contacted by planning staff, and had no objection to the subject property being reclassified as Conservation Lands.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTENT OF PLAN AND MAP AMENDMENT

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

CONSERVATION LANDS POLICY

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge; wildlife preserves, and mitigation areas and banks.

EXISTING CONSERVATION LANDS

Lee County has acquired over 15,000 acres of conservation lands at a cost of \$25 million since the 1989 plan was adopted including the Flint Pen Strand, the Imperial Marsh Southwest Florida International Airport Mitigation Area, the Hickey Creek Mitigation Park, the St. James Creek Preserve, and Bocilla Island Preserve. In addition to the conservation lands acquired by Lee County, there are approximately 30,000 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County including Cayo Costa State Park, Estero Bay State Buffer Preserve, Little Pine Island Mitigation Bank, Little Estero Critical Wildlife Area, and the Calusa Land Trust's St. James Creek Preserve on Pine Island.

CONSERVATION 2020 PROGRAM

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The BOCC established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 20/20", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would

only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities

The County has received about 200 willing seller applications. To date, 5,929 acres have been purchased.

On March 8, 2001, CLASAC met to discuss this proposed amendment. Lyle Danielson from the public commented on the proposal stating that the Conservation Lands should be rezoned to EC instead of this plan amendment. CLASAC members also had several questions and comments on the amendment. CLASAC was concerned that this amendment would prohibit future road construction and interim land management tools such as cattle grazing. Staff responded and stated that Policy 2.1.3 allows the consideration of public uses and facilities in all land use categories. In addition, Staff stated that Policy 1.4.5 does not prohibit cattle grazing as a management tool. CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program and recommends that the BOCC transmit this amendment.

On April 12, 2001, CLASAC members unanimously approved the Local Planning Agency's recommendation to include the new language into Policy 1.4.6.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program after March 8, 2001 in the Conservation Lands Future Land Use category. As of August 1, 2001, three more properties were acquired totaling an additional 2,550+ acres.

LANDS TO BE RECLASSIFIED

All lands purchased by the Conservation 2020 Program and the Estero Scrub Preserve.

ALLOWABLE USES AND ACTIVITIES

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.

2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

ZONING

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

WETLANDS

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. . Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

GRANTS

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

B. CONCLUSIONS

Placement of the lands acquired through the Conservation 2020 Program, as well as, the lands within the Estero Scrub Preserve into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 74, and Policy 74.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Attachment 3). These goals, objectives, and policies read as follows:

Objective 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the

provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

Goal 74: COASTAL RESOURCE PROTECTION. To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

Policy 74.1.2: The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands category those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: March 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

Staff provided a presentation to the LPA on the proposed plan amendment. The LPA provided a considerable amount of discussion on some key issues. One issue of particular concern was the language in Policy 1.4.6 that lists examples of uses that would be allowed in the Conservation Lands category, and how these uses would relate to the provisions of the ordinance that established the Conservation 2020 program. The LPA was concerned that certain allowable uses in the Conservation Lands category, such as well fields or ancillary uses such as parking lots, would not meet the intent of the Conservation 2020 program. It was the LPA's understanding that the Conservation 2020 lands were to remain in their natural state with some limited public access uses. The LPA was concerned that certain uses typically allowed in the Conservation Lands category were more intense than what the citizens of Lee County approved when they voted to tax themselves for the purchase of the Conservation 2020 parcels.

Staff responded to this concern by stating that currently, the Conservation 2020 lands were in a variety of land use categories, some of which would allow fairly intense development, had they not been purchased by the County. This amendment was simply an attempt to place all of these lands into the most appropriate category available. Each of the Conservation 2020 properties would still be subject to the provisions of the ordinance that established the program. This ordinance is generally more restrictive than the Future Land Use category, and would take precedence over the provisions of the Conservation Lands category. Furthermore, each of the Conservation 2020 properties has a specific management plan that is developed by County staff and approved by the Board of County Commissioners through public hearings. This management plan would also take precedence over the Future Land Use category.

Given the concern that this map amendment might allow uses within Conservation 2020 lands that might not be consistent with the intent of the Conservation 2020 program, the LPA suggested adding a sentence into Policy 1.4.6 that would clearly state that the Conservation 2020 lands in the Conservation Lands Future Land Use category would be subject to the more stringent conditions of the Conservation 2020 program. One member of the public provided a suggestion for this language. Another member of the public also spoke in favor of the amendment, but recommended that this type of language be included as a safeguard against land uses that might be inconsistent with the intent of the Conservation 2020 program.

The LPA also questioned whether the placement of the various properties into the Conservation Lands category would preclude the building of planned roadways. Staff responded that Policy 2.1.3 of the Lee Plan provides for public facilities in any land use category. A representative of Lee County DOT stated that each of the Conservation 2020 properties is reviewed by DOT for consistency with the County's 2020 Transportation Plan. If DOT anticipates that right-of-way will be needed within a property slated for Conservation 2020 purchase, they would put this on the record before the property is purchased. When DOT arrived at the phase where they would acquire right-of-way, then they would negotiate with the County (represented by the CLASAC) to purchase the needed right-of-way. Once a price was negotiated, then DOT would pay the County's Conservation 2020 program for the purchase of the right-of-way. The

placement of the Conservation 2020 properties into the Conservation Lands category would in no way preclude the acquisition of right-of-way or the construction of needed roadways.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
SUSAN BROOKMAN	AYE
BARRY ERNST	AYE
RONALD INGE	AYE
GORDON REIGELMAN	AYE
VIRGINIA SPLITT	AYE
GREG STUART	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. BOARD REVIEW: The Board of County Commissioners provided no discussion concerning this amendment. This amendment was transmitted as part of the Consent Agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners voted unanimously to transmit the proposed amendment, with the addition of language to Policy 1.4.6.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:**

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: November 21, 2001

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The DCA had no objections, recommendations, or comments concerning this amendment.

B. STAFF RESPONSE

Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: January 10, 2002

A. BOARD REVIEW: The Board provided no discussion on this amendment. The item was approved on the consent agenda.

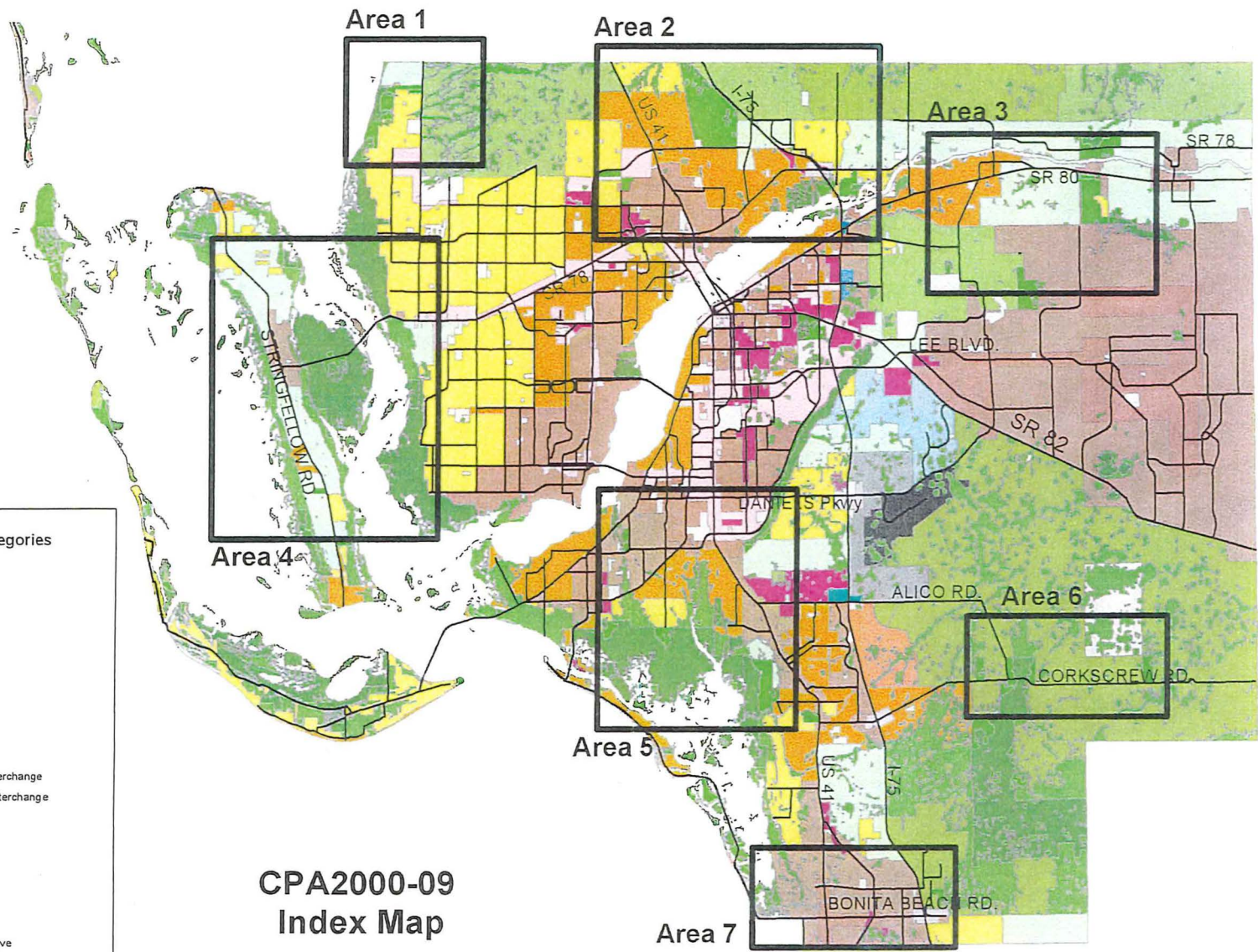
B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted to adopt the amendment.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

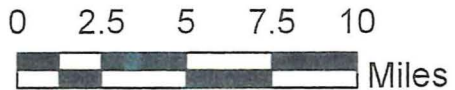


Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land—Upland
- Wetland
- Conservation Land—Wetland

**CPA2000-09
Index Map**

Area 7



CPA2000-09

Area 1

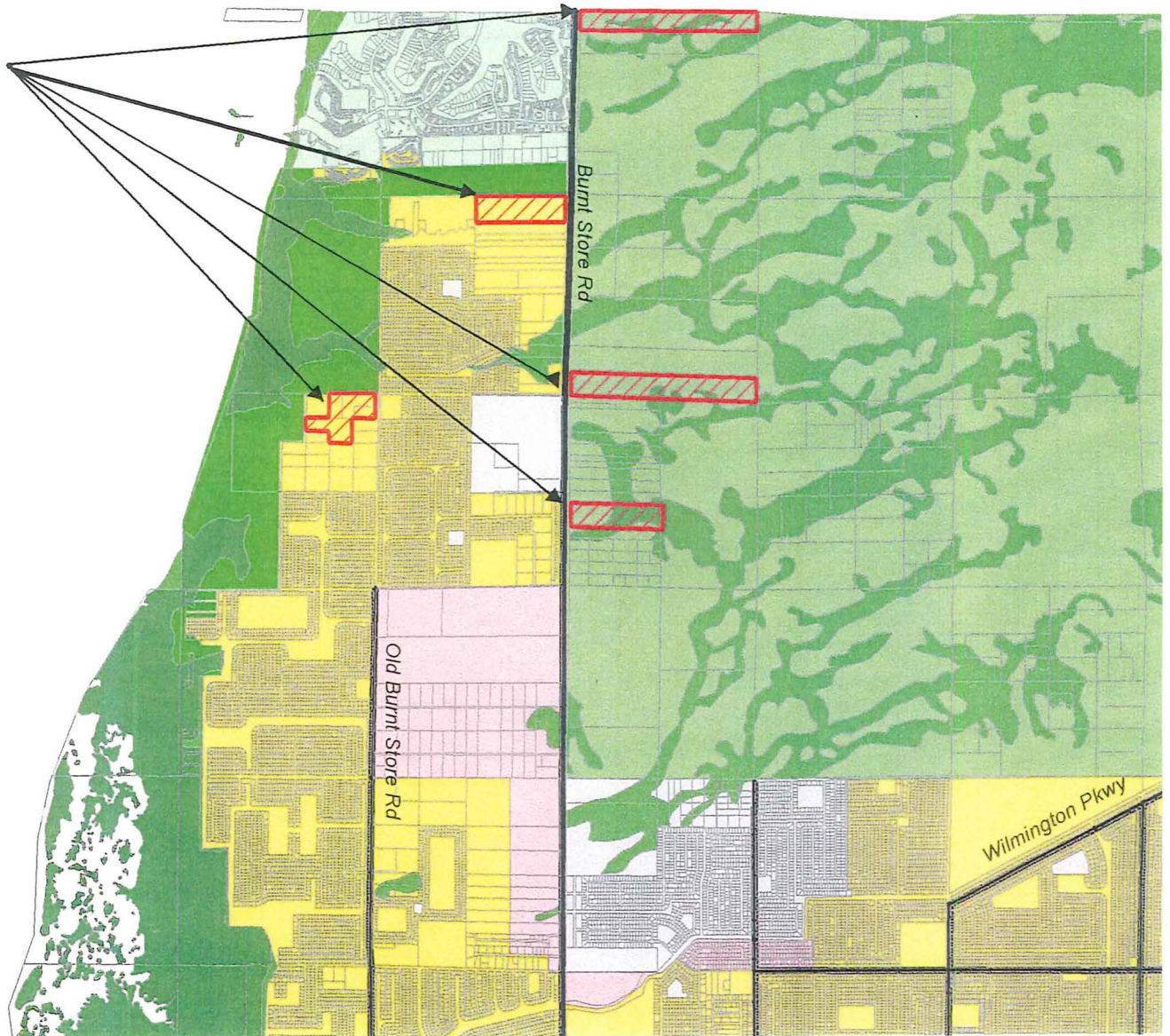
Future Land Use Map (Existing)

Charlotte County

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

Subject
Parcels



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



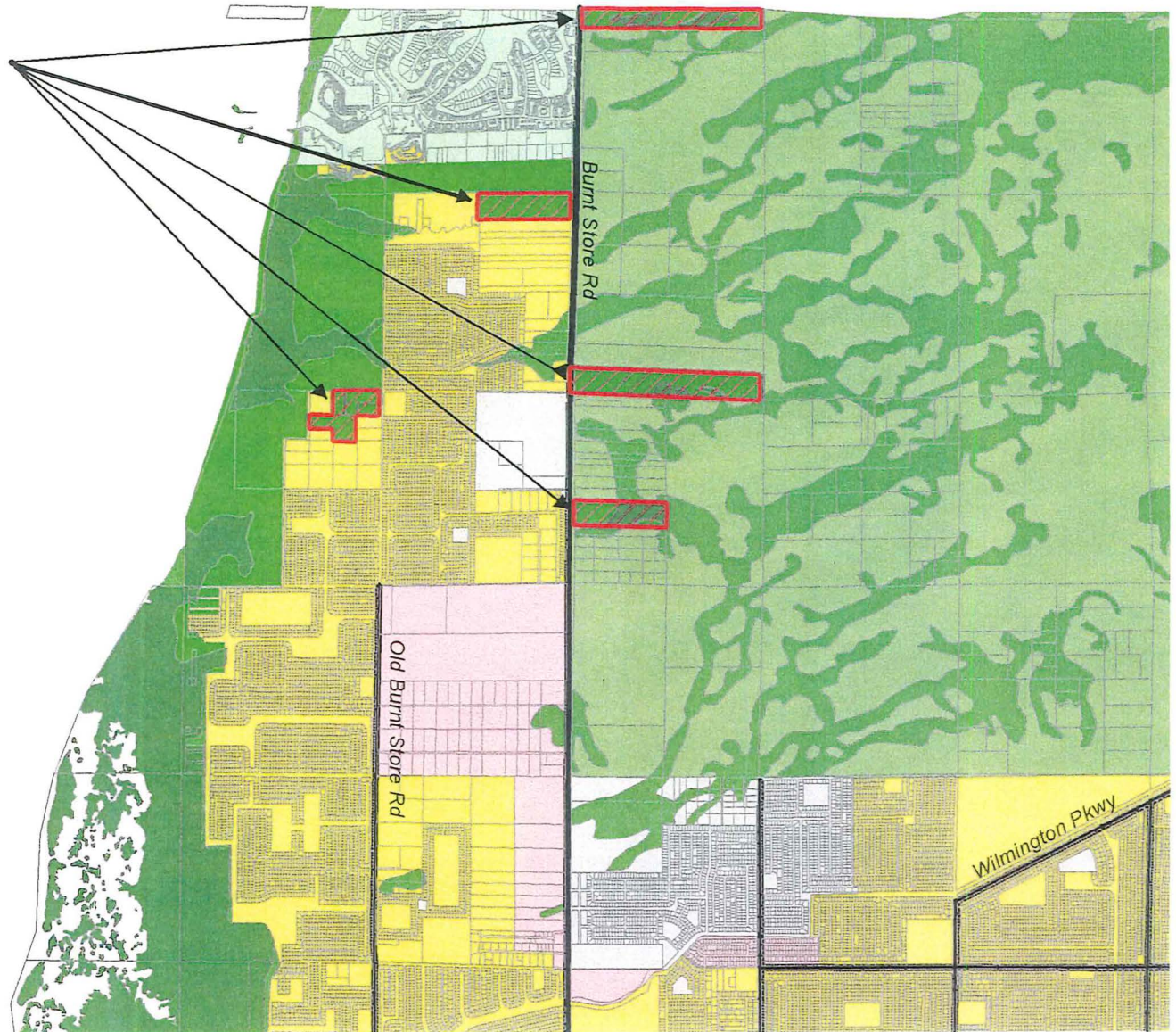
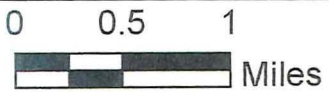
CPA2000-09
 Area 1
 Future Land Use Map
 (Proposed)

Charlotte County

Subject
 Parcels

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland



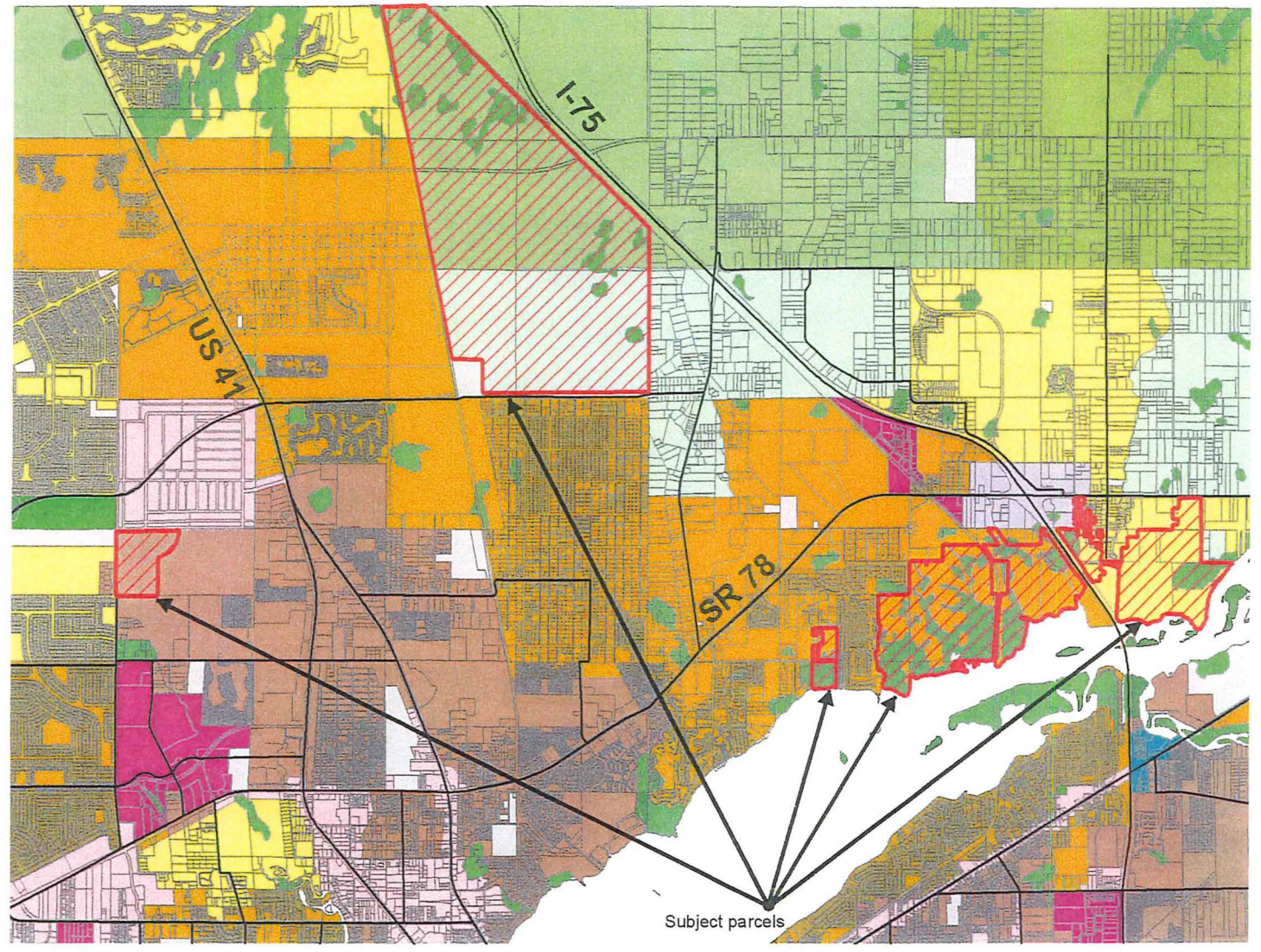
Future Land Use Map
(Existing)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



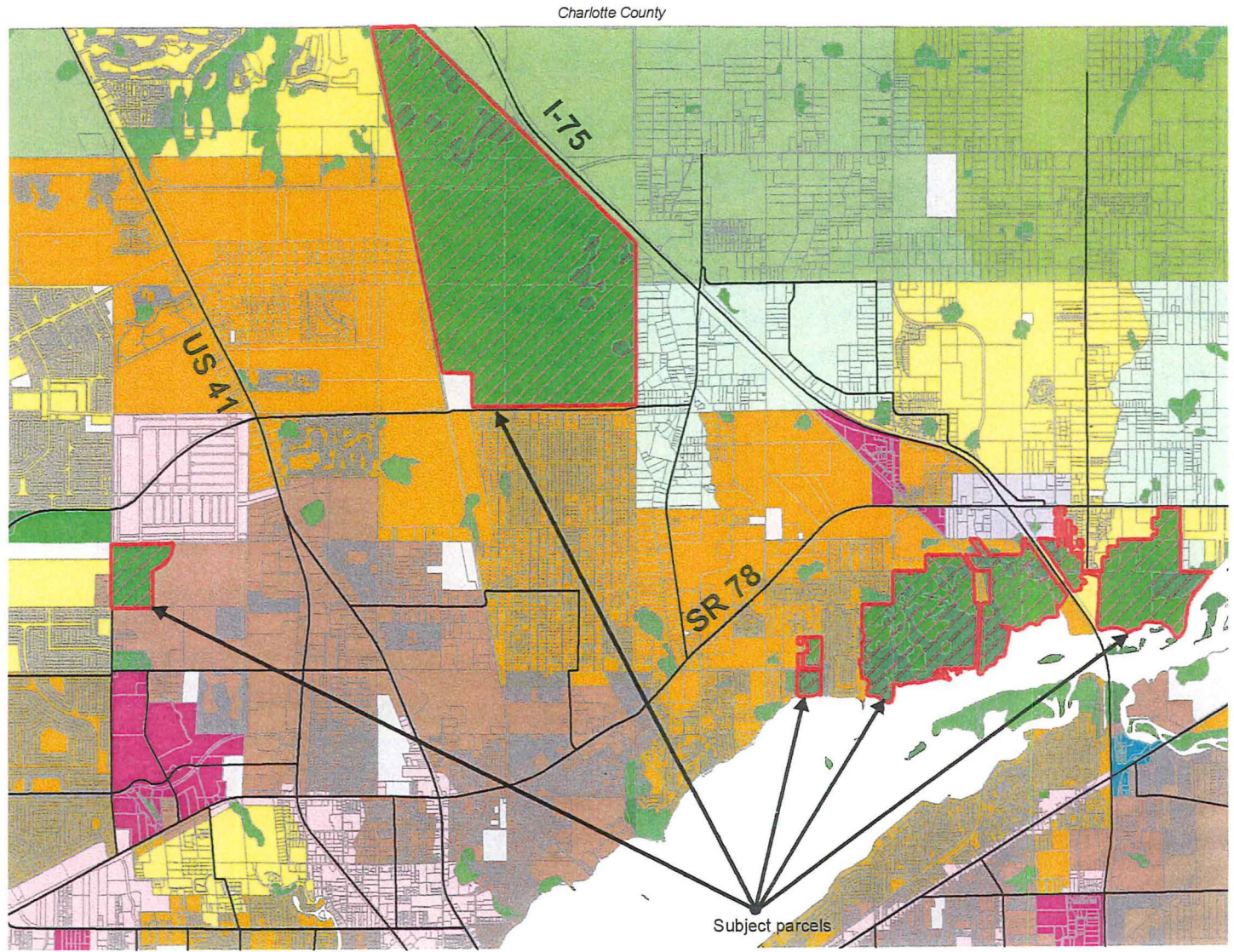
Charlotte County



**CPA2000-09
Area 2
Future Land Use Map
(Proposed)**

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

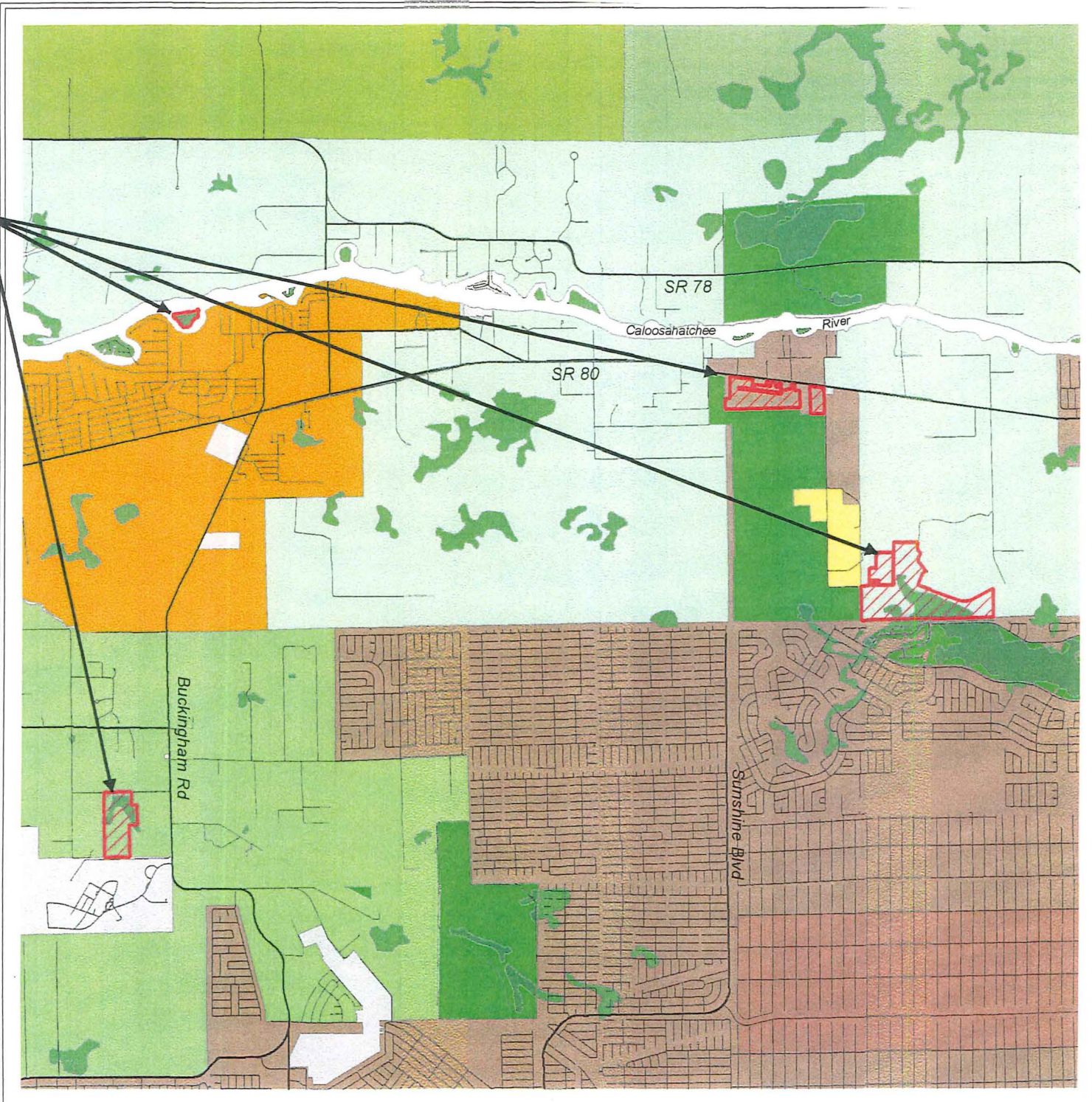


CPA2000-09
Area 3
Future Land Use Map
(Existing)

Subject Parcels

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland

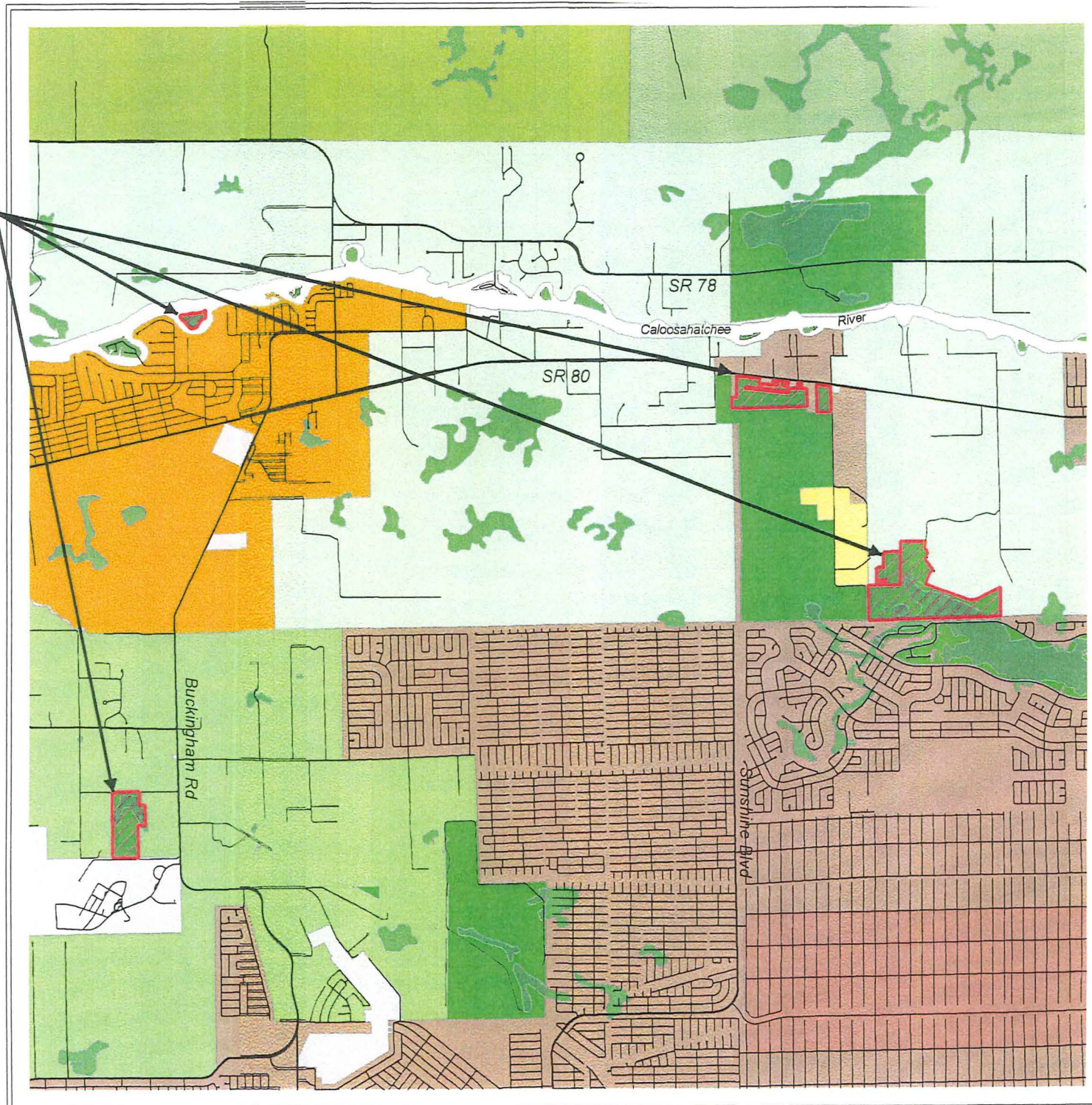


Future Land Use Map (Proposed)

Subject Parcels

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland


















CPA2000-09

Area 4

Future Land Use Map (Existing)

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial Interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland
-  sde.SDE.ROADS

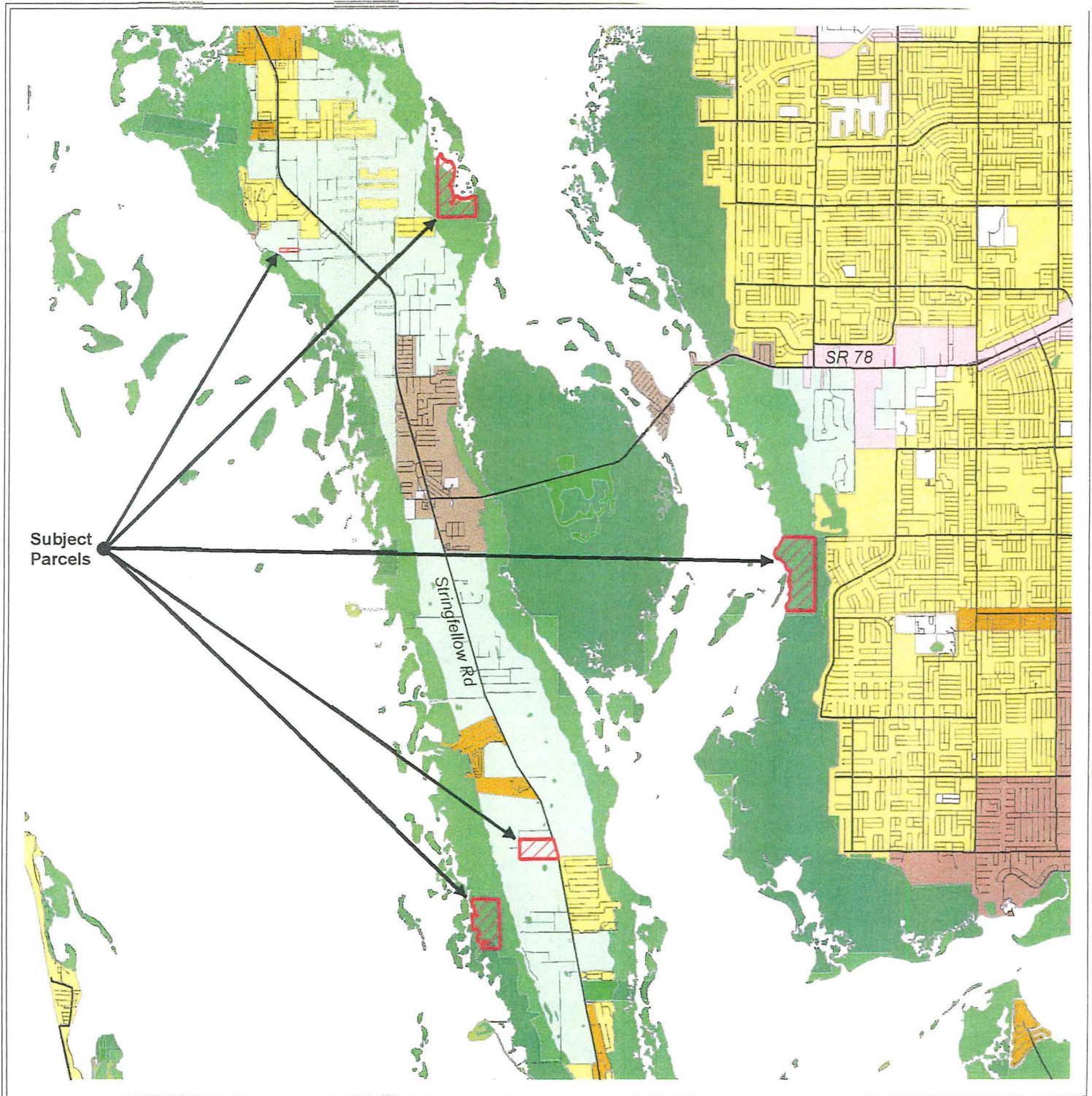
0 0.5 1 2 3

 Miles

 **LEE COUNTY**
SOUTHWEST FLORIDA
DIVISION OF PLANNING





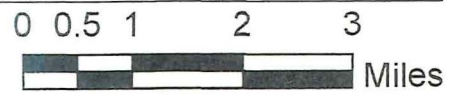
Map Created 9/4/04



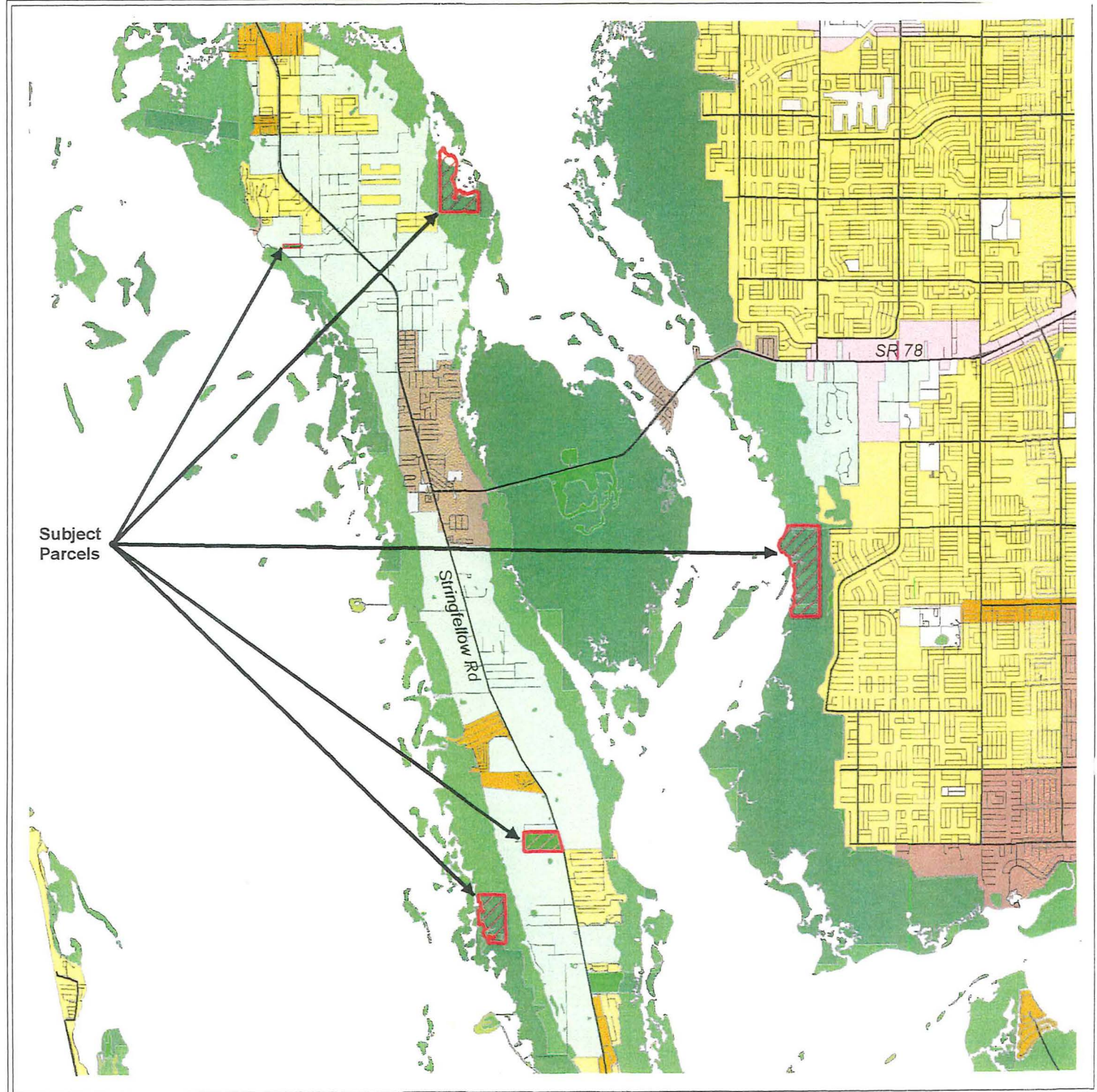
CPA2000-09
 Area 4
 Future Land Use Map
 (Proposed)

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial Interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland
- sde.SDE.ROADS



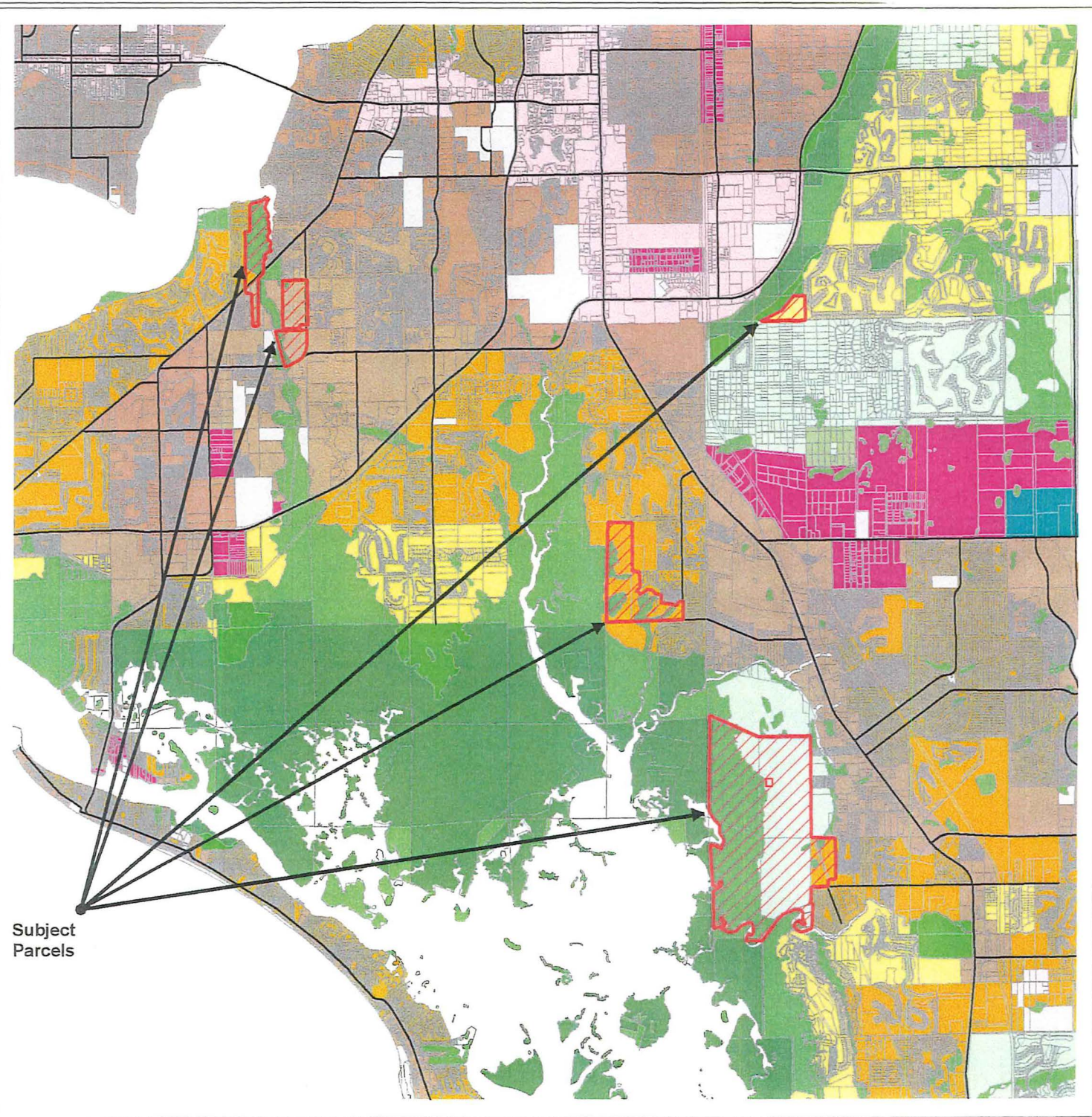
Map Created: 9/4/04



**CPA2000-09
Area 5
Future Land Use Map
(Existing)**

Future Land Use Categories

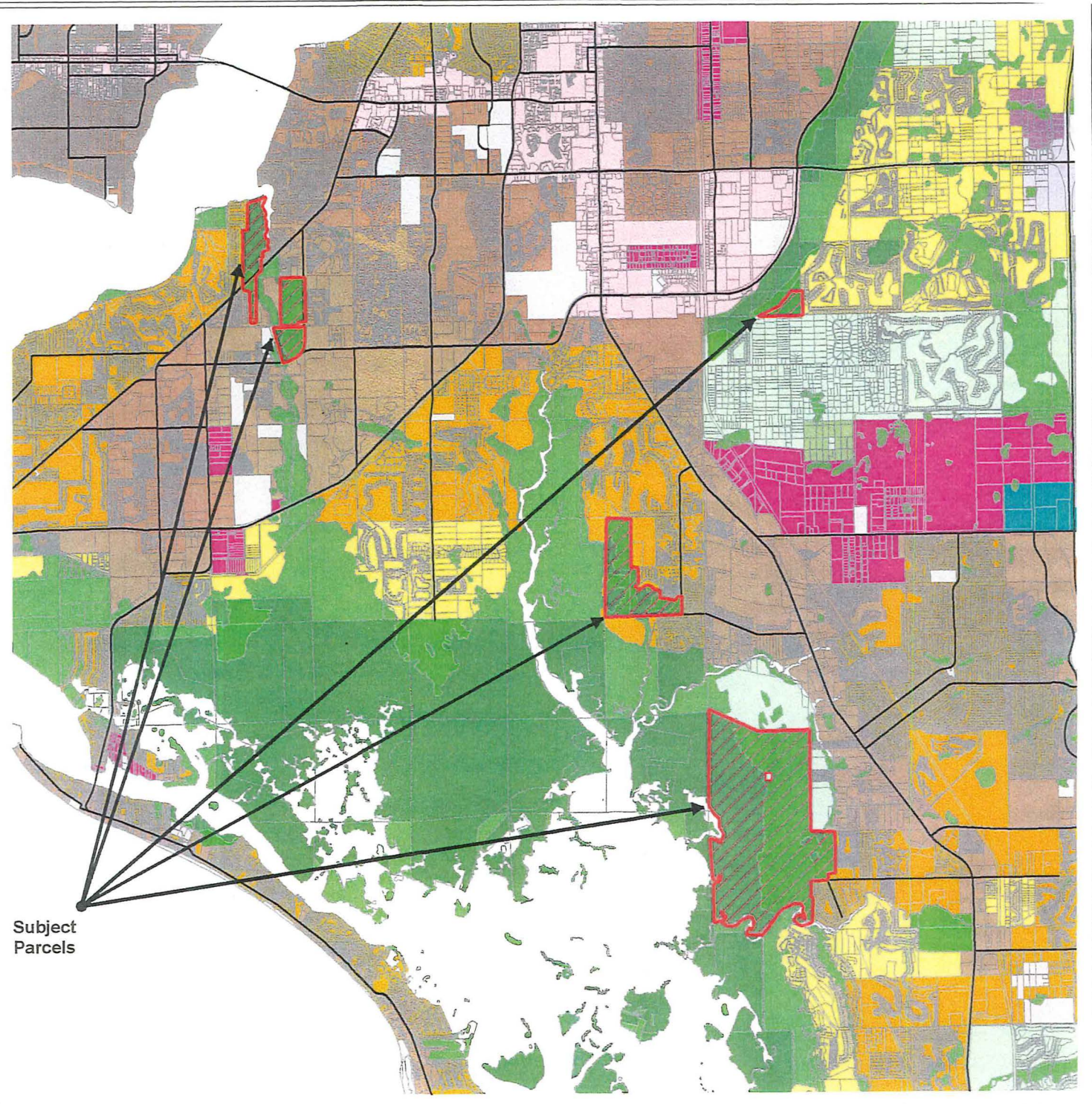
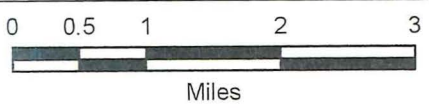
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



CPA2000-09
 Area 5
 Future Land Use Map
 (Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

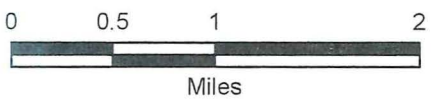
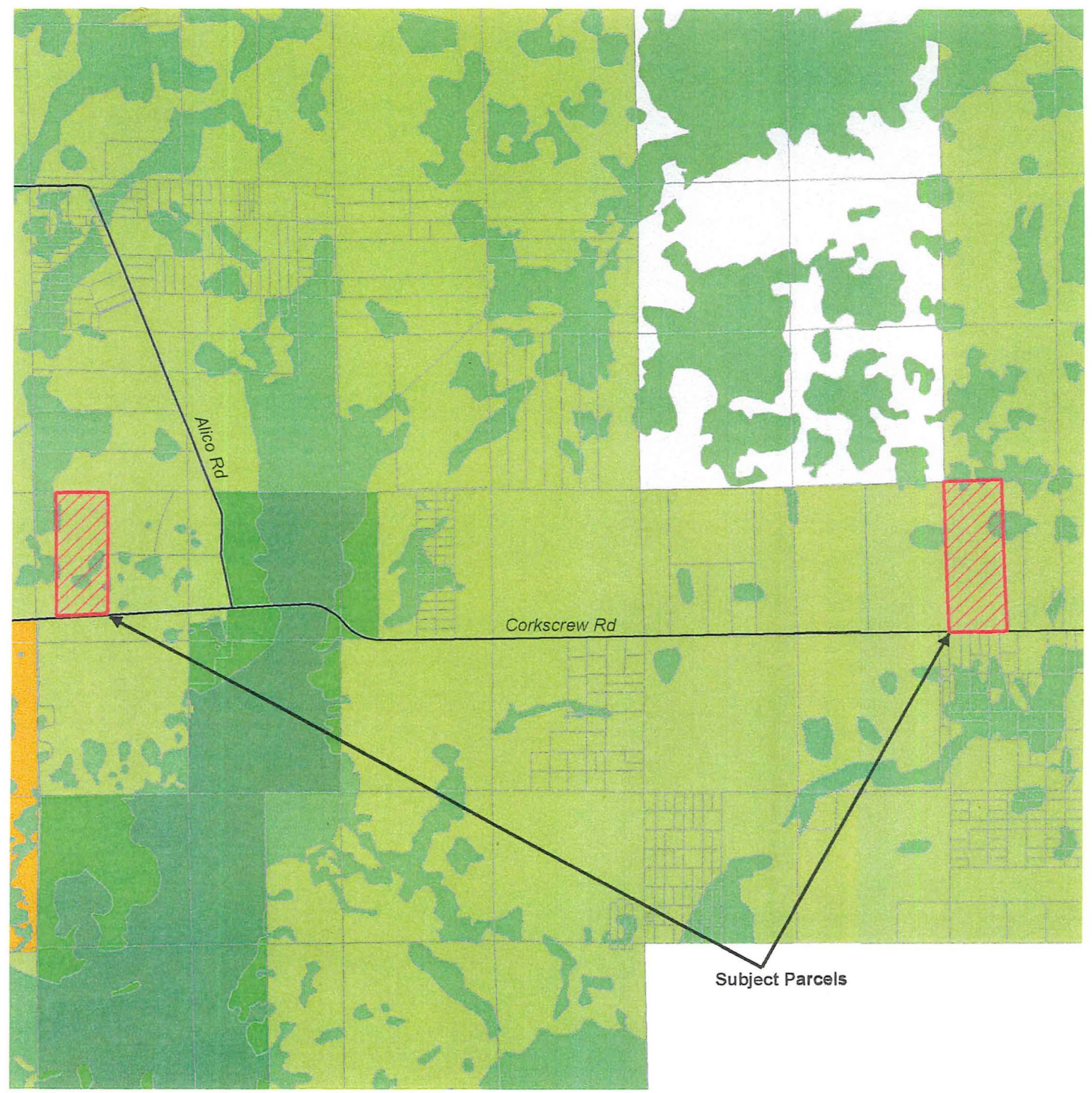


Subject
 Parcels

CPA2000-09
 Area 6
 Future Land Use Map
 (Existing)















Future Land Use Categories

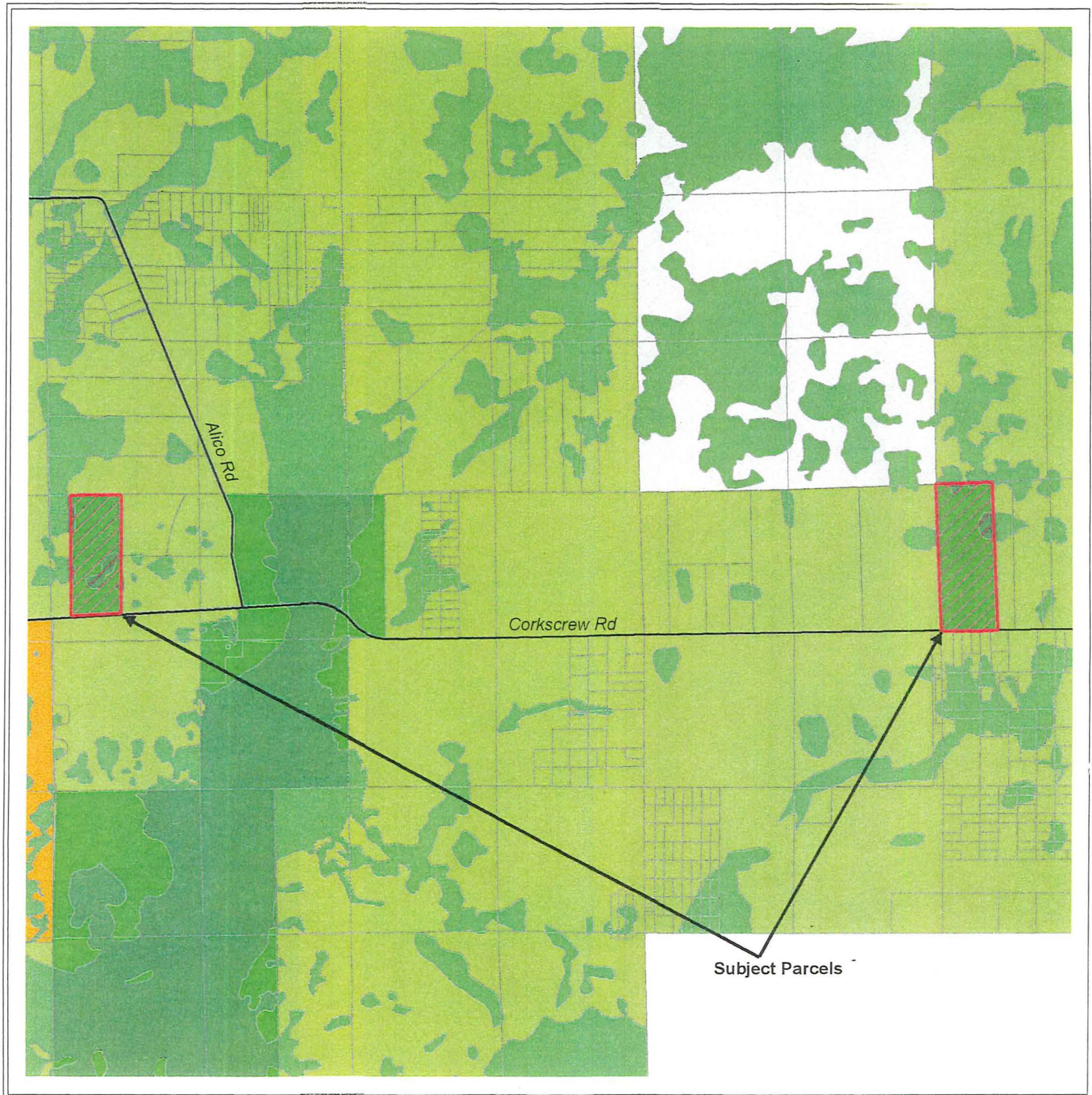
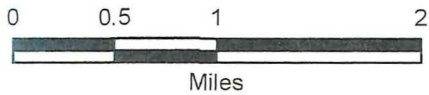
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



CPA2000-09
 Area 6
 Future Land Use Map
 (Proposed)










Future Land Use Categories

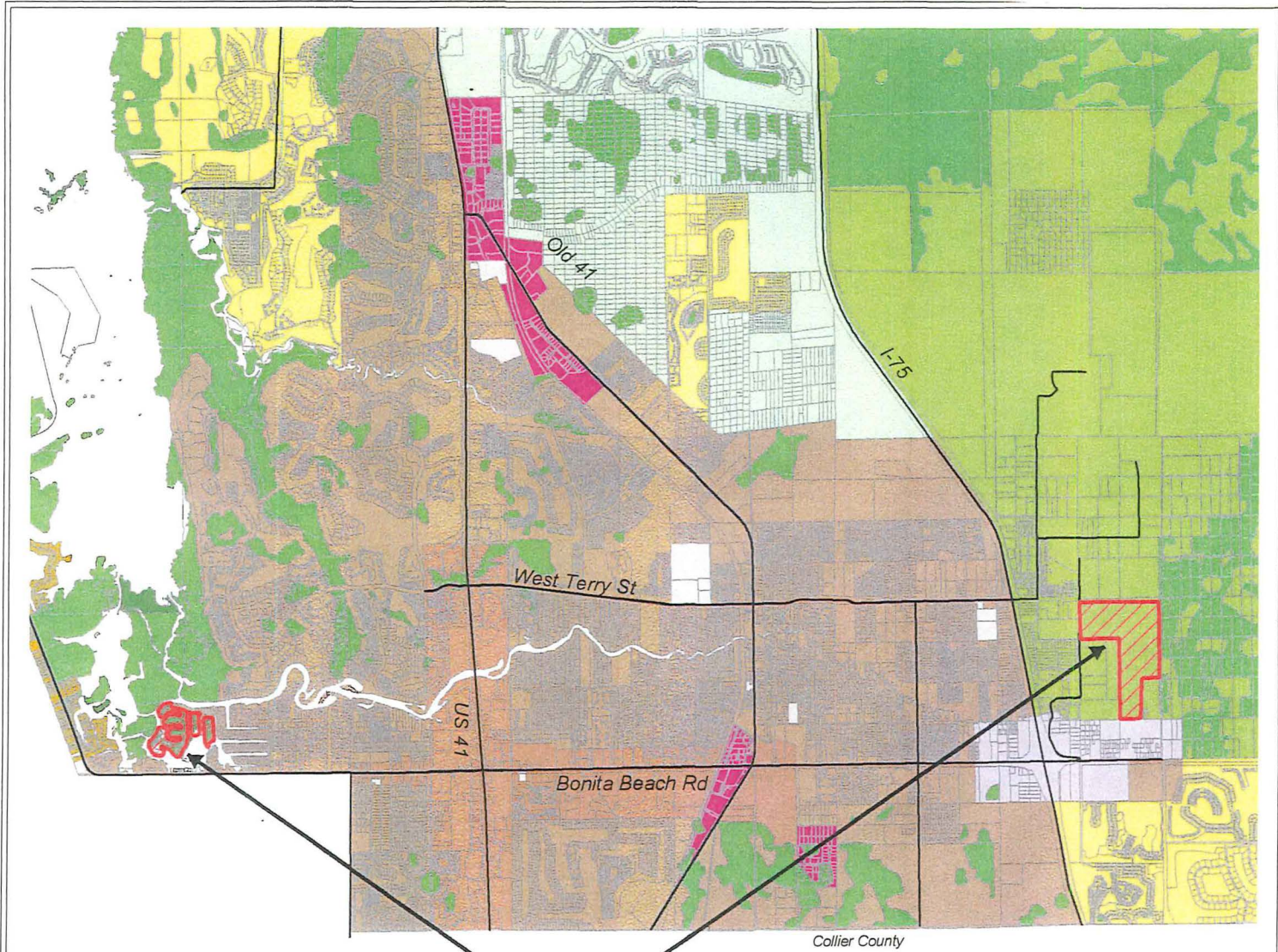
-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland



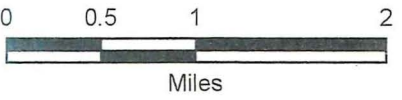
Future Land Use Map (Existing)

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland



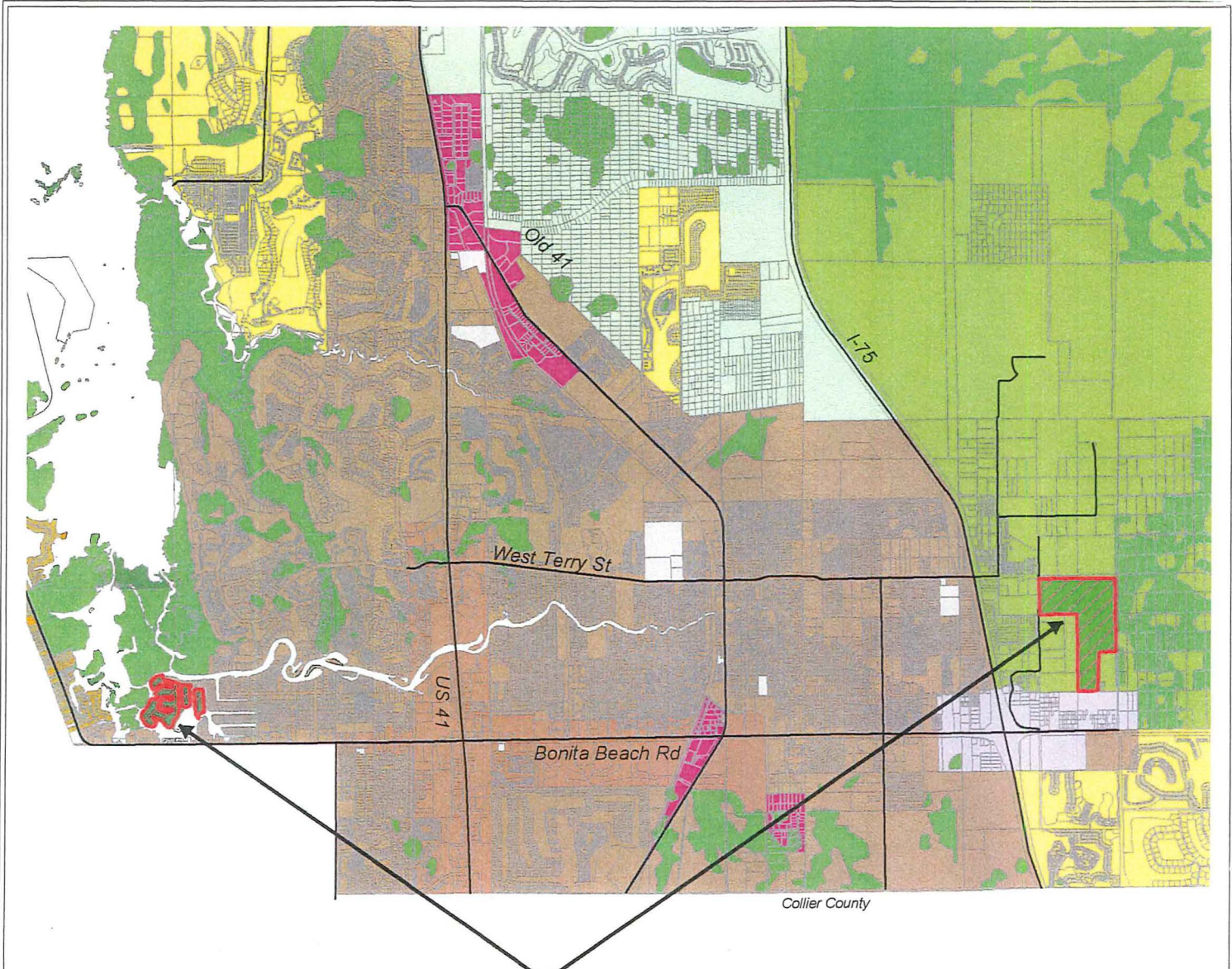
Subject Parcels



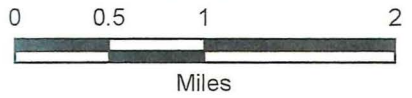
CPA2000-09
 Area 7
 Future Land Use Map
 (Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



Subject Parcels



**Parcels Being Added to the Conservation Lands Future Land Use Categories
through Plan Amendment CPA 2000-09**

Parcels Purchased Through Conservation 2020 Program

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
4	30-43-27-00-00001.0200	39.55	12/03/1998	RM-2	Urban Community
48	07-44-22-00-00012.0000	8.59	12/04/2000	RPD	Rural & Wetlands
55	04-44-22-00-00001.0010	157.9	05/13/1998	AG-2	Wetlands
57	32-43-27-00-00001.0060	132.3	05/13/1998	AG-2	Wetlands & Rural
58	07-43-23-C2-00001.0090	38.38	02/25/1999	Cape R1A	Outlying Suburban
62	21-46-26-00-00001.1000	175	02/25/2000	AG-2	DR/GR & Wetlands
66	12-46-24-00-00005.4000	82.93	12/15/1999	RM-2	Suburban & Wetlands
69	30-45-25-00-00002.2000	39.51	12/20/1999	AG-2	Outlying Suburban & Rural
73	08-44-26-00-00003.0000	66.55	12/03/1999	AG-2	Rural Community Preserve & Wetlands
75	17-43-23-00-00001.0030	38.9	10/29/1999	AG-2	Open Lands & Wetlands
77	32-45-24-01-000L0.0010	55.45	09/23/1999	AG-2	Urban Community & Wetlands
78	29-45-24-00-00008.0000	75.26	07/16/1999	RPD	Urban Community & Wetlands
79	20-43-26-00-00001.0020	8.7	09/09/1999	RS-1	Wetlands
81	Multiple STRAPs in 31-, 32-47-25	39	02/26/1997	AG-2,TFC-2, RM-2, IL	Wetlands
82	29-43-25-02-00007.0050; 32-43-25-00-00005.0000	52.4	02/23/2000	PUD	Suburban & Wetlands
91	13-43-22-C2-00003.0160	5.2	02/23/2000	Cape R1A	Outlying Suburban
92	22-45-22-00-00002.0000	80	05/11/2000	AG-2	Wetlands
93	21-46-27-00-00001.0010	233.7	07/28/2000	AG-2	DR/GR & Wetlands
95	13-43-22-C2-00003.0170	5	04/19/2000	Cape R1A	Outlying Suburban
96	13-43-22-C2-00003.0000	10.43	02/23/2000	Cape R1A	Outlying Suburban
99	13-43-22-C2-00003.0130	15.67	05/10/2000	Cape R1A	Outlying Suburban
101	multiple STRAPs in 30-43-27	31.66	11/27/2000	RM-2	Urban Community
102	08-43-23-00-00006.0030	83.02	03/03/2000	AG-2	Open Lands & Wetlands
107	05-43-23-00-00001.0000	66.01	03/30/2000	AG-2	Open Lands & Wetlands
108	Multiple STRAPs in 21-23, 26-29, 32 & 33-43-25	1,116	12/29/2000	Various	Suburban & Wetlands
116	20-45-24-00-00004.0000; 20-45-24-00-00004.0030; 20-45-24-00-00003.0000	116.35	05/21/2001	AG-2 & RS-1	Urban Community, Suburban & Wetlands
119	31-47-26-B2-00609.0010	130.74	11/22/2000	AG-2	DR/GR & Wetlands
127	32-43-27-00-00004.0020	24.72	12/07/2000	AG-2	Rural
128	12-46-24-23-00000.00A0	160.42	07/09/2001	PUD	Suburban & Wetlands
134	Multiple STRAPs in 01-43, 02-43, 11-43, 12-43, 13-43 & 14-43-24	2388.56	04/27/2001	AG-2	Rural, Open Lands & Wetlands
136	32-43-27-00-00001.0000	38.2	11/09/2000	AG-2	Rural
137	31-44-23-C2-00001.0000	234	03/09/2001	Cape NZ	Wetlands
138	28-43-24-00-00001.0010	118.62	05/04/2001	AG-2	Intensive Development, Central Urban, Outlying Suburban
147	15-45-22-00-00001.3020	60.9	03/16/2001	AG-2	Rural
TOTAL		5929.62			

Other Parcels

Parcel Name	STRAP	Acres	Current Owner	Date Acquired	Zoning	Future Land Use
Former Sahdev Property	Multiple STRAPs in 19-, 29-, & 30-46-25	1,245.00	State of Florida	Feb-00	RPD	Rural, Wetlands, Suburban

ATTACHMENT 2

LEE COUNTY ORDINANCE NO. 96-12

AN ORDINANCE OF LEE COUNTY, FLORIDA, CREATING THE LEE COUNTY CONSERVATION LAND ACQUISITION AND STEWARDSHIP ADVISORY COMMITTEE; PROVIDING FOR CRITERIA RELATING TO THE PROCEDURAL IMPLEMENTATION OF LEE COUNTY'S AD VALOREM TAX LEVY PROGRAM TO PURCHASE AND IMPROVE ENVIRONMENTALLY CRITICAL OR SENSITIVE LANDS; PROVIDING FOR OBJECTIVES AND DUTIES OF THE COMMITTEE; PROVIDING FOR APPOINTMENT, COMPOSITION, TERMS AND PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public health, safety and welfare is served, promoted and enhanced by the acquisition and management of environmentally critical or sensitive lands for the protection of natural flood plains, marshes or estuaries; for surface water management and water supply, for the restoration of altered ecosystems; and to provide wildlife management areas and recreation opportunities; and the conservation of said natural resources; and

WHEREAS, applicable Florida Statutes reflect that such land acquisition and improvement serves a public purpose; and

WHEREAS, Lee County has determined it is in the public's interest to submit to voter referendum the issue of whether the county should be authorized to levy and use certain ad valorem tax funds to finance the purchase and improvement of said lands; and

WHEREAS, if said funding is authorized by the voters of Lee County and the Board in its discretion levies the necessary millage on an annual review basis as required by Florida law, it is further in the public's interest to have any resulting acquisition and improvement program procedurally implemented in a manner that sets specific guidelines for the program and provides the county with recommendations to ensure effective and successful completion of the program; and

WHEREAS, the Board of County Commissioners recognizes the need for the creation of an advisory committee in order to advise the county and public in the

implementation of the program and in proceeding with projects constituting a part of the limited general obligation bond acquisition and improvement program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: NAME:

This ordinance shall be known as the Lee County Conservation Lands Implementation Ordinance.

SECTION TWO: CREATION OF ADVISORY COMMITTEE:

The Board of County Commissioners hereby creates and establishes the Conservation Lands Acquisition and Stewardship Committee, hereinafter called "The Land Committee."

SECTION THREE: OBJECTIVES AND DUTIES:

The "Land Committee" will advise and provide recommendations to the Board concerning the county's environmentally critical or sensitive land purchase and improvement program, "The Land Program." Upon formation of the Land Committee, the Board, with input from the committee, shall establish reasonable rules, guidelines and milestones in order for the committee to meet its objectives and duties as provided herein.

The Land Committee will perform the following functions:

- A. Review and provide recommendations concerning the County's levy of millage and use of ad valorem funds in order to finance and implement The Land Program.
- B. Establish the parameters of The Land Program to include, but not limited to, criteria for land purchases, procedures to implement the program, and process for ranking purchase projects. The Land Program parameters will be confirmed by the Board by subsequent Resolution.
- C. Develop for Board approval by Resolution, a Property Acquisition Map depicting areas for purchase and specific properties which can be

purchased from willing sellers. The Land Acquisition Map and priorities for purchase will be reviewed and updated periodically, but at a minimum on an annual basis.

- D. Establish the parameters of a trust fund for land management, restoration and creation of public access for potential recreational use of acquired properties.
- E. Review established Land Program criteria and guidelines and provide recommendations for amendments and/or modifications to The Land Program that serve to enhance the effective operation of same.
- F. Provide periodic input and updates on the implementation and operation of The Land Program, to include but not limited to land purchase status, expenditures and availability of funds.
- G. Disseminate to and coordinate with Lee County local governments, potentially affected property owners and the general public by public hearing or otherwise, information concerning the program guidelines and the rationale for parcel selection.
- H. Coordinate with and assist as necessary Lee County staff in acquiring and managing the program lands.
- I. Offer amendments and/or modifications to this ordinance as necessary to effectively and successfully implement the program.

SECTION FOUR: PROGRAM CRITERIA

Notwithstanding the duties and objectives as specified in Section Three, supra, the Land Program shall be subject to the following general criteria:

- A. All land acquisitions and land improvement functions must be consistent with the legal and financial parameters of any County levy of millage and use of ad valorem tax proceeds providing funds for The Land Program.
- B. All land purchases shall conform to those laws applicable to the county purchase of real property or any interest therein.
- C. All lands shall be purchased in a legal interest sufficient to meet the objectives for the uses of the acquired lands herein.

- D. Priorities for land purchase must be reviewed and amended, if necessary, at least on an annual basis.
- E. The land Acquisition Program will be on a "willing seller" basis. No eminent domain will be used to acquire lands for the program.
- F. All lands considered for purchase will be appraised by one or more certified appraisers.
- G. In general, the lands considered for purchase should have critical or sensitive conservation value, be large enough in size to be effectively managed or be a unique/rare habitat type, contribute positively to surface water management, water supply, flood control, wildlife habitat or appropriate passive public recreation.
- H. Land purchases will be consistent with those lands as identified in the Lee County Comprehensive Plan as being appropriate for conservation and protection of natural resources efforts and public recreation.
- I. Lands to be acquired under The Land Program will be subject to the county's receipt of off-site mitigation credits from appropriate agencies or agency as the case may be.
- J. Any lands identified as a priority for purchase can be removed from said listing or acquisition map upon the request of any affected land owner.

SECTION FIVE: APPOINTMENT AND COMPOSITION:

The Board of County Commissioners shall appoint fifteen (15) members to the Land Committee, as herein established. It is the intent to establish an advisory committee with a balance of environmental, business, government and civic interests in Lee County. The membership will be established by the Board upon consensus vote after a review of recommendations of appointees. Each Board member shall nominate three (3) members to the Committee.

SECTION SIX: TERMS OF MEMBERS

The members to the Land Committee shall be appointed by the Board for a term up

to three (3) years. The membership hereof shall be appointed within thirty (30) days after the favorable adoption of the non-binding Referendum of November 5, 1996 on the land acquisition issue. The Board will make subsequent appointments or reappointments in the same manner as the original appointments. Members may be replaced subject to confirmation of the Board. Unless otherwise provided by the Board, replacement members will serve the unexpired term.

The Board may remove any member who is absent for four (4) consecutive meetings upon recommendation from the Land Committee.

SECTION SEVEN: RULES OF PROCEDURE:

- A. The Land Committee and its members shall comply with all applicable requirements of the Florida Sunshine Law, Public Records Law, Financial Disclosure Requirements (F.S. Ch. 112), if required, and the Lee County Lobbying Ordinance.
- B. The Land Committee may adopt additional procedures of operations provided there is no conflict with State Law.
- C. Roberts Rules of Order shall dictate parliamentary procedure. The Committee will elect its own officers for a one (1) year term.
- D. All members will serve without compensation.
- E. The committee shall adopt a meeting schedule consistent with the effective implementation and operation of the program and the objectives set forth in this ordinance. Regardless, in no event will the committee meet less than quarterly unless such revised schedule is first approved by the Board. The committee adopted meeting schedule or revisions thereto shall be forwarded to the Board of County Commissioners.

SECTION EIGHT: SEVERABILITY/REPEAL

The provisions of this ordinance are severable and it is the legislative intention to confer upon the whole or any part of the ordinance the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included herein. Any subsequent amendments to, or repeal of this ordinance shall not in any way affect the validity of the levy of millage and use of tax proceeds for the land acquisition program or the non-binding of referenda vote of November 5, 1996. The provisions of this ordinance, as a procedural implementing document, shall be deemed separate and apart from said ad valorem tax financing and related actions.

SECTION NINE: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Lee County Code; and that sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Administrator, or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court.

SECTION TEN: EFFECTIVE DATE/REPEALER:

This ordinance shall be effective upon official filing of same with the Secretary of the State of Florida, but shall be of no further force or effect and will be deemed repealed if the proposed non-binding Referendum for environmentally critical or sensitive lands is not duly approved at the November 5, 1996, Special Referendum Election.

The foregoing Ordinance was offered by Commissioner Ray Judah, who moved its

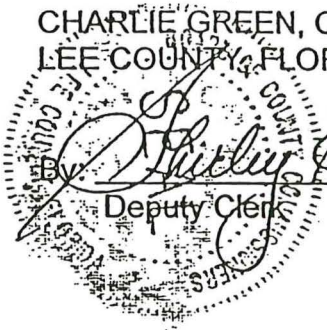
adoption. The motion was seconded by Commissioner Andrew Coy and, being put to a vote, the vote was as follows:

JOHN E. MANNING	<u>ABSENT</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW W. COY	<u>AYE</u>
JOHN E. ALBION	<u>AYE</u>

DULY PASSED AND ADOPTED this 31st day of July, 1996.

CHARLIE GREEN, CLERK
LEE COUNTY, FLORIDA

By: Shirley E. Rost
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: James G. Gaeger
County Attorney

**CPA2000-09
BoCC SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
for the
January 10th Adoption Hearing

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

November 21, 2001

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2000-09**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 16, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map to redesignate 5,929± acres, purchased through the Conservation 2020 Program and 1,245 acres purchased by the State from various land use categories to Conservation Lands, as specified under Objective 1.4.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends the Board of County Commissioners (BOCC) transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Upland and Wetland Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property). The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland

conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Conservation Lands category was created to accurately depict the use of lands for conservation purposes.
- Lee County currently includes conservation areas owned by various agencies in the Conservation Lands Future Land Use Category.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has purchased 34 nominated properties through the Conservation 2020 Program as of August 1, 2001, and will continue to purchase lands for preservation.
- On July 12, 2001, CLASAC recommended that the proposed amendment be approved by the BOCC.
- In February 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the State preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Rural, Suburban, and Wetlands on the Future Land Use Map (FLUM).

- The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

C. BACKGROUND INFORMATION

1. COMPREHENSIVE PLAN POLICY BACKGROUND

On June 3, 1998 the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category. Currently, 50,000± acres are classified in the Conservation Lands category, and almost 15,000 acres of this total is owned by Lee County.

2. CONSERVATION 2020 PROGRAM

CLASAC was established by Ordinance 96-12 to develop and implement a conservation land acquisition and stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers. As of August 1, 2001, thirty-four properties have been acquired totaling 5,929± acres.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation and recommends the BOCC transmit this amendment.

3. EXISTING CONDITIONS OF ACQUIRED 2020 PROPERTIES

TOTAL ACREAGE: 5,929± acres

LOCATIONS: Conservation 2020 properties are located throughout Lee County (see Attachment 1 map).

EXISTING USES: The subject properties contain wetlands, passive agricultural uses, and vacant land.

CURRENT ZONING CLASSIFICATIONS: Attachment 2 details the individual parcel data including the acreage figures provided by the County Lands Department, which manages the Conservation 2020 program. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

CURRENT FUTURE LAND USE CLASSIFICATIONS: The subject properties are classified as Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, Rural, Rural Community Preserve, Open Lands, Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachment 2 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

4. ESTERO SCRUB PRESERVE aka SAHDEV PROPERTY

In February of 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the state preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Suburban, Rural, and Wetlands on the Future Land Use Map. These designations are no longer appropriate since the property is now part of the State conservation lands. The local representative of DEP who manages the Estero Bay Aquatic Preserve has been contacted by planning staff, and had no objection to the subject property being reclassified as Conservation Lands.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTENT OF PLAN AND MAP AMENDMENT

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

CONSERVATION LANDS POLICY

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks.

EXISTING CONSERVATION LANDS

Lee County has acquired over 15,000 acres of conservation lands at a cost of \$25 million since the 1989 plan was adopted including the Flint Pen Strand, the Imperial Marsh Southwest Florida International Airport Mitigation Area, the Hickey Creek Mitigation Park, the St. James Creek Preserve, and Bocilla Island Preserve. In addition to the conservation lands acquired by Lee County, there are approximately 30,000 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County including Cayo Costa State Park, Estero Bay State Buffer Preserve, Little Pine Island Mitigation Bank, Little Estero Critical Wildlife Area, and the Calusa Land Trust's St. James Creek Preserve on Pine Island.

CONSERVATION 2020 PROGRAM

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The BOCC established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 20/20", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would

only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities

The County has received about 200 willing seller applications. To date, 5,929 acres have been purchased.

On March 8, 2001, CLASAC met to discuss this proposed amendment. Lyle Danielson from the public commented on the proposal stating that the Conservation Lands should be rezoned to EC instead of this plan amendment. CLASAC members also had several questions and comments on the amendment. CLASAC was concerned that this amendment would prohibit future road construction and interim land management tools such as cattle grazing. Staff responded and stated that Policy 2.1.3 allows the consideration of public uses and facilities in all land use categories. In addition, Staff stated that Policy 1.4.5 does not prohibit cattle grazing as a management tool. CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program and recommends that the BOCC transmit this amendment.

On April 12, 2001, CLASAC members unanimously approved the Local Planning Agency's recommendation to include the new language into Policy 1.4.6.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program after March 8, 2001 in the Conservation Lands Future Land Use category. As of August 1, 2001, three more properties were acquired totaling an additional 2,550± acres.

LANDS TO BE RECLASSIFIED

All lands purchased by the Conservation 2020 Program and the Estero Scrub Preserve.

ALLOWABLE USES AND ACTIVITIES

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.

2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

ZONING

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

WETLANDS

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. . Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

GRANTS

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

B. CONCLUSIONS

Placement of the lands acquired through the Conservation 2020 Program, as well as, the lands within the Estero Scrub Preserve into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 74, and Policy 74.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Attachment 3). These goals, objectives, and policies read as follows:

Objective 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the

provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

Goal 74: COASTAL RESOURCE PROTECTION. To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

Policy 74.1.2: The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands category those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: March 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

Staff provided a presentation to the LPA on the proposed plan amendment. The LPA provided a considerable amount of discussion on some key issues. One issue of particular concern was the language in Policy 1.4.6 that lists examples of uses that would be allowed in the Conservation Lands category, and how these uses would relate to the provisions of the ordinance that established the Conservation 2020 program. The LPA was concerned that certain allowable uses in the Conservation Lands category, such as well fields or ancillary uses such as parking lots, would not meet the intent of the Conservation 2020 program. It was the LPA's understanding that the Conservation 2020 lands were to remain in their natural state with some limited public access uses. The LPA was concerned that certain uses typically allowed in the Conservation Lands category were more intense than what the citizens of Lee County approved when they voted to tax themselves for the purchase of the Conservation 2020 parcels.

Staff responded to this concern by stating that currently, the Conservation 2020 lands were in a variety of land use categories, some of which would allow fairly intense development, had they not been purchased by the County. This amendment was simply an attempt to place all of these lands into the most appropriate category available. Each of the Conservation 2020 properties would still be subject to the provisions of the ordinance that established the program. This ordinance is generally more restrictive than the Future Land Use category, and would take precedence over the provisions of the Conservation Lands category. Furthermore, each of the Conservation 2020 properties has a specific management plan that is developed by County staff and approved by the Board of County Commissioners through public hearings. This management plan would also take precedence over the Future Land Use category.

Given the concern that this map amendment might allow uses within Conservation 2020 lands that might not be consistent with the intent of the Conservation 2020 program, the LPA suggested adding a sentence into Policy 1.4.6 that would clearly state that the Conservation 2020 lands in the Conservation Lands Future Land Use category would be subject to the more stringent conditions of the Conservation 2020 program. One member of the public provided a suggestion for this language. Another member of the public also spoke in favor of the amendment, but recommended that this type of language be included as a safeguard against land uses that might be inconsistent with the intent of the Conservation 2020 program.

The LPA also questioned whether the placement of the various properties into the Conservation Lands category would preclude the building of planned roadways. Staff responded that Policy 2.1.3 of the Lee Plan provides for public facilities in any land use category. A representative of Lee County DOT stated that each of the Conservation 2020 properties is reviewed by DOT for consistency with the County's 2020 Transportation Plan. If DOT anticipates that right-of-way will be needed within a property slated for Conservation 2020 purchase, they would put this on the record before the property is purchased. When DOT arrived at the phase where they would acquire right-of-way, then they would negotiate with the County (represented by the CLASAC) to purchase the needed right-of-way. Once a price was negotiated, then DOT would pay the County's Conservation 2020 program for the purchase of the right-of-way. The

placement of the Conservation 2020 properties into the Conservation Lands category would in no way preclude the acquisition of right-of-way or the construction of needed roadways.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
SUSAN BROOKMAN	AYE
BARRY ERNST	AYE
RONALD INGE	AYE
GORDON REIGELMAN	AYE
VIRGINIA SPLITT	AYE
GREG STUART	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. BOARD REVIEW: The Board of County Commissioners provided no discussion concerning this amendment. This amendment was transmitted as part of the Consent Agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board of County Commissioners voted unanimously to transmit the proposed amendment, with the addition of language to Policy 1.4.6.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

AYE

ANDREW COY

AYE

BOB JANES

AYE

RAY JUDAH

AYE

DOUG ST. CERNY

AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: November 21, 2001

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The DCA had no objections, recommendations, or comments concerning this amendment.

B. STAFF RESPONSE

Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: January 10, 2002

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

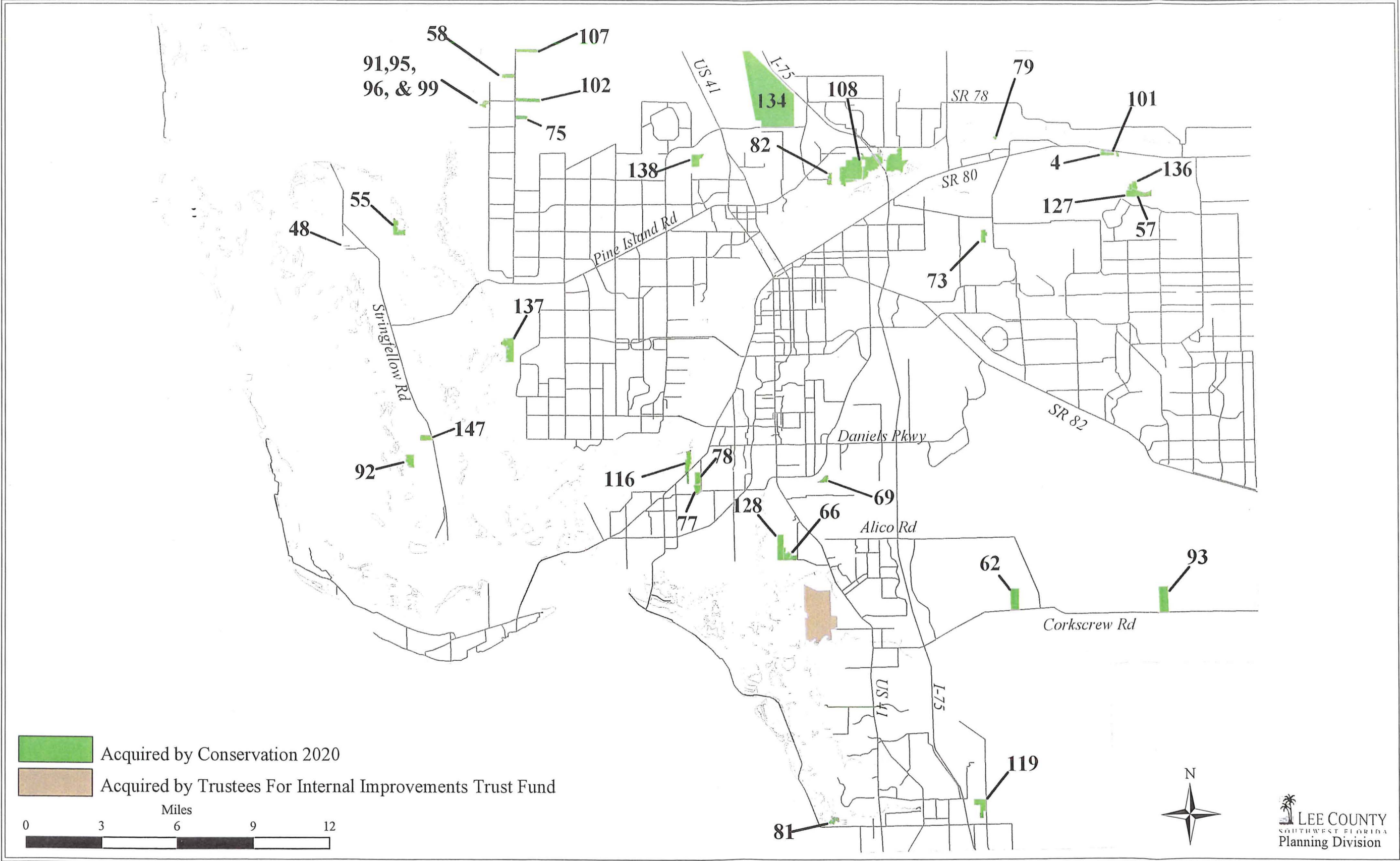
BOB JANES

RAY JUDAH

DOUG ST. CERNY

Lee Plan Amendment CPA 2000-09

Areas proposed for inclusion in Conservation Lands



**Parcels Being Added to the Conservation Lands Future Land Use Categories
through Plan Amendment CPA 2000-09**

Parcels Purchased Through Conservation 2020 Program

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
4	30-43-27-00-00001.0200	39.55	12/03/1998	RM-2	Urban Community
48	07-44-22-00-00012.0000	8.59	12/04/2000	RPD	Rural & Wetlands
55	04-44-22-00-00001.0010	157.9	05/13/1998	AG-2	Wetlands
57	32-43-27-00-00001.0060	132.3	05/13/1998	AG-2	Wetlands & Rural
58	07-43-23-C2-00001.0090	38.38	02/25/1999	Cape R1A	Outlying Suburban
62	21-46-26-00-00001.1000	175	02/25/2000	AG-2	DR/GR & Wetlands
66	12-46-24-00-00005.4000	82.93	12/15/1999	RM-2	Suburban & Wetlands
69	30-45-25-00-00002.2000	39.51	12/20/1999	AG-2	Outlying Suburban & Rural
73	08-44-26-00-00003.0000	66.55	12/03/1999	AG-2	Rural Community Preserve & Wetlands
75	17-43-23-00-00001.0030	38.9	10/29/1999	AG-2	Open Lands & Wetlands
77	32-45-24-01-00010.0010	55.45	09/23/1999	AG-2	Urban Community & Wetlands
78	29-45-24-00-00008.0000	75.26	07/16/1999	RPD	Urban Community & Wetlands
79	20-43-26-00-00001.0020	8.7	09/09/1999	RS-1	Wetlands
81	Multiple STRAPs in 31-, 32-47-25	39	02/26/1997	AG-2,TFC-2,RM-2,IL	Wetlands
82	29-43-25-02-00007.0050; 32-43-25-00-00005.0000	52.4	02/23/2000	PUD	Suburban & Wetlands
91	13-43-22-C2-00003.0160	5.2	02/23/2000	Cape R1A	Outlying Suburban
92	22-45-22-00-00002.0000	80	05/11/2000	AG-2	Wetlands
93	21-46-27-00-00001.0010	233.7	07/28/2000	AG-2	DR/GR & Wetlands
95	13-43-22-C2-00003.0170	5	04/19/2000	Cape R1A	Outlying Suburban
96	13-43-22-C2-00003.0000	10.43	02/23/2000	Cape R1A	Outlying Suburban
99	13-43-22-C2-00003.0130	15.67	05/10/2000	Cape R1A	Outlying Suburban
101	multiple STRAPs in 30-43-27	31.66	11/27/2000	RM-2	Urban Community
102	08-43-23-00-00006.0030	83.02	03/03/2000	AG-2	Open Lands & Wetlands
107	05-43-23-00-00001.0000	66.01	03/30/2000	AG-2	Open Lands & Wetlands
108	Multiple STRAPs in 21-23, 26-29, 32 & 33-43-25	1,116	12/29/2000	Various	Suburban & Wetlands
116	20-45-24-00-00004.0000; 20-45-24-00-00004.0030; 20-45-24-00-00003.0000	116.35	05/21/2001	AG-2 & RS-1	Urban Community, Suburban & Wetlands
119	31-47-26-B2-00609.0010	130.74	11/22/2000	AG-2	DR/GR & Wetlands
127	32-43-27-00-00004.0020	24.72	12/07/2000	AG-2	Rural
128	12-46-24-23-00000.00A0	160.42	07/09/2001	PUD	Suburban & Wetlands
134	Multiple STRAPs in 01-43, 02-43, 11-43, 12-43, 13-43 & 14-43-24	2388.56	04/27/2001	AG-2	Rural, Open Lands & Wetlands
136	32-43-27-00-00001.0000	38.2	11/09/2000	AG-2	Rural
137	31-44-23-C2-00001.0000	234	03/09/2001	Cape NZ	Wetlands
138	28-43-24-00-00001.0010	118.62	05/04/2001	AG-2	Intensive Development, Central Urban, Outlying Suburban
147	15-45-22-00-00001.3020	60.9	03/16/2001	AG-2	Rural
TOTAL		5929.62			

Other Parcels

Parcel Name	STRAP	Acres	Current Owner	Date Acquired	Zoning	Future Land Use
Former Sahdev Property	Multiple STRAPs in 19-, 29-, & 30-46-25	1,245.00	State of Florida	Feb-00	RPD	Rural, Wetlands, Suburban

ATTACHMENT 2

LEE COUNTY ORDINANCE NO. 96-12

AN ORDINANCE OF LEE COUNTY, FLORIDA, CREATING THE LEE COUNTY CONSERVATION LAND ACQUISITION AND STEWARDSHIP ADVISORY COMMITTEE; PROVIDING FOR CRITERIA RELATING TO THE PROCEDURAL IMPLEMENTATION OF LEE COUNTY'S AD VALOREM TAX LEVY PROGRAM TO PURCHASE AND IMPROVE ENVIRONMENTALLY CRITICAL OR SENSITIVE LANDS; PROVIDING FOR OBJECTIVES AND DUTIES OF THE COMMITTEE; PROVIDING FOR APPOINTMENT, COMPOSITION, TERMS AND PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public health, safety and welfare is served, promoted and enhanced by the acquisition and management of environmentally critical or sensitive lands for the protection of natural flood plains, marshes or estuaries; for surface water management and water supply, for the restoration of altered ecosystems; and to provide wildlife management areas and recreation opportunities; and the conservation of said natural resources; and

WHEREAS, applicable Florida Statutes reflect that such land acquisition and improvement serves a public purpose; and

WHEREAS, Lee County has determined it is in the public's interest to submit to voter referendum the issue of whether the county should be authorized to levy and use certain ad valorem tax funds to finance the purchase and improvement of said lands; and

WHEREAS, if said funding is authorized by the voters of Lee County and the Board in its discretion levies the necessary millage on an annual review basis as required by Florida law, it is further in the public's interest to have any resulting acquisition and improvement program procedurally implemented in a manner that sets specific guidelines for the program and provides the county with recommendations to ensure effective and successful completion of the program; and

WHEREAS, the Board of County Commissioners recognizes the need for the creation of an advisory committee in order to advise the county and public in the

implementation of the program and in proceeding with projects constituting a part of the limited general obligation bond acquisition and improvement program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: NAME:

This ordinance shall be known as the Lee County Conservation Lands Implementation Ordinance.

SECTION TWO: CREATION OF ADVISORY COMMITTEE:

The Board of County Commissioners hereby creates and establishes the Conservation Lands Acquisition and Stewardship Committee, hereinafter called "The Land Committee."

SECTION THREE: OBJECTIVES AND DUTIES:

The "Land Committee" will advise and provide recommendations to the Board concerning the county's environmentally critical or sensitive land purchase and improvement program, "The Land Program." Upon formation of the Land Committee, the Board, with input from the committee, shall establish reasonable rules, guidelines and milestones in order for the committee to meet its objectives and duties as provided herein.

The Land Committee will perform the following functions:

- A. Review and provide recommendations concerning the County's levy of millage and use of ad valorem funds in order to finance and implement The Land Program.
- B. Establish the parameters of The Land Program to include, but not limited to, criteria for land purchases, procedures to implement the program, and process for ranking purchase projects. The Land Program parameters will be confirmed by the Board by subsequent Resolution.
- C. Develop for Board approval by Resolution, a Property Acquisition Map depicting areas for purchase and specific properties which can be

purchased from willing sellers. The Land Acquisition Map and priorities for purchase will be reviewed and updated periodically, but at a minimum on an annual basis.

- D. Establish the parameters of a trust fund for land management, restoration and creation of public access for potential recreational use of acquired properties.
- E. Review established Land Program criteria and guidelines and provide recommendations for amendments and/or modifications to The Land Program that serve to enhance the effective operation of same.
- F. Provide periodic input and updates on the implementation and operation of The Land Program, to include but not limited to land purchase status, expenditures and availability of funds.
- G. Disseminate to and coordinate with Lee County local governments, potentially affected property owners and the general public by public hearing or otherwise, information concerning the program guidelines and the rationale for parcel selection.
- H. Coordinate with and assist as necessary Lee County staff in acquiring and managing the program lands.
- I. Offer amendments and/or modifications to this ordinance as necessary to effectively and successfully implement the program.

SECTION FOUR: PROGRAM CRITERIA

Notwithstanding the duties and objectives as specified in Section Three, supra, the Land Program shall be subject to the following general criteria:

- A. All land acquisitions and land improvement functions must be consistent with the legal and financial parameters of any County levy of millage and use of ad valorem tax proceeds providing funds for The Land Program.
- B. All land purchases shall conform to those laws applicable to the county purchase of real property or any interest therein.
- C. All lands shall be purchased in a legal interest sufficient to meet the objectives for the uses of the acquired lands herein.

- D. Priorities for land purchase must be reviewed and amended, if necessary, at least on an annual basis.
- E. The land Acquisition Program will be on a "willing seller" basis. No eminent domain will be used to acquire lands for the program.
- F. All lands considered for purchase will be appraised by one or more certified appraisers.
- G. In general, the lands considered for purchase should have critical or sensitive conservation value, be large enough in size to be effectively managed or be a unique/rare habitat type, contribute positively to surface water management, water supply, flood control, wildlife habitat or appropriate passive public recreation.
- H. Land purchases will be consistent with those lands as identified in the Lee County Comprehensive Plan as being appropriate for conservation and protection of natural resources efforts and public recreation.
- I. Lands to be acquired under The Land Program will be subject to the county's receipt of off-site mitigation credits from appropriate agencies or agency as the case may be.
- J. Any lands identified as a priority for purchase can be removed from said listing or acquisition map upon the request of any affected land owner.

SECTION FIVE: APPOINTMENT AND COMPOSITION:

The Board of County Commissioners shall appoint fifteen (15) members to the Land Committee, as herein established. It is the intent to establish an advisory committee with a balance of environmental, business, government and civic interests in Lee County. The membership will be established by the Board upon consensus vote after a review of recommendations of appointees. Each Board member shall nominate three (3) members to the Committee.

SECTION SIX: TERMS OF MEMBERS

The members to the Land Committee shall be appointed by the Board for a term up

to three (3) years. The membership hereof shall be appointed within thirty (30) days after the favorable adoption of the non-binding Referendum of November 5, 1996 on the land acquisition issue. The Board will make subsequent appointments or reappointments in the same manner as the original appointments. Members may be replaced subject to confirmation of the Board. Unless otherwise provided by the Board, replacement members will serve the unexpired term.

The Board may remove any member who is absent for four (4) consecutive meetings upon recommendation from the Land Committee.

SECTION SEVEN: RULES OF PROCEDURE:

- A. The Land Committee and its members shall comply with all applicable requirements of the Florida Sunshine Law, Public Records Law, Financial Disclosure Requirements (F.S. Ch. 112), if required, and the Lee County Lobbying Ordinance.
- B. The Land Committee may adopt additional procedures of operations provided there is no conflict with State Law.
- C. Roberts Rules of Order shall dictate parliamentary procedure. The Committee will elect its own officers for a one (1) year term.
- D. All members will serve without compensation.
- E. The committee shall adopt a meeting schedule consistent with the effective implementation and operation of the program and the objectives set forth in this ordinance. Regardless, in no event will the committee meet less than quarterly unless such revised schedule is first approved by the Board. The committee adopted meeting schedule or revisions thereto shall be forwarded to the Board of County Commissioners.

SECTION EIGHT: SEVERABILITY/REPEAL

The provisions of this ordinance are severable and it is the legislative intention to confer upon the whole or any part of the ordinance the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included herein. Any subsequent amendments to, or repeal of this ordinance shall not in any way affect the validity of the levy of millage and use of tax proceeds for the land acquisition program or the non-binding of referenda vote of November 5, 1996. The provisions of this ordinance, as a procedural implementing document, shall be deemed separate and apart from said ad valorem tax financing and related actions.

SECTION NINE: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Lee County Code; and that sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Administrator, or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court.

SECTION TEN: EFFECTIVE DATE/REPEALER:

This ordinance shall be effective upon official filing of same with the Secretary of the State of Florida, but shall be of no further force or effect and will be deemed repealed if the proposed non-binding Referendum for environmentally critical or sensitive lands is not duly approved at the November 5, 1996, Special Referendum Election.

The foregoing Ordinance was offered by Commissioner Ray Judah, who moved its

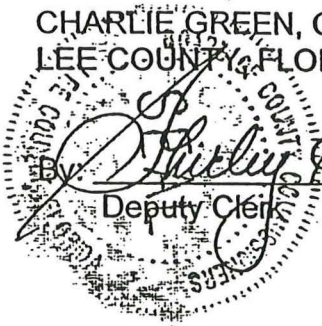
adoption. The motion was seconded by Commissioner Andrew Coy and, being put to a vote, the vote was as follows:

JOHN E. MANNING	<u>ABSENT</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW W. COY	<u>AYE</u>
JOHN E. ALBION	<u>AYE</u>

DULY PASSED AND ADOPTED this 31st day of July, 1996.

CHARLIE GREEN, CLERK
LEE COUNTY, FLORIDA

By: Shirley E. Rast
Deputy Clerk

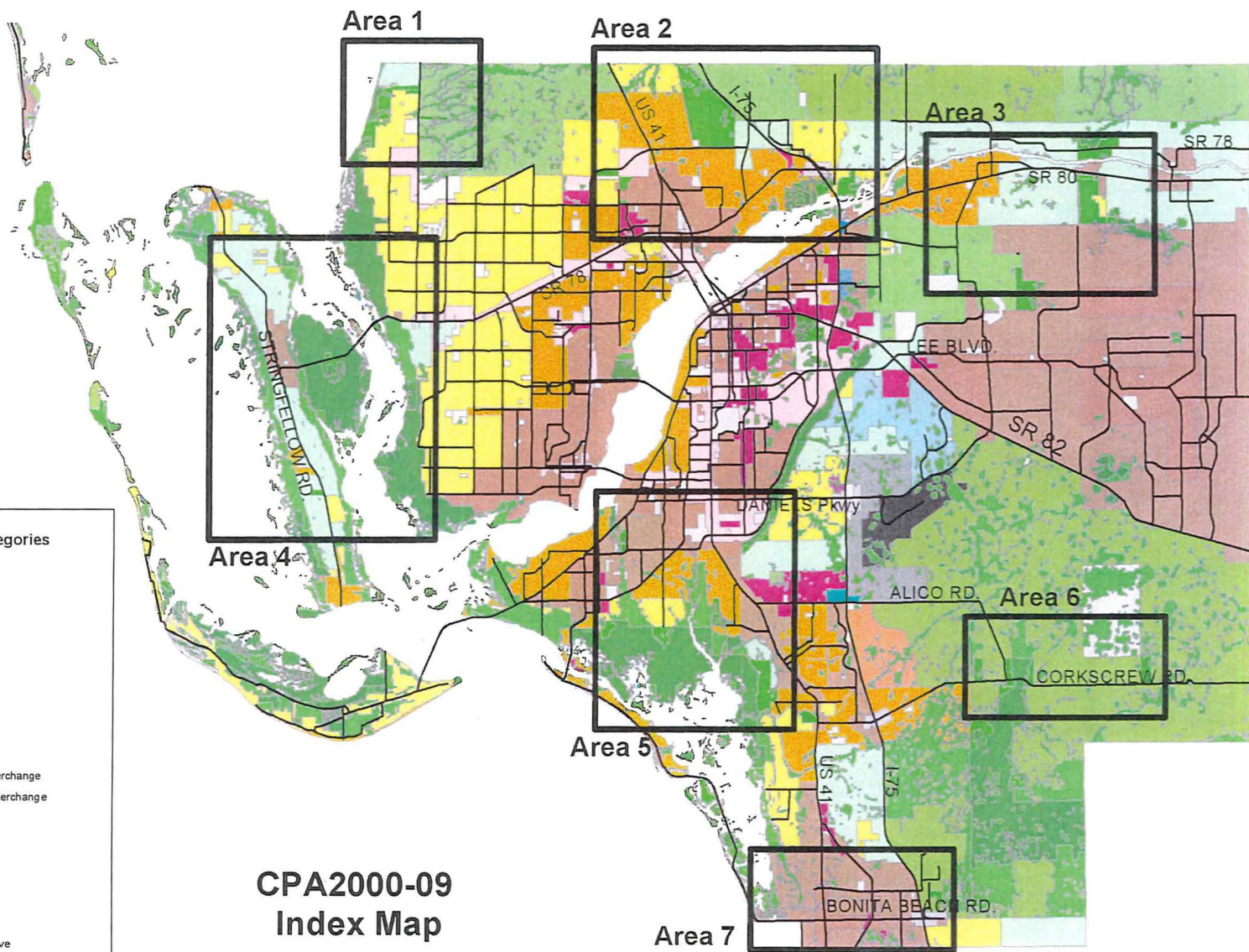


BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Chairman

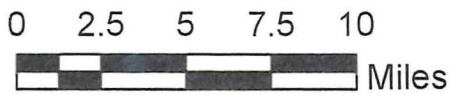
LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: James G. Jaeger
County Attorney



**CPA2000-09
Index Map**

- Future Land Use Categories**
- Intensive Development
 - Central Urban
 - Urban Community
 - Suburban
 - Outlying Suburban
 - Industrial
 - Public Facility
 - University Community
 - Industrial Interchange
 - General Interchange
 - General Commercial Interchange
 - Industrial Commercial Interchange
 - University Village
 - Mixed Use Interchange
 - New Community
 - Airport Commerce
 - Airport
 - Rural
 - Rural Community Preserve
 - Outer Island
 - Open Lands
 - Density Reduction/ Groundwater Resource
 - Conservation Land--Upland
 - Wetland
 - Conservation Land--Wetland



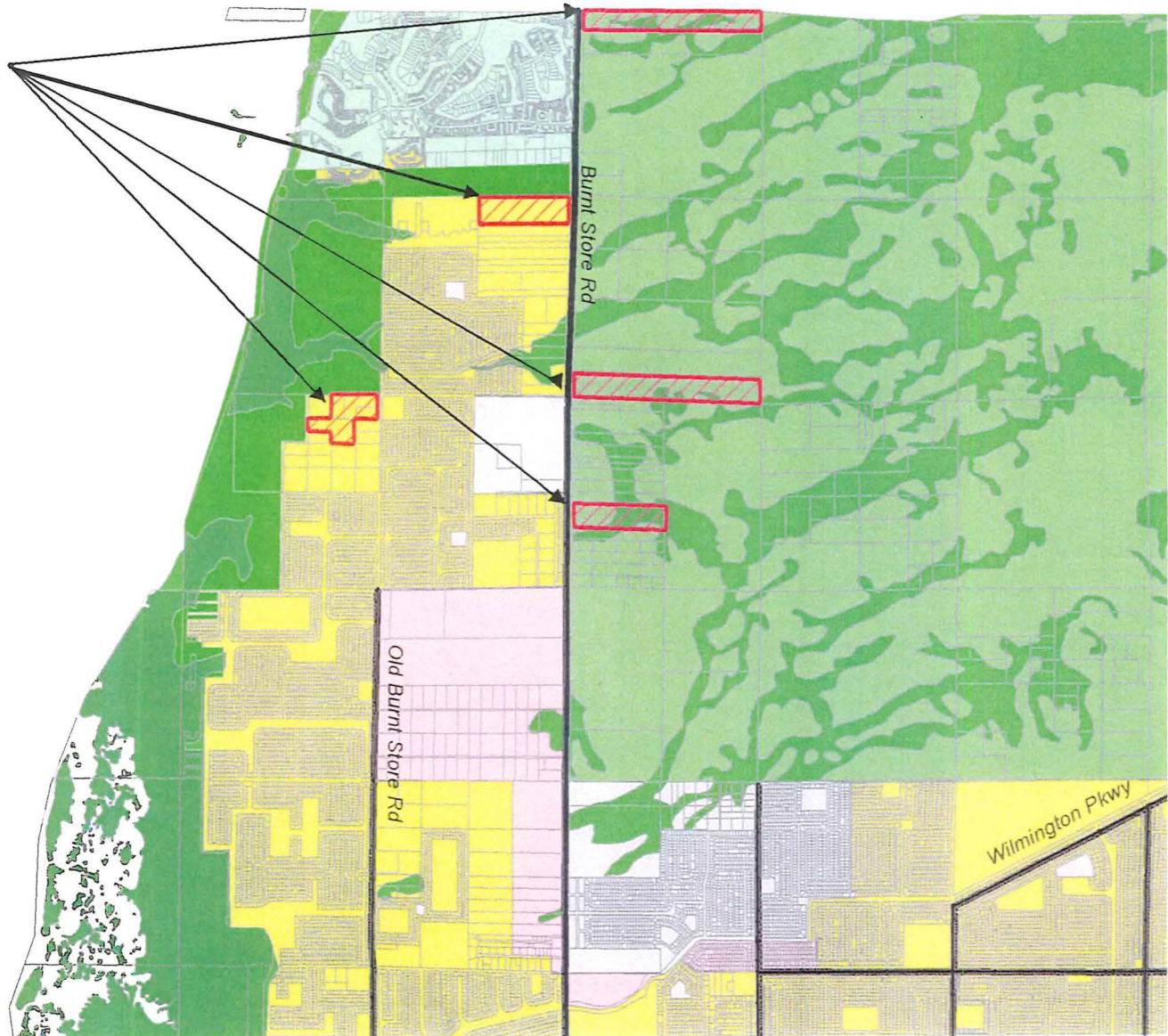
Area 1 Future Land Use Map (Existing)

Charlotte County

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

Subject
Parcels

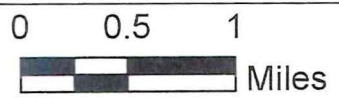


CPA2000-09
 Area 1
 Future Land Use Map
 (Proposed)

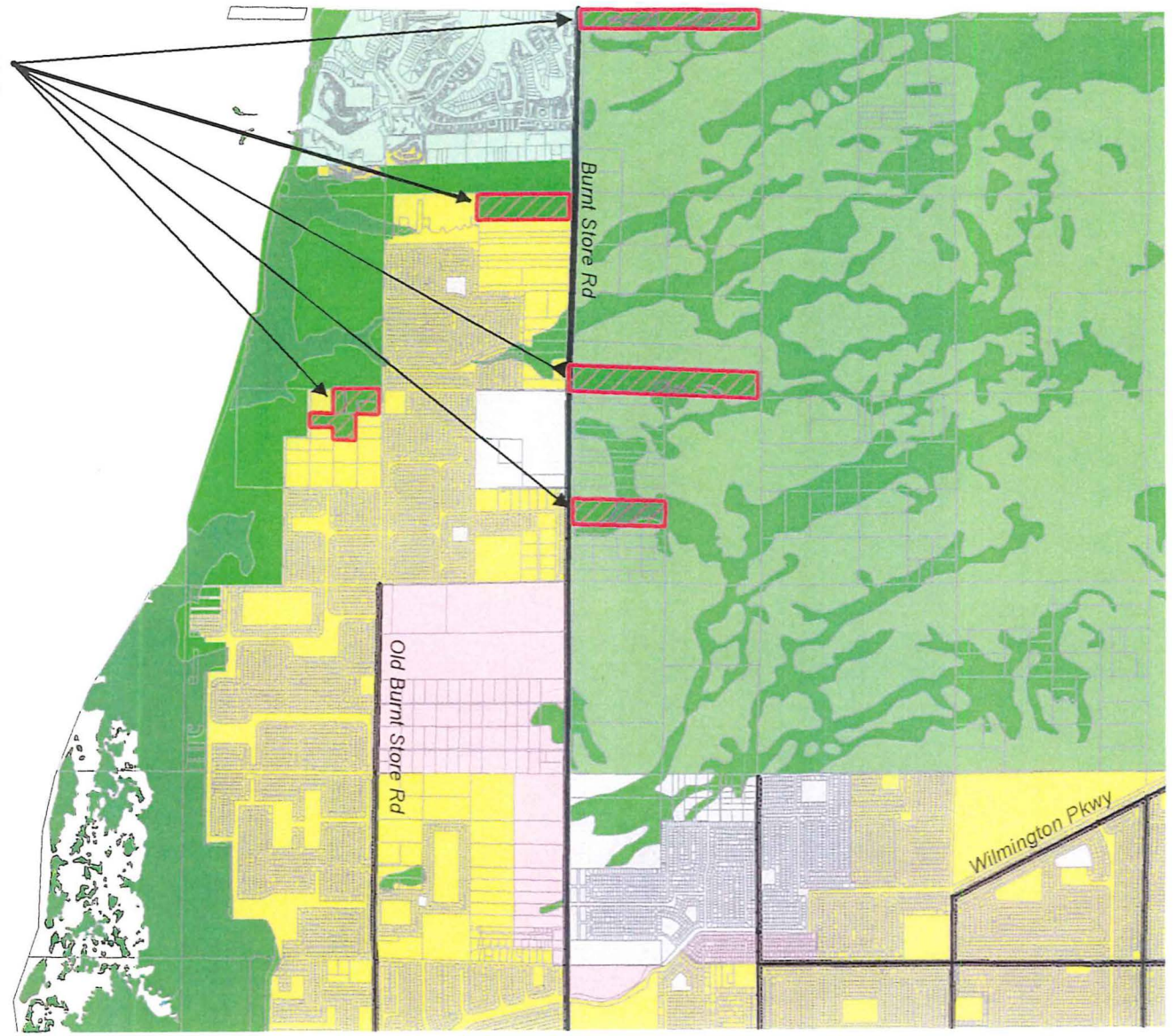
Charlotte County

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

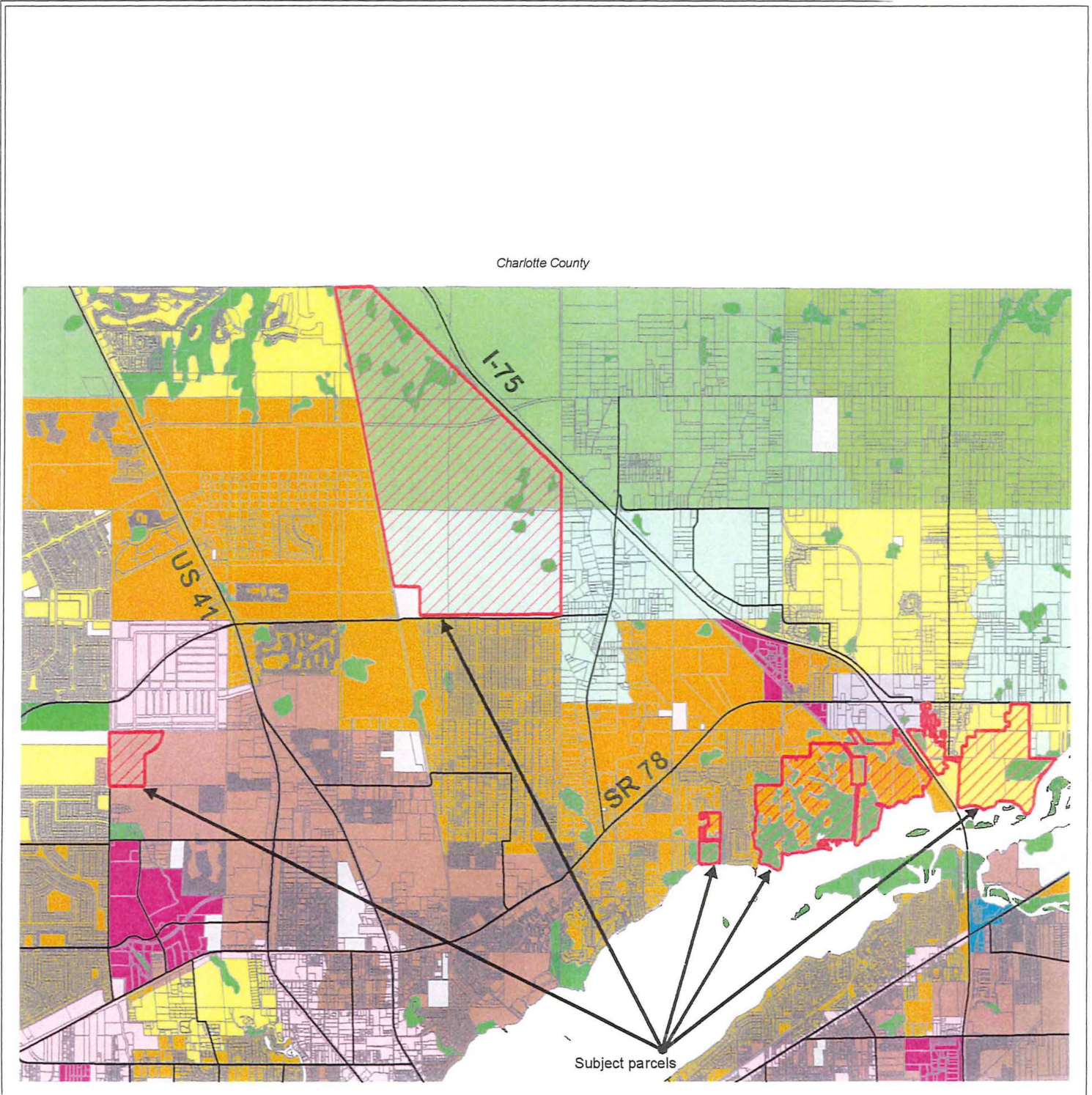
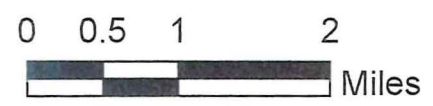


Subject
 Parcels



PA2000-09
 Area 2
 Future Land Use Map
 (Existing)

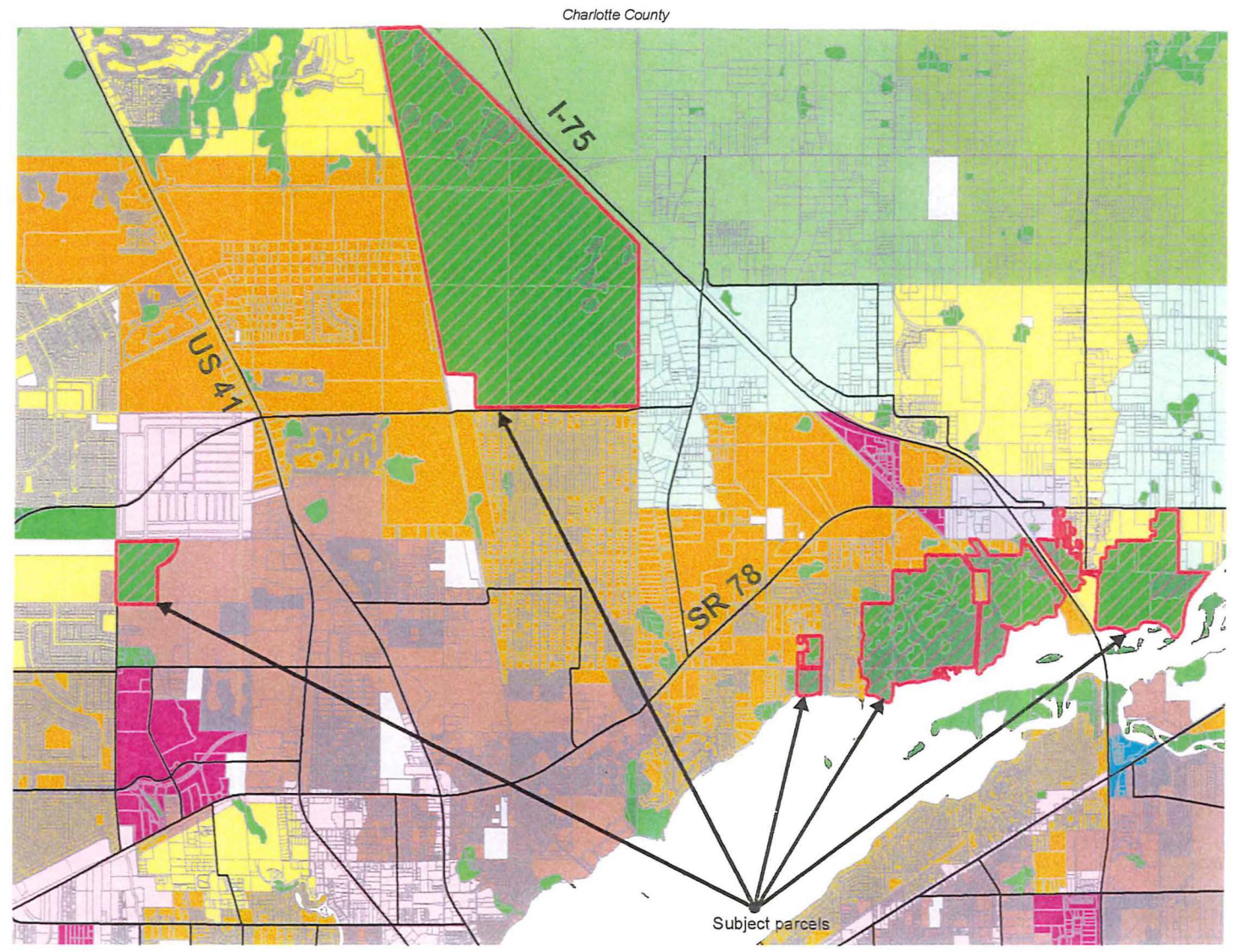
- Future Land Use Categories**
- Intensive Development
 - Central Urban
 - Urban Community
 - Suburban
 - Outlying Suburban
 - Industrial
 - Public Facility
 - University Community
 - Industrial interchange
 - General Interchange
 - General Commercial Interchange
 - Industrial Commercial Interchange
 - University Village
 - Mixed Use Interchange
 - New Community
 - Airport Commerce
 - Airport
 - Rural
 - Rural Community Preserve
 - Outer Island
 - Open Lands
 - Density Reduction/ Groundwater Resource
 - Conservation Land--Upland
 - Wetland
 - Conservation Land--Wetland



CPA2000-09 Area 2 Future Land Use Map (Proposed)

Future Land Use Categories


- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

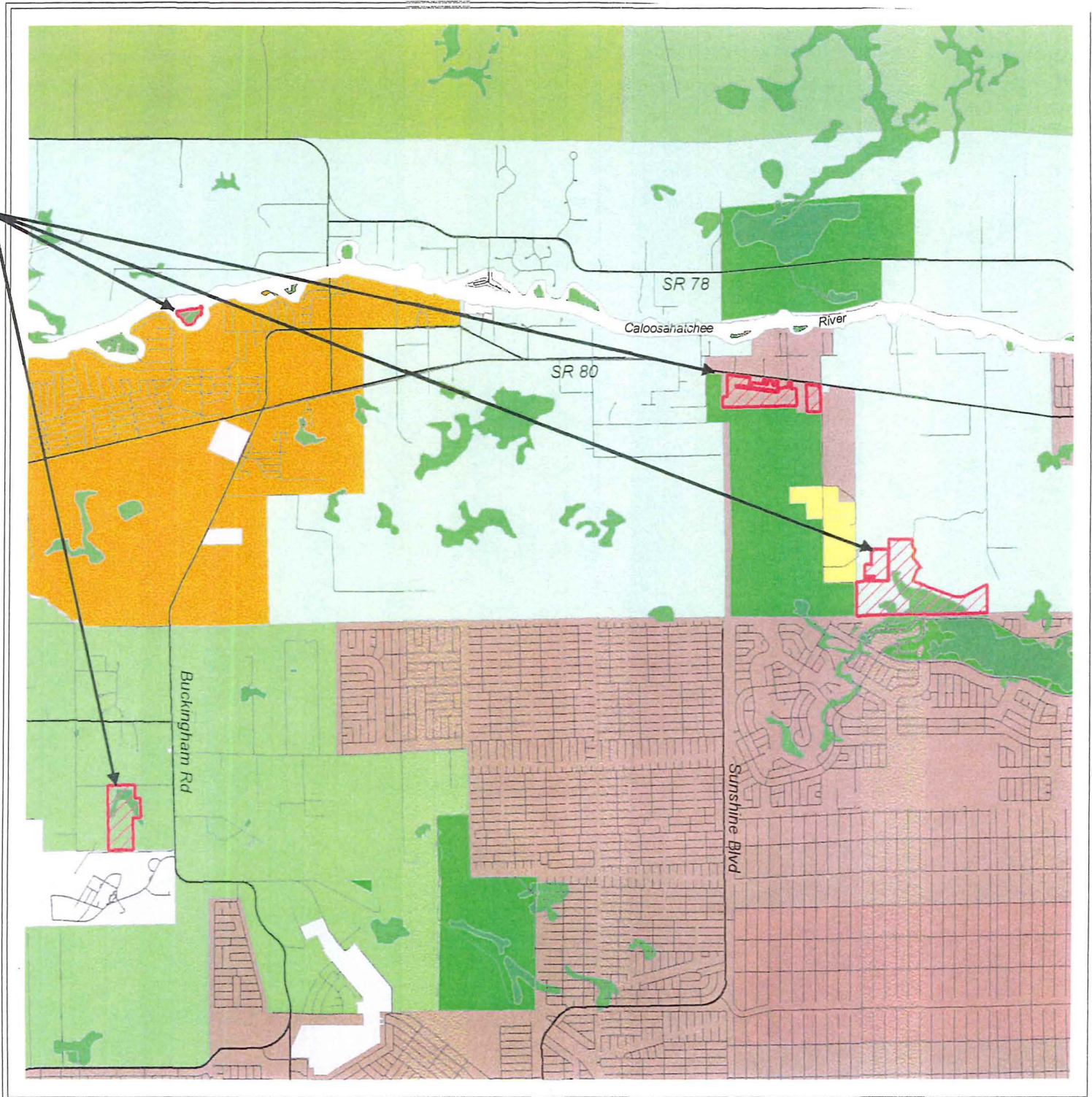


CPA2000-09
Area 3
Future Land Use Map
(Existing)

Subject Parcels

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland

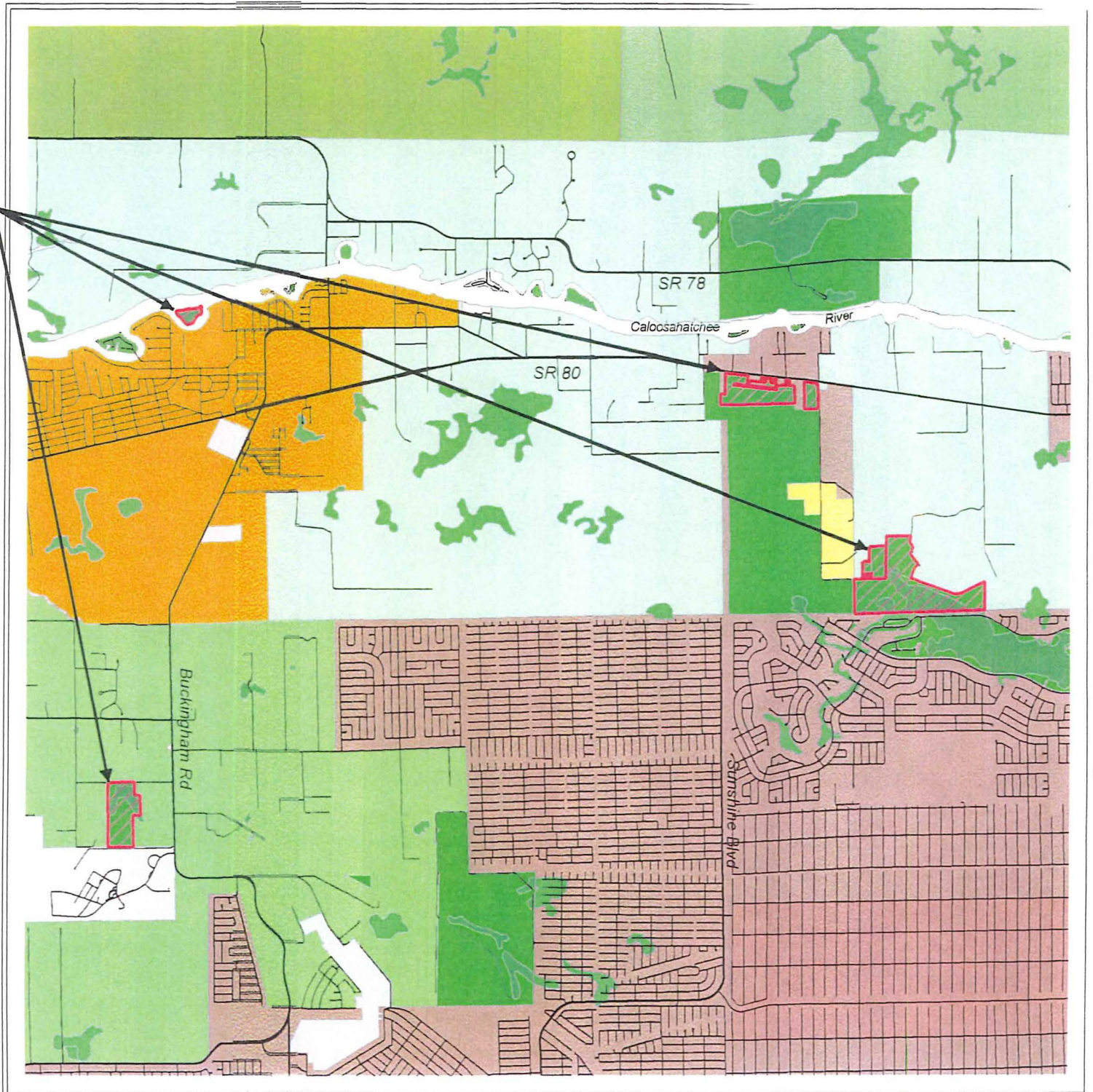


Area 3 Future Land Use Map (Proposed)

Subject Parcels

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland
























CPA2000-09

Area 4

Future Land Use Map (Existing)

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland
-  sde.SDE.ROADS

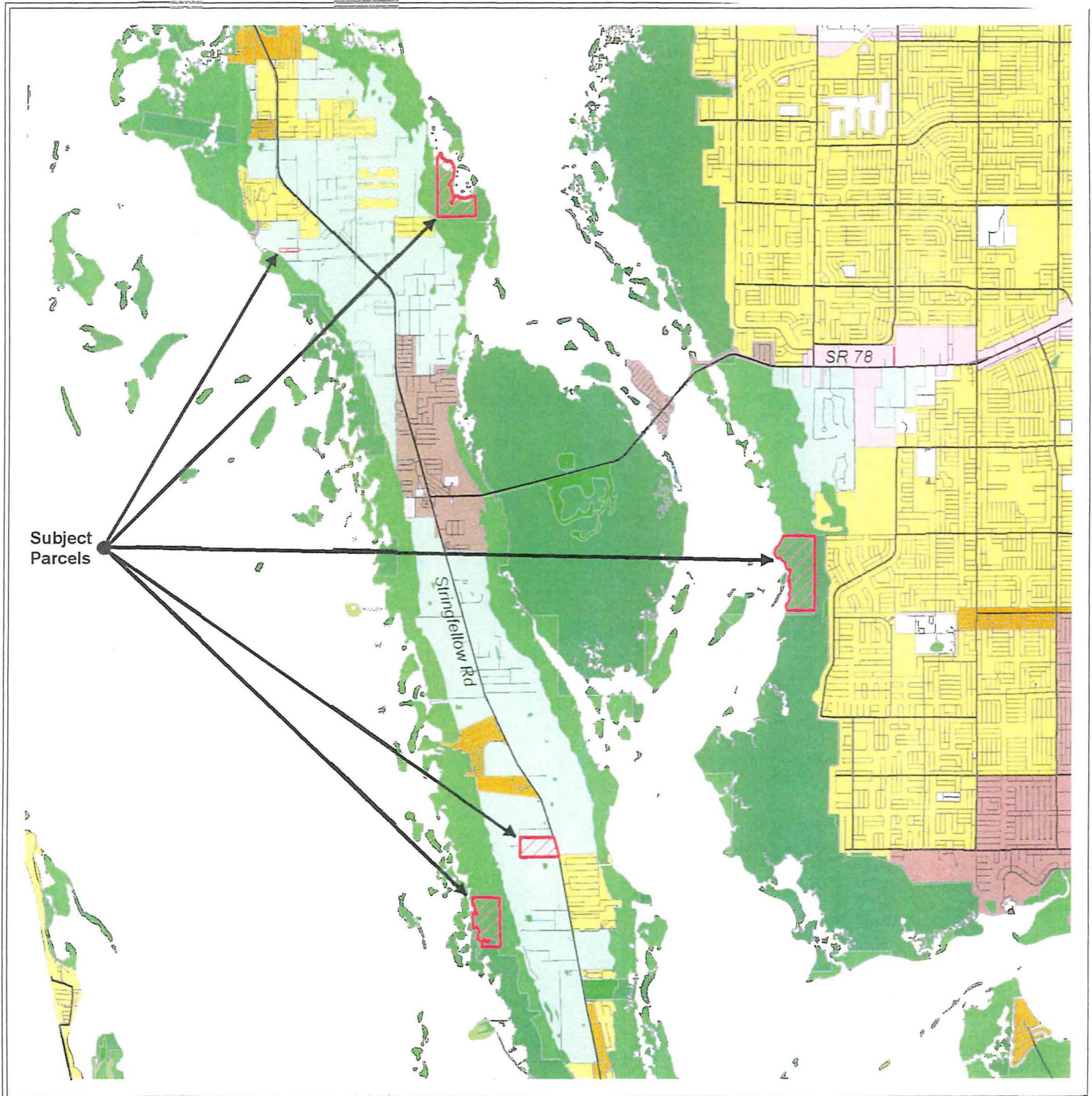
0 0.5 1 2 3

 Miles

 LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING





























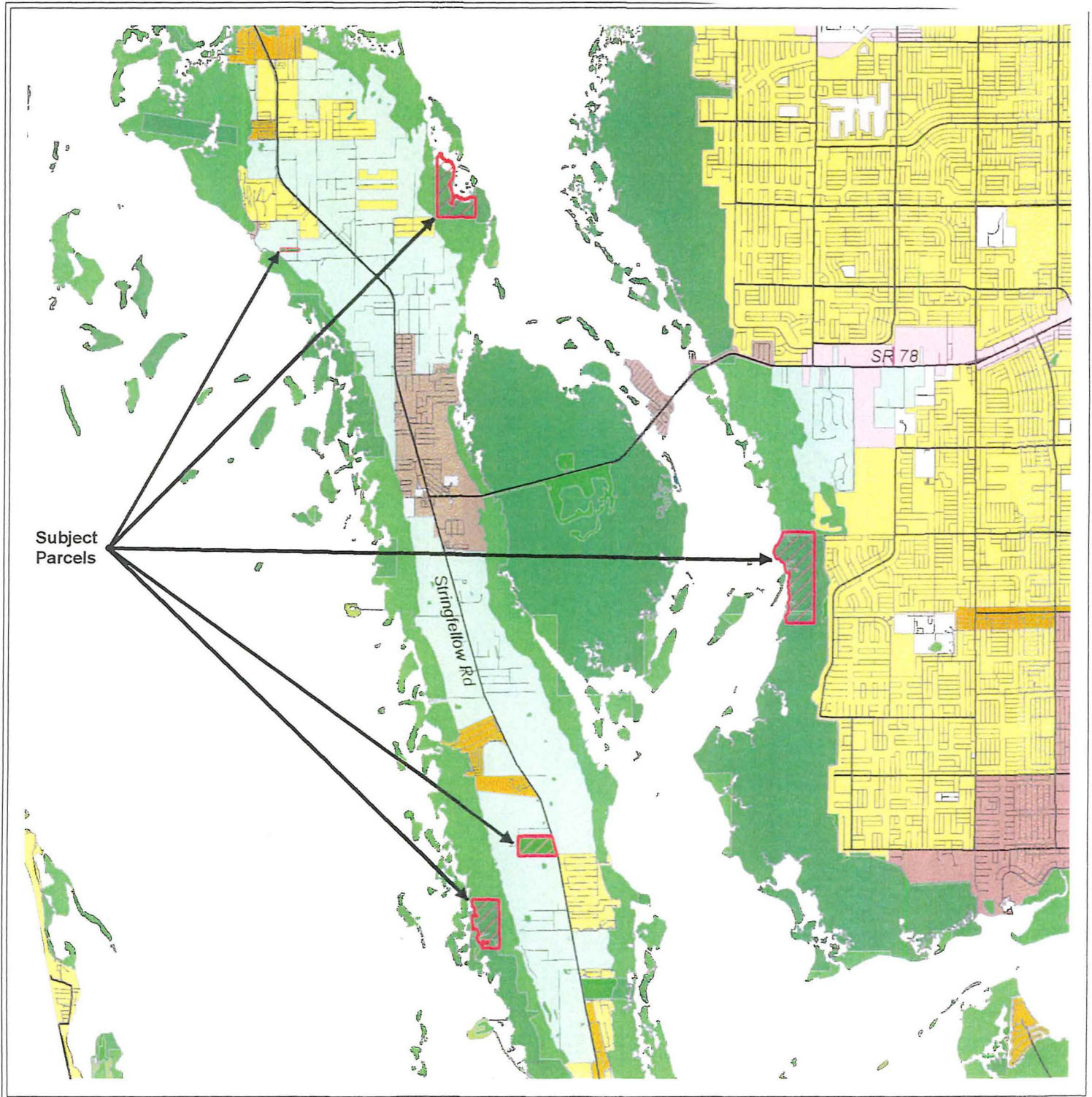
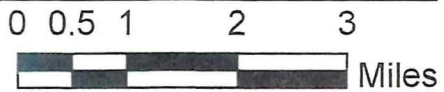
Map Created: 9/4/04



Future Land Use Map
(Proposed)

Future Land Use Categories

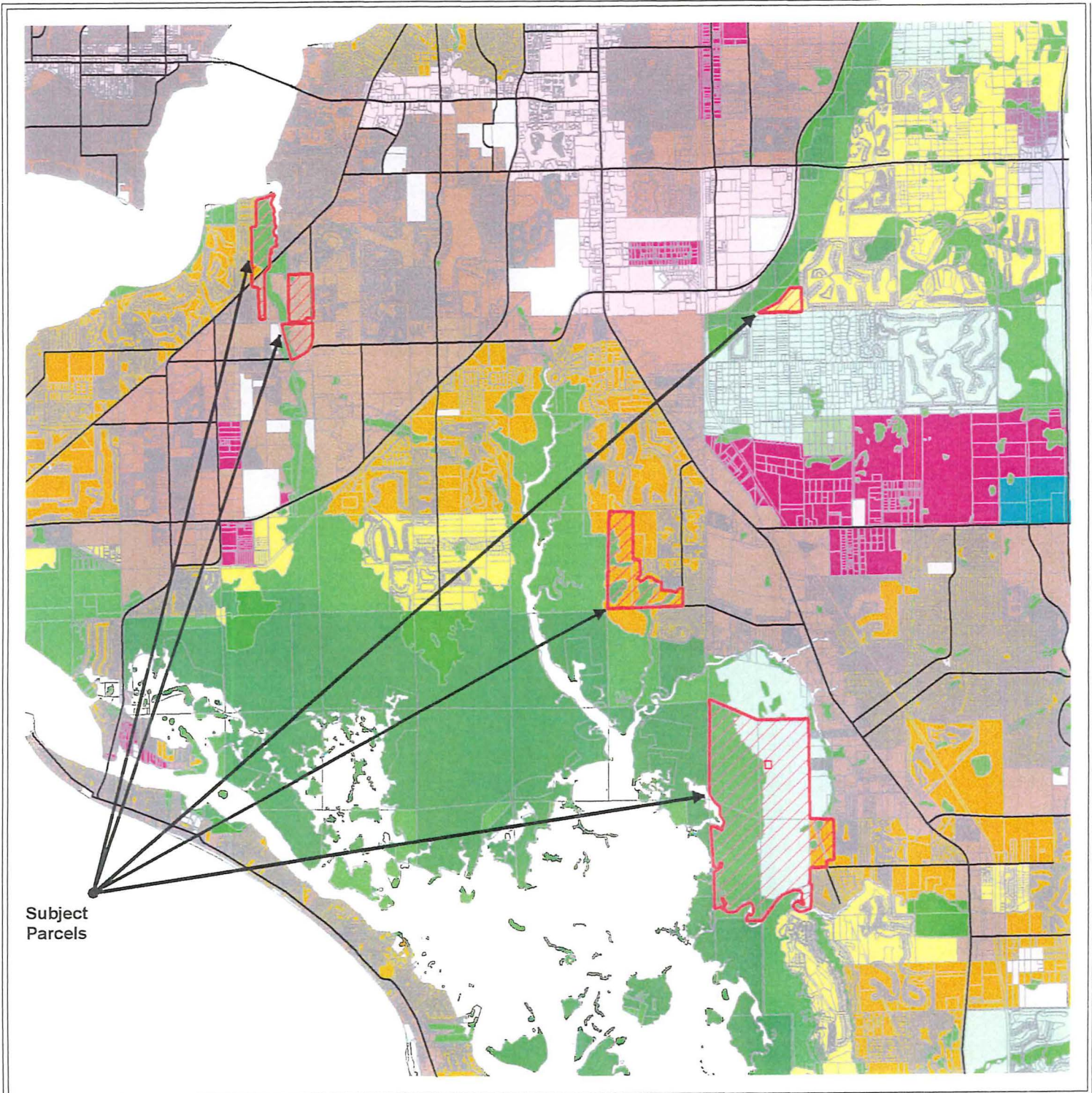
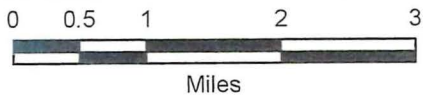
-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial Interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland
-  sde.SDE.ROADS



Area 5 Future Land Use Map (Existing)

Future Land Use Categories

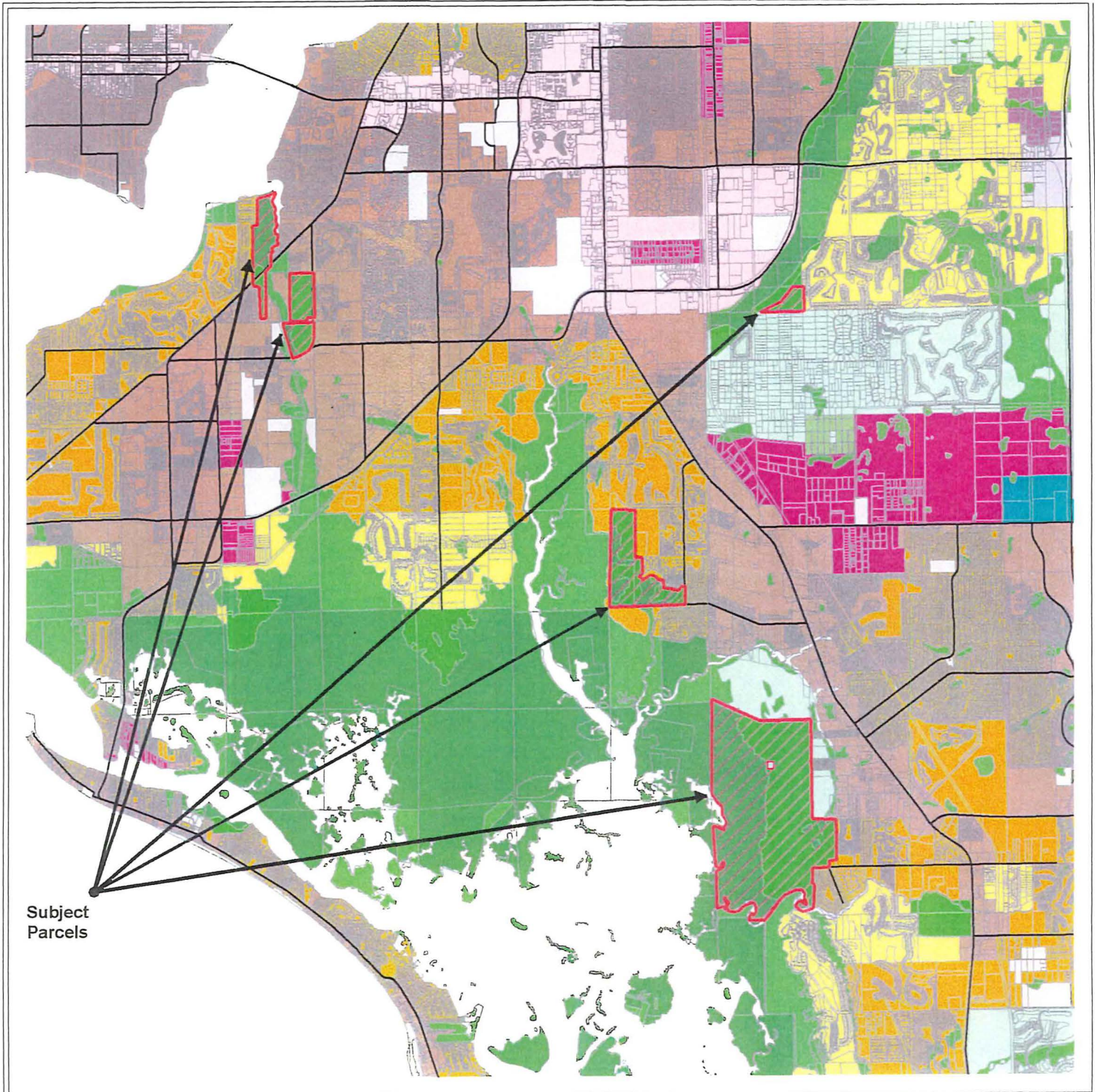
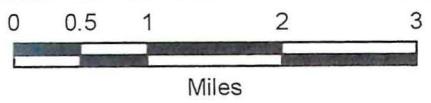
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



**CPA2000-09
Area 5
Future Land Use Map
(Proposed)**

























Future Land Use Categories

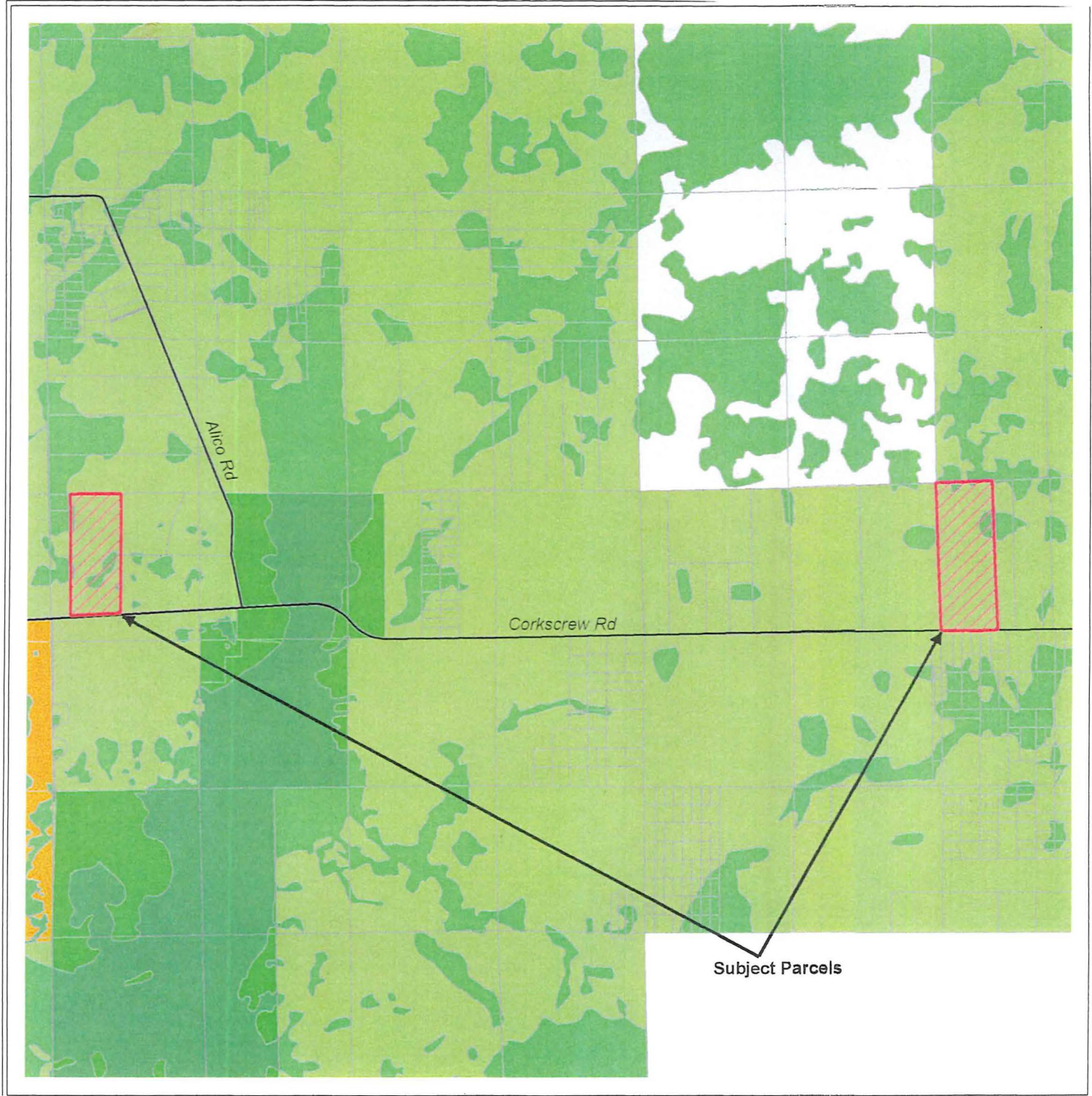
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



Future Land Use Map (Existing)

Future Land Use Categories

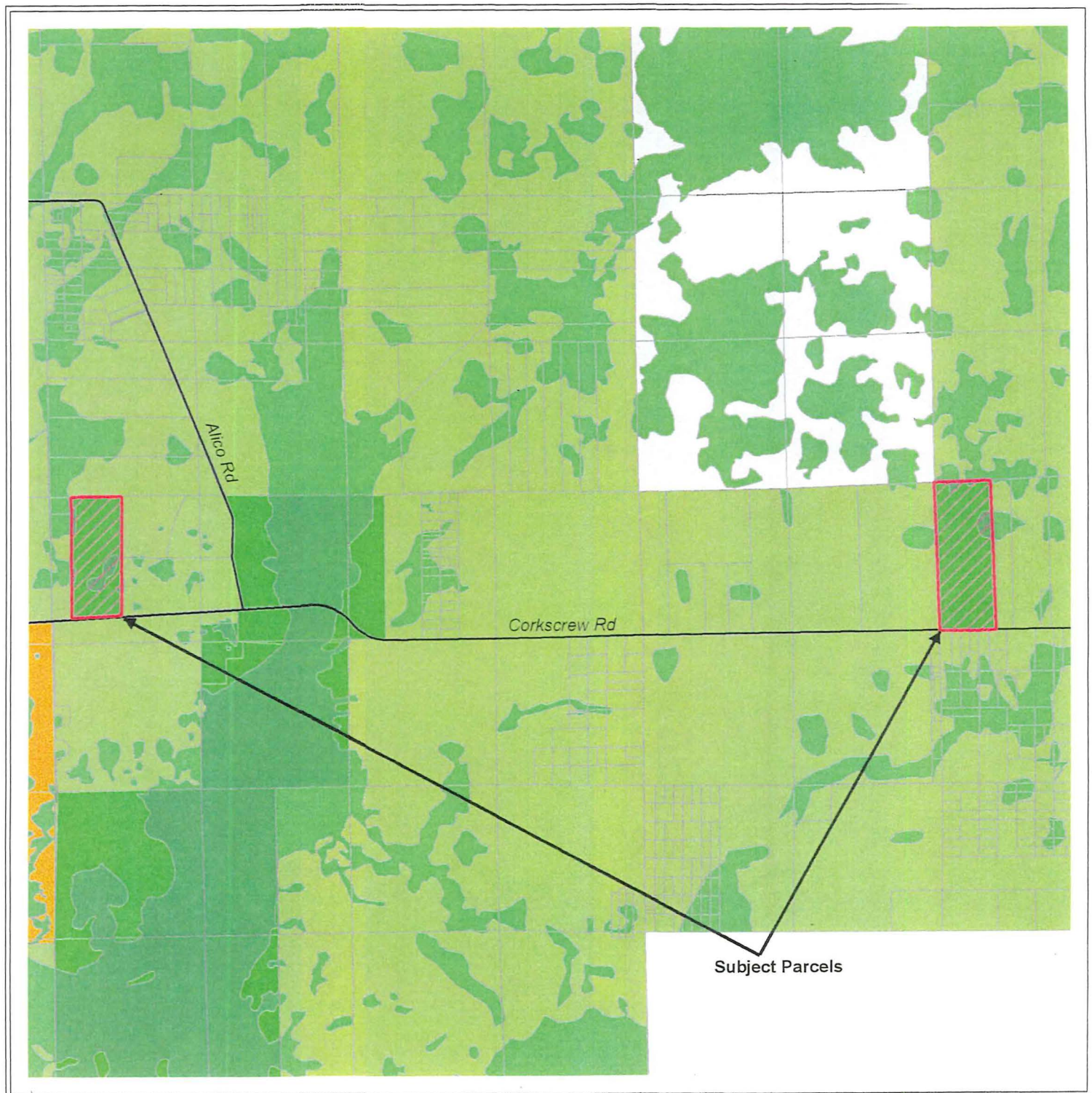
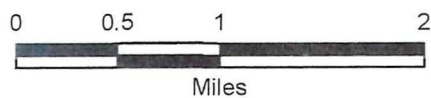
-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland



Future Land Use Map (Proposed)

Future Land Use Categories

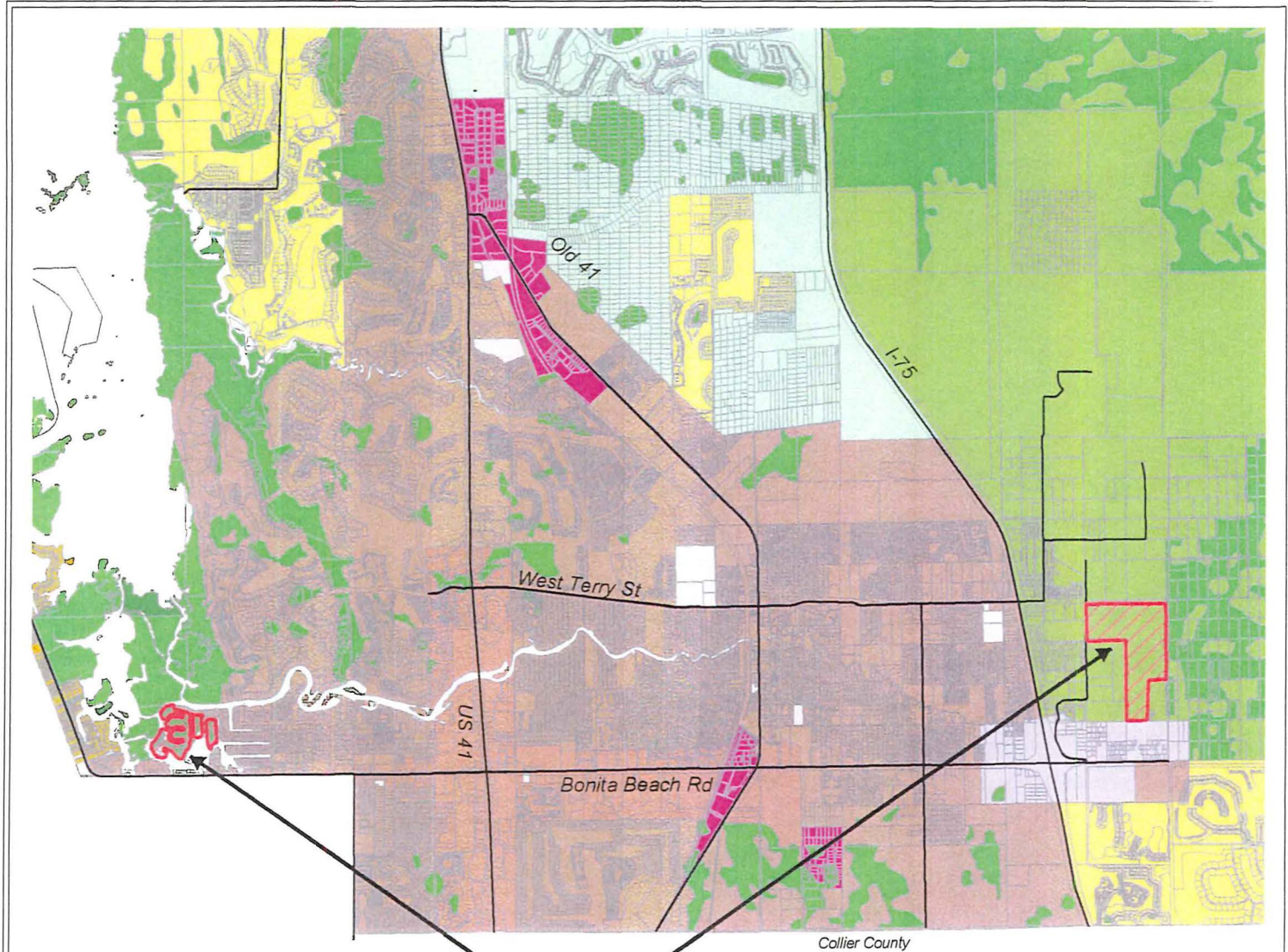
-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland



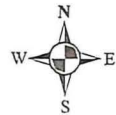
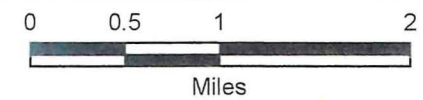
Future Land Use Map (Existing)

Future Land Use Categories

-  Intensive Development
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial
-  Public Facility
-  University Community
-  Industrial interchange
-  General Interchange
-  General Commercial Interchange
-  Industrial Commercial Interchange
-  University Village
-  Mixed Use Interchange
-  New Community
-  Airport Commerce
-  Airport
-  Rural
-  Rural Community Preserve
-  Outer Island
-  Open Lands
-  Density Reduction/ Groundwater Resource
-  Conservation Land--Upland
-  Wetland
-  Conservation Land--Wetland



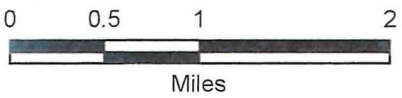
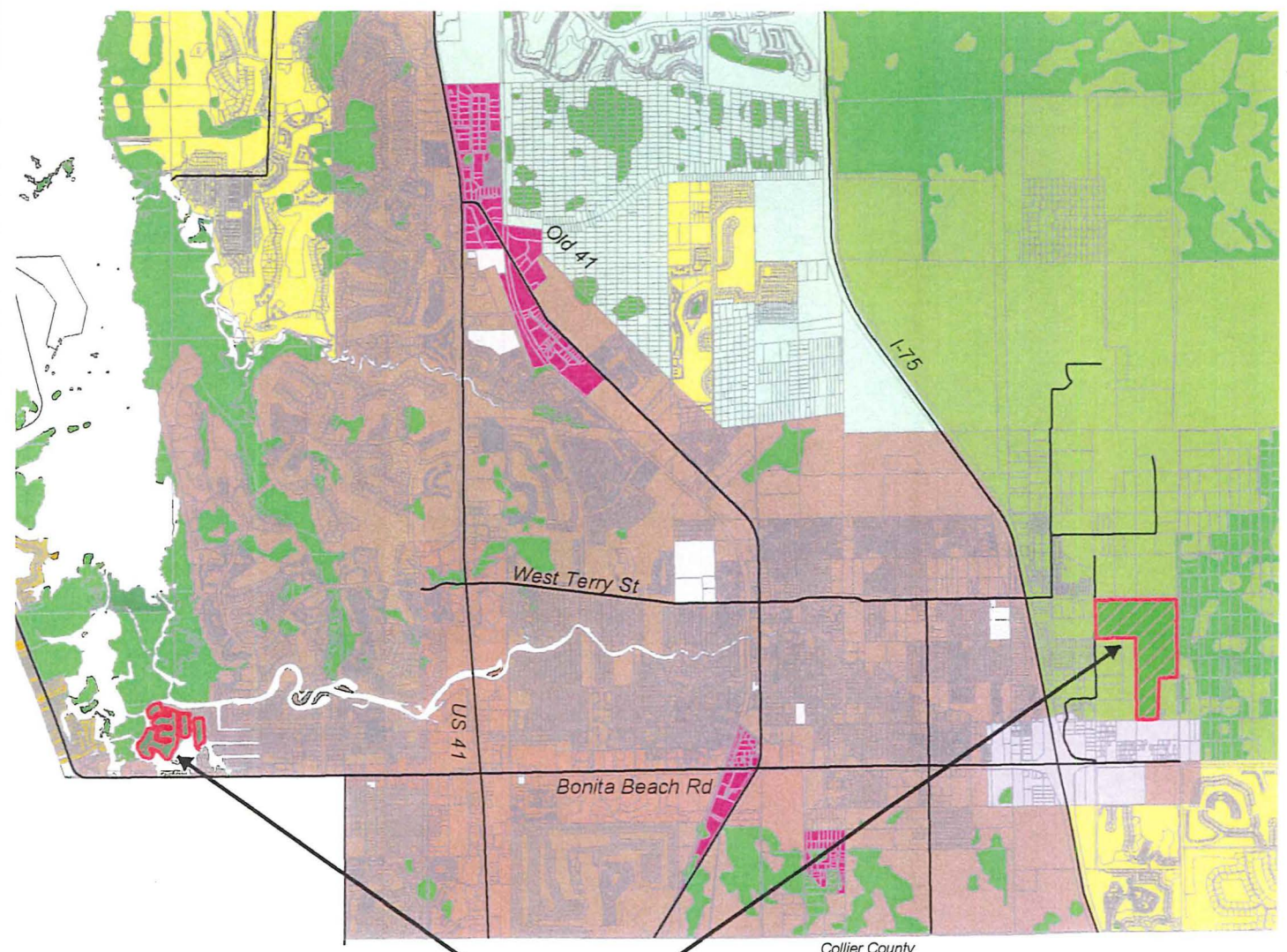
Subject Parcels



CPA2000-09
Area 7
Future Land Use Map
(Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



**CPA2000-09
BoCC SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

August 29, 2001

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2000-09**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 16, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map to redesignate 5,929± acres, purchased through the Conservation 2020 Program and 1,245 acres purchased by the State from various land use categories to Conservation Lands, as specified under Objective 1.4.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends the Board of County Commissioners (BOCC) transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Upland and Wetland Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property). The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland

conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Conservation Lands category was created to accurately depict the use of lands for conservation purposes.
- Lee County currently includes conservation areas owned by various agencies in the Conservation Lands Future Land Use Category.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has purchased 34 nominated properties through the Conservation 2020 Program as of August 1, 2001, and will continue to purchase lands for preservation.
- On July 12, 2001, CLASAC recommended that the proposed amendment be approved by the BOCC.
- In February 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the State preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Rural, Suburban, and Wetlands on the Future Land Use Map (FLUM).

- The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

C. BACKGROUND INFORMATION

1. COMPREHENSIVE PLAN POLICY BACKGROUND

On June 3, 1998 the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category. Currently, 50,000± acres are classified in the Conservation Lands category, and almost 15,000 acres of this total is owned by Lee County.

2. CONSERVATION 2020 PROGRAM

CLASAC was established by Ordinance 96-12 to develop and implement a conservation land acquisition and stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers. As of August 1, 2001, thirty-four properties have been acquired totaling 5,929± acres.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation and recommends the BOCC transmit this amendment.

3. EXISTING CONDITIONS OF ACQUIRED 2020 PROPERTIES

TOTAL ACREAGE: 5,929± acres

LOCATIONS: Conservation 2020 properties are located throughout Lee County (see Attachment 1 map).

EXISTING USES: The subject properties contain wetlands, passive agricultural uses, and vacant land.

CURRENT ZONING CLASSIFICATIONS: Attachment 2 details the individual parcel data including the acreage figures provided by the County Lands Department, which manages the Conservation 2020 program. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

CURRENT FUTURE LAND USE CLASSIFICATIONS: The subject properties are classified as Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, Rural, Rural Community Preserve, Open Lands, Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachment 2 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

4. ESTERO SCRUB PRESERVE aka SAHDEV PROPERTY

In February of 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the state preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Suburban, Rural, and Wetlands on the Future Land Use Map. These designations are no longer appropriate since the property is now part of the State conservation lands. The local representative of DEP who manages the Estero Bay Aquatic Preserve has been contacted by planning staff, and had no objection to the subject property being reclassified as Conservation Lands.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTENT OF PLAN AND MAP AMENDMENT

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

CONSERVATION LANDS POLICY

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks.

EXISTING CONSERVATION LANDS

Lee County has acquired over 15,000 acres of conservation lands at a cost of \$25 million since the 1989 plan was adopted including the Flint Pen Strand, the Imperial Marsh Southwest Florida International Airport Mitigation Area, the Hickey Creek Mitigation Park, the St. James Creek Preserve, and Bocilla Island Preserve. In addition to the conservation lands acquired by Lee County, there are approximately 30,000 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County including Cayo Costa State Park, Estero Bay State Buffer Preserve, Little Pine Island Mitigation Bank, Little Estero Critical Wildlife Area, and the Calusa Land Trust's St. James Creek Preserve on Pine Island.

CONSERVATION 2020 PROGRAM

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The BOCC established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 20/20", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would

only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities

The County has received about 200 willing seller applications. To date, 5,929 acres have been purchased.

On March 8, 2001, CLASAC met to discuss this proposed amendment. Lyle Danielson from the public commented on the proposal stating that the Conservation Lands should be rezoned to EC instead of this plan amendment. CLASAC members also had several questions and comments on the amendment. CLASAC was concerned that this amendment would prohibit future road construction and interim land management tools such as cattle grazing. Staff responded and stated that Policy 2.1.3 allows the consideration of public uses and facilities in all land use categories. In addition, Staff stated that Policy 1.4.5 does not prohibit cattle grazing as a management tool. CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program and recommends that the BOCC transmit this amendment.

On April 12, 2001, CLASAC members unanimously approved the Local Planning Agency's recommendation to include the new language into Policy 1.4.6.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program after March 8, 2001 in the Conservation Lands Future Land Use category. As of August 1, 2001, three more properties were acquired totaling an additional 2,550± acres.

LANDS TO BE RECLASSIFIED

All lands purchased by the Conservation 2020 Program and the Estero Scrub Preserve.

ALLOWABLE USES AND ACTIVITIES

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.

2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water-supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

ZONING

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

WETLANDS

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. . Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

GRANTS

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

B. CONCLUSIONS

Placement of the lands acquired through the Conservation 2020 Program, as well as, the lands within the Estero Scrub Preserve into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 74, and Policy 74.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Attachment 3). These goals, objectives, and policies read as follows:

Objective 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the

provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

Goal 74: COASTAL RESOURCE PROTECTION. To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

Policy 74.1.2: The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands category those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: March 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

Staff provided a presentation to the LPA on the proposed plan amendment. The LPA provided a considerable amount of discussion on some key issues. One issue of particular concern was the language in Policy 1.4.6 that lists examples of uses that would be allowed in the Conservation Lands category, and how these uses would relate to the provisions of the ordinance that established the Conservation 2020 program. The LPA was concerned that certain allowable uses in the Conservation Lands category, such as well fields or ancillary uses such as parking lots, would not meet the intent of the Conservation 2020 program. It was the LPA's understanding that the Conservation 2020 lands were to remain in their natural state with some limited public access uses. The LPA was concerned that certain uses typically allowed in the Conservation Lands category were more intense than what the citizens of Lee County approved when they voted to tax themselves for the purchase of the Conservation 2020 parcels.

Staff responded to this concern by stating that currently, the Conservation 2020 lands were in a variety of land use categories, some of which would allow fairly intense development, had they not been purchased by the County. This amendment was simply an attempt to place all of these lands into the most appropriate category available. Each of the Conservation 2020 properties would still be subject to the provisions of the ordinance that established the program. This ordinance is generally more restrictive than the Future Land Use category, and would take precedence over the provisions of the Conservation Lands category. Furthermore, each of the Conservation 2020 properties has a specific management plan that is developed by County staff and approved by the Board of County Commissioners through public hearings. This management plan would also take precedence over the Future Land Use category.

Given the concern that this map amendment might allow uses within Conservation 2020 lands that might not be consistent with the intent of the Conservation 2020 program, the LPA suggested adding a sentence into Policy 1.4.6 that would clearly state that the Conservation 2020 lands in the Conservation Lands Future Land Use category would be subject to the more stringent conditions of the Conservation 2020 program. One member of the public provided a suggestion for this language. Another member of the public also spoke in favor of the amendment, but recommended that this type of language be included as a safeguard against land uses that might be inconsistent with the intent of the Conservation 2020 program.

The LPA also questioned whether the placement of the various properties into the Conservation Lands category would preclude the building of planned roadways. Staff responded that Policy 2.1.3 of the Lee Plan provides for public facilities in any land use category. A representative of Lee County DOT stated that each of the Conservation 2020 properties is reviewed by DOT for consistency with the County's 2020 Transportation Plan. If DOT anticipates that right-of-way will be needed within a property slated for Conservation 2020 purchase, they would put this on the record before the property is purchased. When DOT arrived at the phase where they would acquire right-of-way, then they would negotiate with the County (represented by the CLASAC) to purchase the needed right-of-way. Once a price was negotiated, then DOT would pay the County's Conservation 2020 program for the purchase of the right-of-way. The

placement of the Conservation 2020 properties into the Conservation Lands category would in no way preclude the acquisition of right-of-way or the construction of needed roadways.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
SUSAN BROOKMAN	AYE
BARRY ERNST	AYE
RONALD INGE	AYE
GORDON REIGELMAN	AYE
VIRGINIA SPLITT	AYE
GREG STUART	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. BOARD REVIEW: The Board of County Commissioners provided no discussion concerning this amendment. This amendment was transmitted as part of the Consent Agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board of County Commissioners voted unanimously to transmit the proposed amendment, with the addition of language to Policy 1.4.6.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

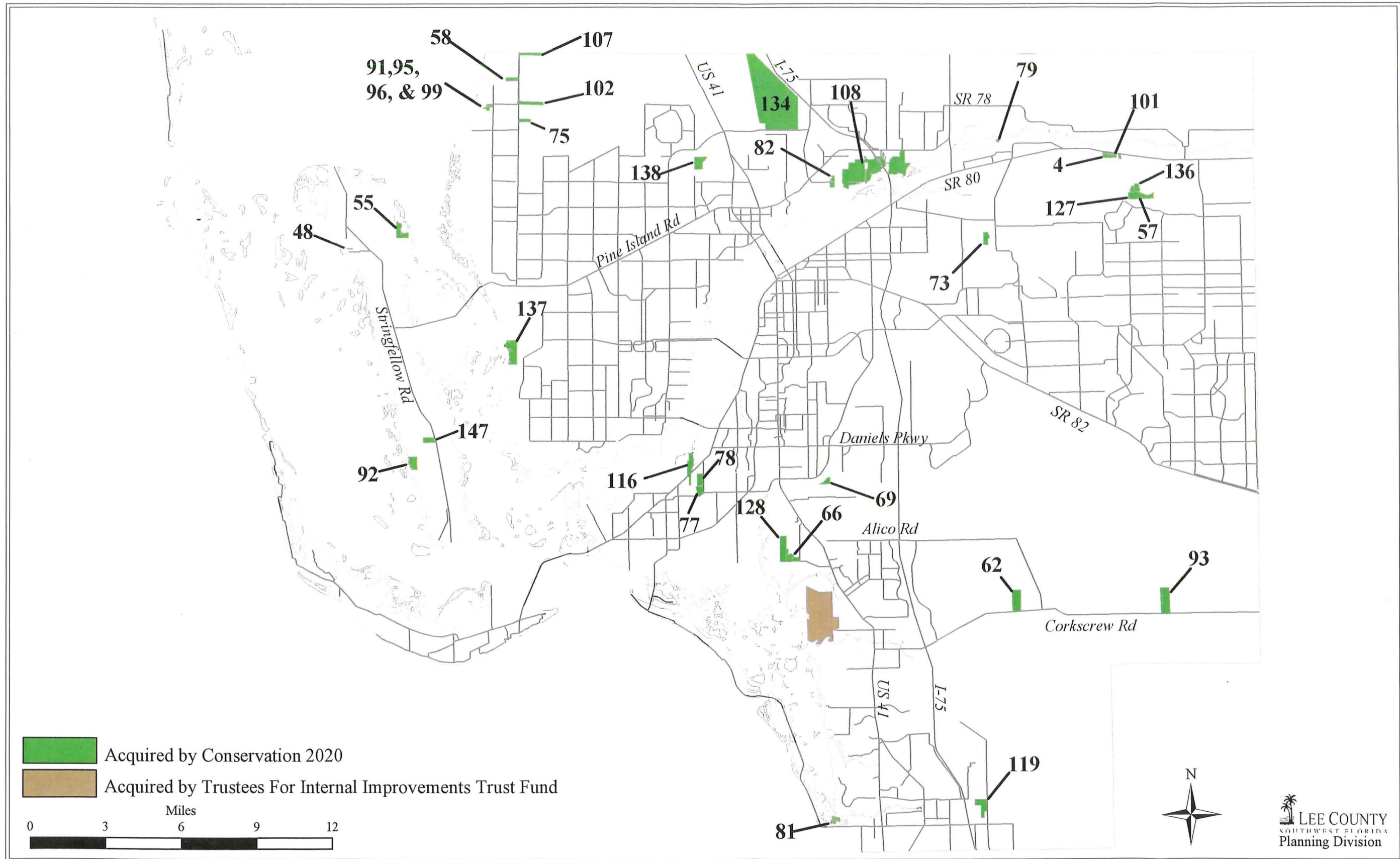
BOB JANES

RAY JUDAH

DOUG ST. CERNY

Lee Plan Amendment CPA 2000-09

Areas proposed for inclusion in Conservation Lands



**Parcels Being Added to the Conservation Lands Future Land Use Categories
through Plan Amendment CPA 2000-09**

Parcels Purchased Through Conservation 2020 Program

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
4	30-43-27-00-00001.0200	39.55	12/03/1998	RM-2	Urban Community
48	07-44-22-00-00012.0000	8.59	12/04/2000	RPD	Rural & Wetlands
55	04-44-22-00-00001.0010	157.9	05/13/1998	AG-2	Wetlands
57	32-43-27-00-00001.0060	132.3	05/13/1998	AG-2	Wetlands & Rural
58	07-43-23-C2-00001.0090	38.38	02/25/1999	Cape R1A	Outlying Suburban
62	21-46-26-00-00001.1000	175	02/25/2000	AG-2	DR/GR & Wetlands
66	12-46-24-00-00005.4000	82.93	12/15/1999	RM-2	Suburban & Wetlands
69	30-45-25-00-00002.2000	39.51	12/20/1999	AG-2	Outlying Suburban & Rural
73	08-44-26-00-00003.0000	66.55	12/03/1999	AG-2	Rural Community Preserve & Wetlands
75	17-43-23-00-00001.0030	38.9	10/29/1999	AG-2	Open Lands & Wetlands
77	32-45-24-01-000L0.0010	55.45	09/23/1999	AG-2	Urban Community & Wetlands
78	29-45-24-00-00008.0000	75.26	07/16/1999	RPD	Urban Community & Wetlands
79	20-43-26-00-00001.0020	8.7	09/09/1999	RS-1	Wetlands
81	Multiple STRAPs in 31-, 32-47-25	39	02/26/1997	AG-2,TFC-2,RM-2,IL	Wetlands
82	29-43-25-02-00007.0050; 32-43-25-00-00005.0000	52.4	02/23/2000	PUD	Suburban & Wetlands
91	13-43-22-C2-00003.0160	5.2	02/23/2000	Cape R1A	Outlying Suburban
92	22-45-22-00-00002.0000	80	05/11/2000	AG-2	Wetlands
93	21-46-27-00-00001.0010	233.7	07/28/2000	AG-2	DR/GR & Wetlands
95	13-43-22-C2-00003.0170	5	04/19/2000	Cape R1A	Outlying Suburban
96	13-43-22-C2-00003.0000	10.43	02/23/2000	Cape R1A	Outlying Suburban
99	13-43-22-C2-00003.0130	15.67	05/10/2000	Cape R1A	Outlying Suburban
101	multiple STRAPs in 30-43-27	31.66	11/27/2000	RM-2	Urban Community
102	08-43-23-00-00006.0030	83.02	03/03/2000	AG-2	Open Lands & Wetlands
107	05-43-23-00-00001.0000	66.01	03/30/2000	AG-2	Open Lands & Wetlands
108	Multiple STRAPs in 21-23, 26-29, 32 & 33-43-25	1,116	12/29/2000	Various	Suburban & Wetlands
116	20-45-24-00-00004.0000; 20-45-24-00-00004.0030; 20-45-24-00-00003.0000	116.35	05/21/2001	AG-2 & RS-1	Urban Community, Suburban & Wetlands
119	31-47-26-B2-00609.0010	130.74	11/22/2000	AG-2	DR/GR & Wetlands
127	32-43-27-00-00004.0020	24.72	12/07/2000	AG-2	Rural
128	12-46-24-23-00000.00A0	160.42	07/09/2001	PUD	Suburban & Wetlands
134	Multiple STRAPs in 01-43, 02-43, 11-43, 12-43, 13-43 & 14-43-24	2388.56	04/27/2001	AG-2	Rural, Open Lands & Wetlands
136	32-43-27-00-00001.0000	38.2	11/09/2000	AG-2	Rural
137	31-44-23-C2-00001.0000	234	03/09/2001	Cape NZ	Wetlands
138	28-43-24-00-00001.0010	118.62	05/04/2001	AG-2	Intensive Development, Central Urban, Outlying Suburban
147	15-45-22-00-00001.3020	60.9	03/16/2001	AG-2	Rural
TOTAL		5929.62			

Other Parcels

Parcel Name	STRAP	Acres	Current Owner	Date Acquired	Zoning	Future Land Use
Former Sahdev Property	Multiple STRAPs in 19-, 29-, & 30-46-25	1,245.00	State of Florida	Feb-00	RPD	Rural, Wetlands, Suburban

LEE COUNTY ORDINANCE NO. 96-12

AN ORDINANCE OF LEE COUNTY, FLORIDA, CREATING THE LEE COUNTY CONSERVATION LAND ACQUISITION AND STEWARDSHIP ADVISORY COMMITTEE; PROVIDING FOR CRITERIA RELATING TO THE PROCEDURAL IMPLEMENTATION OF LEE COUNTY'S AD VALOREM TAX LEVY PROGRAM TO PURCHASE AND IMPROVE ENVIRONMENTALLY CRITICAL OR SENSITIVE LANDS; PROVIDING FOR OBJECTIVES AND DUTIES OF THE COMMITTEE; PROVIDING FOR APPOINTMENT, COMPOSITION, TERMS AND PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public health, safety and welfare is served, promoted and enhanced by the acquisition and management of environmentally critical or sensitive lands for the protection of natural flood plains, marshes or estuaries; for surface water management and water supply, for the restoration of altered ecosystems; and to provide wildlife management areas and recreation opportunities; and the conservation of said natural resources; and

WHEREAS, applicable Florida Statutes reflect that such land acquisition and improvement serves a public purpose; and

WHEREAS, Lee County has determined it is in the public's interest to submit to voter referendum the issue of whether the county should be authorized to levy and use certain ad valorem tax funds to finance the purchase and improvement of said lands; and

WHEREAS, if said funding is authorized by the voters of Lee County and the Board in its discretion levies the necessary millage on an annual review basis as required by Florida law, it is further in the public's interest to have any resulting acquisition and improvement program procedurally implemented in a manner that sets specific guidelines for the program and provides the county with recommendations to ensure effective and successful completion of the program; and

WHEREAS, the Board of County Commissioners recognizes the need for the creation of an advisory committee in order to advise the county and public in the

implementation of the program and in proceeding with projects constituting a part of the limited general obligation bond acquisition and improvement program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: NAME:

This ordinance shall be known as the Lee County Conservation Lands Implementation Ordinance.

SECTION TWO: CREATION OF ADVISORY COMMITTEE:

The Board of County Commissioners hereby creates and establishes the Conservation Lands Acquisition and Stewardship Committee, hereinafter called "The Land Committee."

SECTION THREE: OBJECTIVES AND DUTIES:

The "Land Committee" will advise and provide recommendations to the Board concerning the county's environmentally critical or sensitive land purchase and improvement program, "The Land Program." Upon formation of the Land Committee, the Board, with input from the committee, shall establish reasonable rules, guidelines and milestones in order for the committee to meet its objectives and duties as provided herein.

The Land Committee will perform the following functions:

- A. Review and provide recommendations concerning the County's levy of millage and use of ad valorem funds in order to finance and implement The Land Program.
- B. Establish the parameters of The Land Program to include, but not limited to, criteria for land purchases, procedures to implement the program, and process for ranking purchase projects. The Land Program parameters will be confirmed by the Board by subsequent Resolution.
- C. Develop for Board approval by Resolution, a Property Acquisition Map depicting areas for purchase and specific properties which can be

purchased from willing sellers. The Land Acquisition Map and priorities for purchase will be reviewed and updated periodically, but at a minimum on an annual basis.

- D. Establish the parameters of a trust fund for land management, restoration and creation of public access for potential recreational use of acquired properties.
- E. Review established Land Program criteria and guidelines and provide recommendations for amendments and/or modifications to The Land Program that serve to enhance the effective operation of same.
- F. Provide periodic input and updates on the implementation and operation of The Land Program, to include but not limited to land purchase status, expenditures and availability of funds.
- G. Disseminate to and coordinate with Lee County local governments, potentially affected property owners and the general public by public hearing or otherwise, information concerning the program guidelines and the rationale for parcel selection.
- H. Coordinate with and assist as necessary Lee County staff in acquiring and managing the program lands.
- I. Offer amendments and/or modifications to this ordinance as necessary to effectively and successfully implement the program.

SECTION FOUR: PROGRAM CRITERIA

Notwithstanding the duties and objectives as specified in Section Three, supra, the Land Program shall be subject to the following general criteria:

- A. All land acquisitions and land improvement functions must be consistent with the legal and financial parameters of any County levy of millage and use of ad valorem tax proceeds providing funds for The Land Program.
- B. All land purchases shall conform to those laws applicable to the county purchase of real property or any interest therein.
- C. All lands shall be purchased in a legal interest sufficient to meet the objectives for the uses of the acquired lands herein.

- D. Priorities for land purchase must be reviewed and amended, if necessary, at least on an annual basis.
- E. The land Acquisition Program will be on a "willing seller" basis. No eminent domain will be used to acquire lands for the program.
- F. All lands considered for purchase will be appraised by one or more certified appraisers.
- G. In general, the lands considered for purchase should have critical or sensitive conservation value, be large enough in size to be effectively managed or be a unique/rare habitat type, contribute positively to surface water management, water supply, flood control, wildlife habitat or appropriate passive public recreation.
- H. Land purchases will be consistent with those lands as identified in the Lee County Comprehensive Plan as being appropriate for conservation and protection of natural resources efforts and public recreation.
- I. Lands to be acquired under The Land Program will be subject to the county's receipt of off-site mitigation credits from appropriate agencies or agency as the case may be.
- J. Any lands identified as a priority for purchase can be removed from said listing or acquisition map upon the request of any affected land owner.

SECTION FIVE: APPOINTMENT AND COMPOSITION:

The Board of County Commissioners shall appoint fifteen (15) members to the Land Committee, as herein established. It is the intent to establish an advisory committee with a balance of environmental, business, government and civic interests in Lee County. The membership will be established by the Board upon consensus vote after a review of recommendations of appointees. Each Board member shall nominate three (3) members to the Committee.

SECTION SIX: TERMS OF MEMBERS

The members to the Land Committee shall be appointed by the Board for a term up

to three (3) years. The membership hereof shall be appointed within thirty (30) days after the favorable adoption of the non-binding Referendum of November 5, 1996 on the land acquisition issue. The Board will make subsequent appointments or reappointments in the same manner as the original appointments. Members may be replaced subject to confirmation of the Board. Unless otherwise provided by the Board, replacement members will serve the unexpired term.

The Board may remove any member who is absent for four (4) consecutive meetings upon recommendation from the Land Committee.

SECTION SEVEN: RULES OF PROCEDURE:

- A. The Land Committee and its members shall comply with all applicable requirements of the Florida Sunshine Law, Public Records Law, Financial Disclosure Requirements (F.S. Ch. 112), if required, and the Lee County Lobbying Ordinance.
- B. The Land Committee may adopt additional procedures of operations provided there is no conflict with State Law.
- C. Roberts Rules of Order shall dictate parliamentary procedure. The Committee will elect its own officers for a one (1) year term.
- D. All members will serve without compensation.
- E. The committee shall adopt a meeting schedule consistent with the effective implementation and operation of the program and the objectives set forth in this ordinance. Regardless, in no event will the committee meet less than quarterly unless such revised schedule is first approved by the Board. The committee adopted meeting schedule or revisions thereto shall be forwarded to the Board of County Commissioners.

SECTION EIGHT: SEVERABILITY/REPEAL

The provisions of this ordinance are severable and it is the legislative intention to confer upon the whole or any part of the ordinance the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included herein. Any subsequent amendments to, or repeal of this ordinance shall not in any way affect the validity of the levy of millage and use of tax proceeds for the land acquisition program or the non-binding of referenda vote of November 5, 1996. The provisions of this ordinance, as a procedural implementing document, shall be deemed separate and apart from said ad valorem tax financing and related actions.

SECTION NINE: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Lee County Code; and that sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Administrator, or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court.

SECTION TEN: EFFECTIVE DATE/REPEALER:

This ordinance shall be effective upon official filing of same with the Secretary of the State of Florida, but shall be of no further force or effect and will be deemed repealed if the proposed non-binding Referendum for environmentally critical or sensitive lands is not duly approved at the November 5, 1996, Special Referendum Election.

The foregoing Ordinance was offered by Commissioner Ray Judah, who moved its

adoption. The motion was seconded by Commissioner Andrew Coy and, being put to a vote, the vote was as follows:

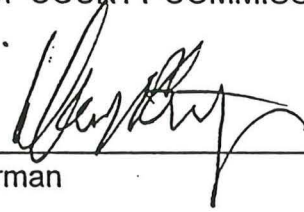
JOHN E. MANNING	<u>ABSENT</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW W. COY	<u>AYE</u>
JOHN E. ALBION	<u>AYE</u>

DULY PASSED AND ADOPTED this 31st day of July, 1996.

CHARLIE GREEN, CLERK
LEE COUNTY, FLORIDA

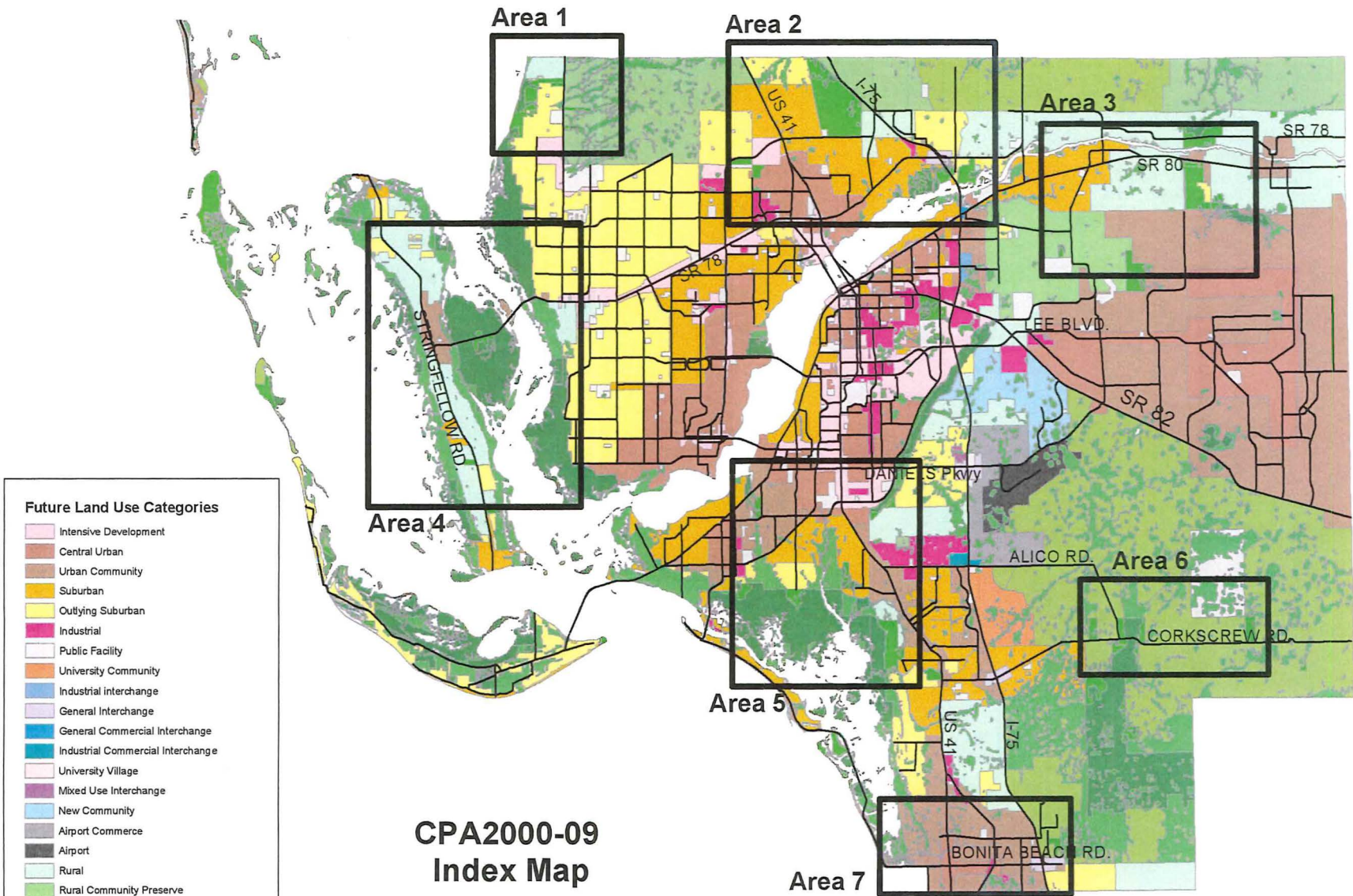
 By: Shirley E. Rost
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: 
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

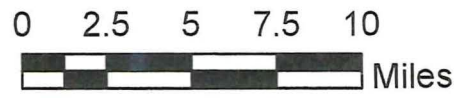
By: James G. Gaeger
County Attorney



Future Land Use Categories

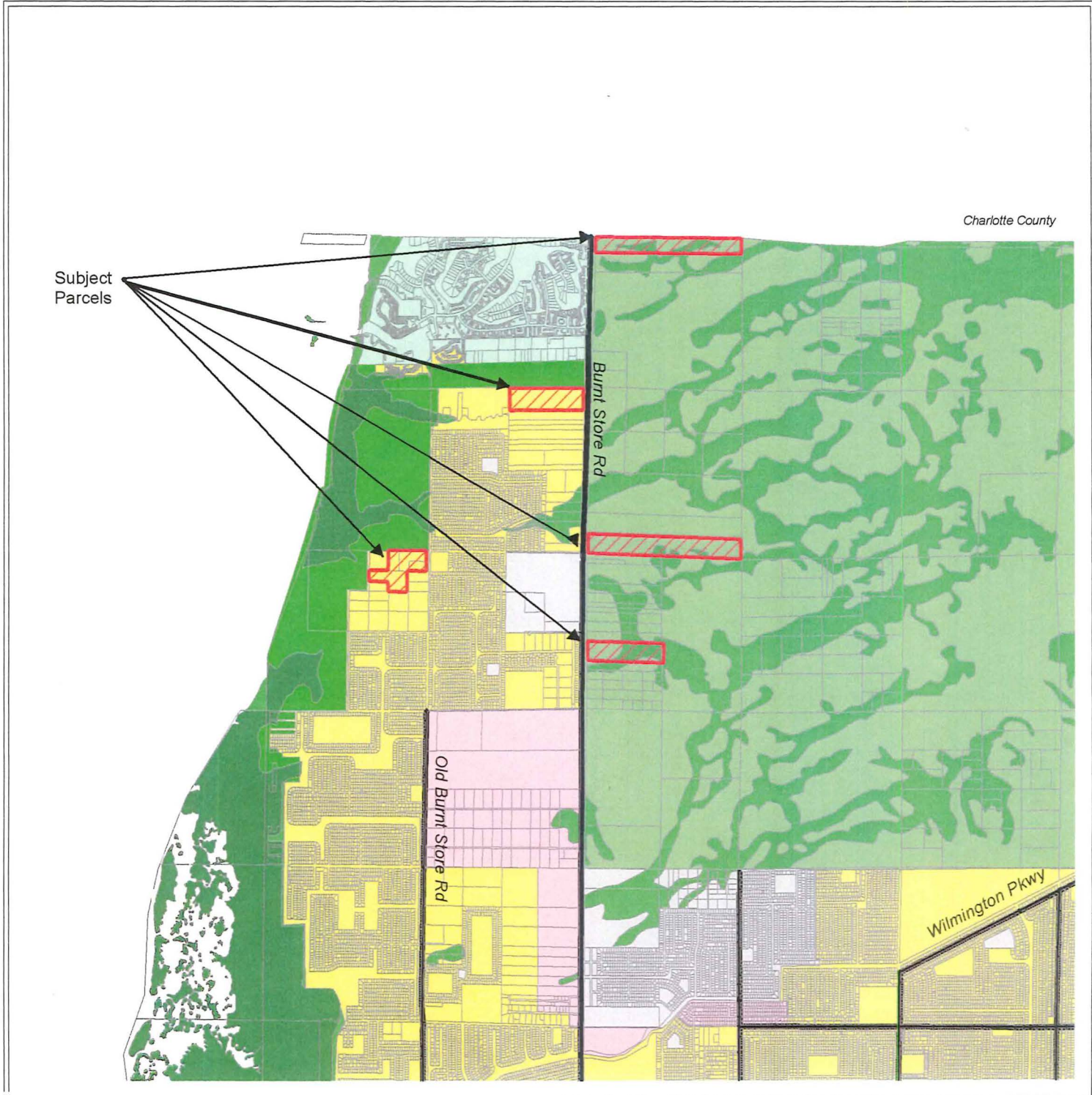
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land—Upland
- Wetland
- Conservation Land—Wetland

**CPA2000-09
Index Map**



CPA2000-09 Area 1 Future Land Use Map (Existing)

- Future Land Use Categories**
- Intensive Development
 - Central Urban
 - Urban Community
 - Suburban
 - Outlying Suburban
 - Industrial
 - Public Facility
 - University Community
 - Industrial interchange
 - General Interchange
 - General Commercial Interchange
 - Industrial Commercial Interchange
 - University Village
 - Mixed Use Interchange
 - New Community
 - Airport Commerce
 - Airport
 - Rural
 - Rural Community Preserve
 - Outer Island
 - Open Lands
 - Density Reduction/ Groundwater Resource
 - Conservation Land--Upland
 - Wetland
 - Conservation Land--Wetland



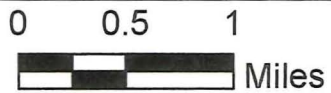
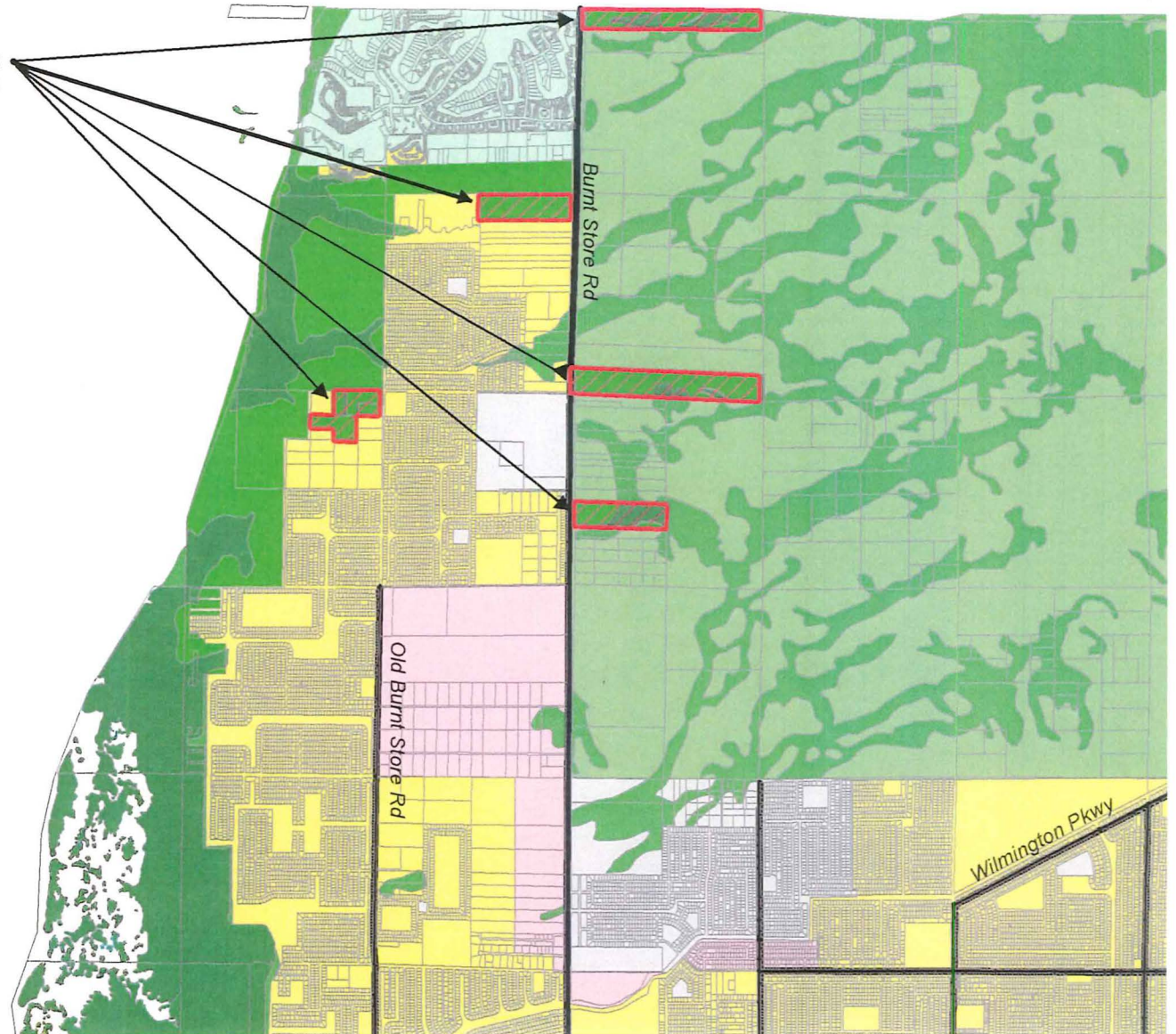
**CPA2000-09
Area 1
Future Land Use Map
(Proposed)**

Charlotte County

Future Land Use Categories

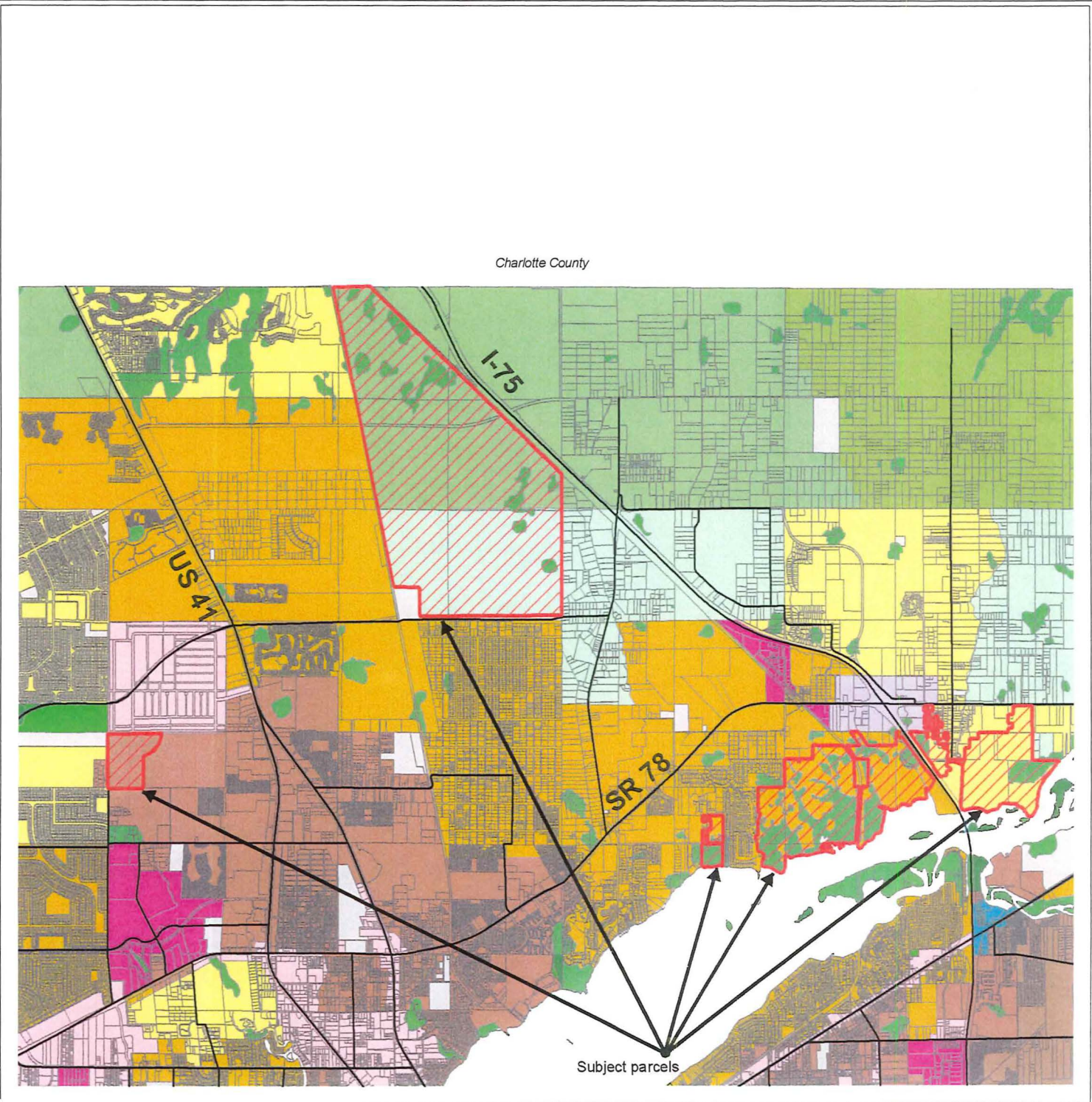
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

Subject
Parcels



CPA2000-09 Area 2 Future Land Use Map (Existing)

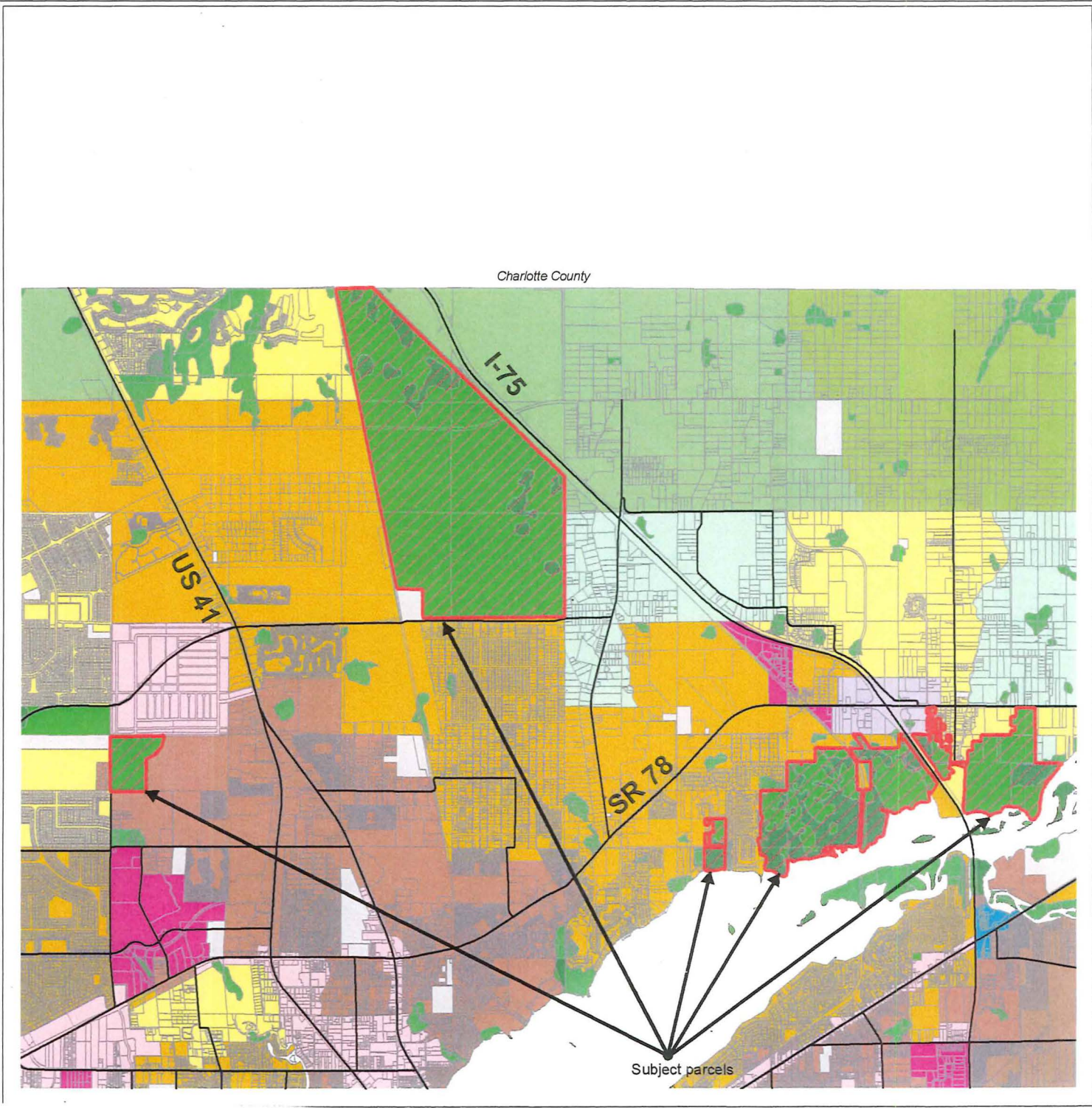
- Future Land Use Categories**
- Intensive Development
 - Central Urban
 - Urban Community
 - Suburban
 - Outlying Suburban
 - Industrial
 - Public Facility
 - University Community
 - Industrial interchange
 - General Interchange
 - General Commercial Interchange
 - Industrial Commercial Interchange
 - University Village
 - Mixed Use Interchange
 - New Community
 - Airport Commerce
 - Airport
 - Rural
 - Rural Community Preserve
 - Outer Island
 - Open Lands
 - Density Reduction/ Groundwater Resource
 - Conservation Land--Upland
 - Wetland
 - Conservation Land--Wetland



CPA2000-09 Area 2 Future Land Use Map (Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland

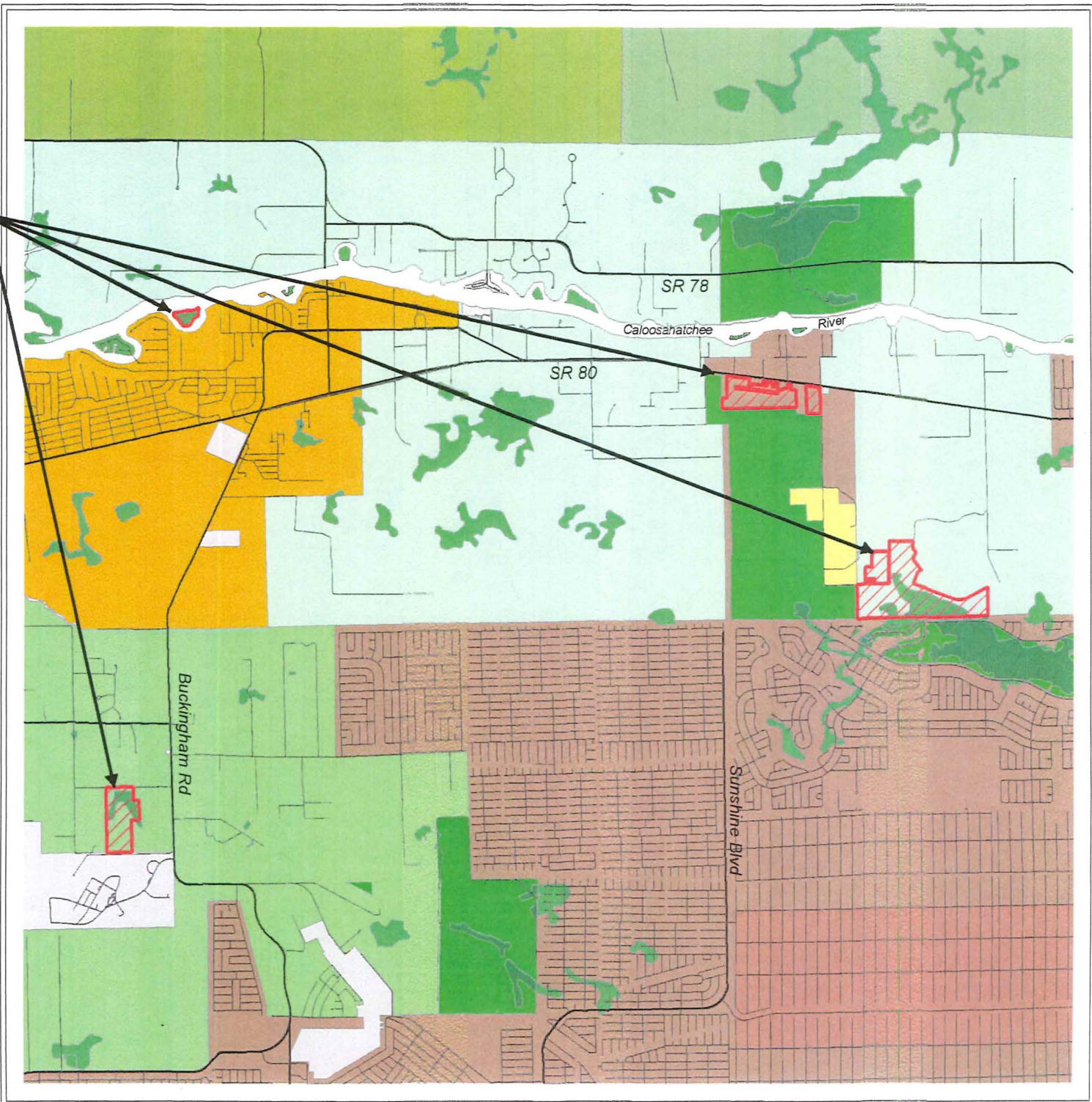


CPA2000-09 Area 3 Future Land Use Map (Existing)

Subject Parcels

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



CPA2000-09 Area 3 Future Land Use Map (Proposed)

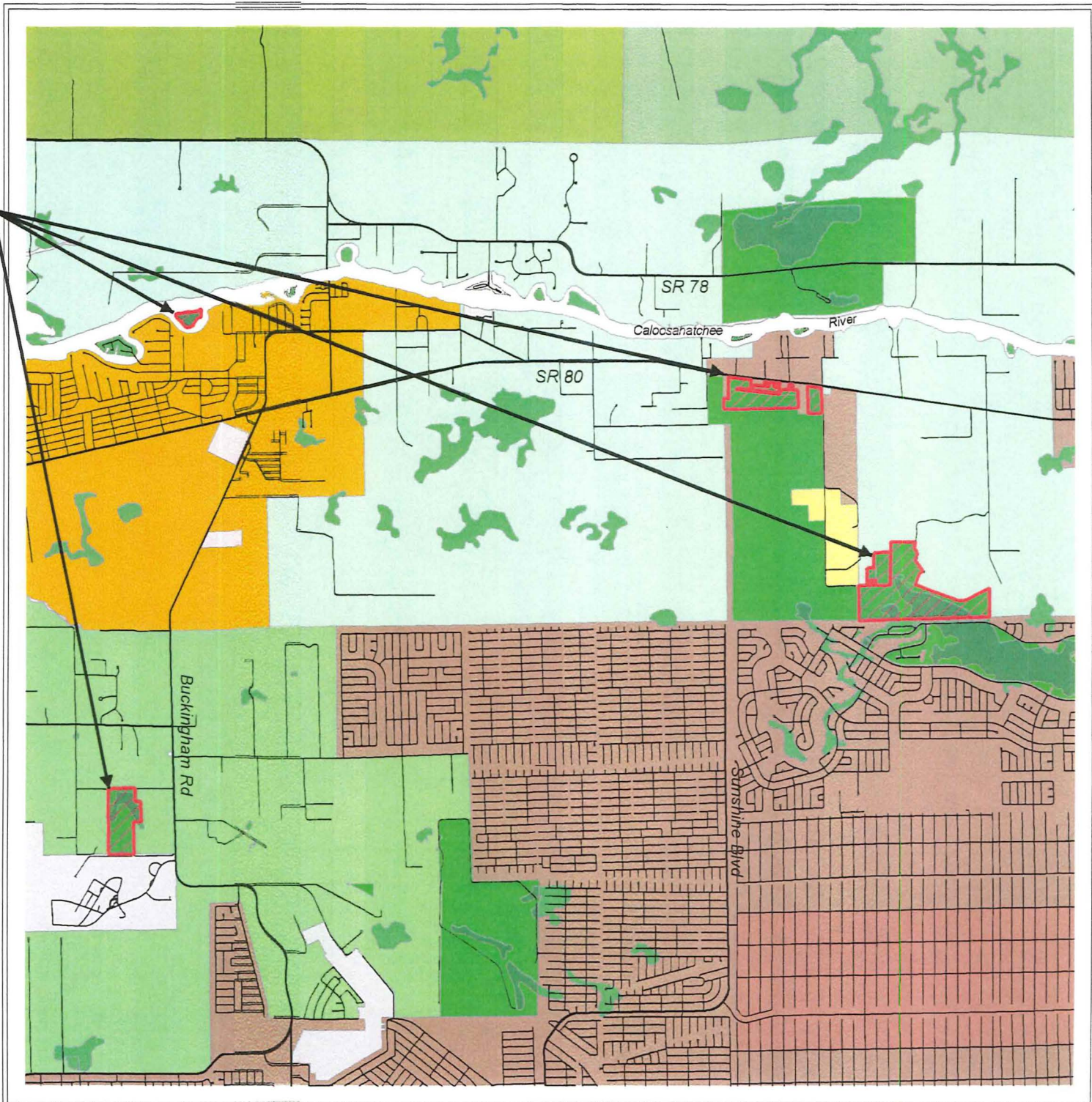
Subject Parcels

Future Land Use Categories

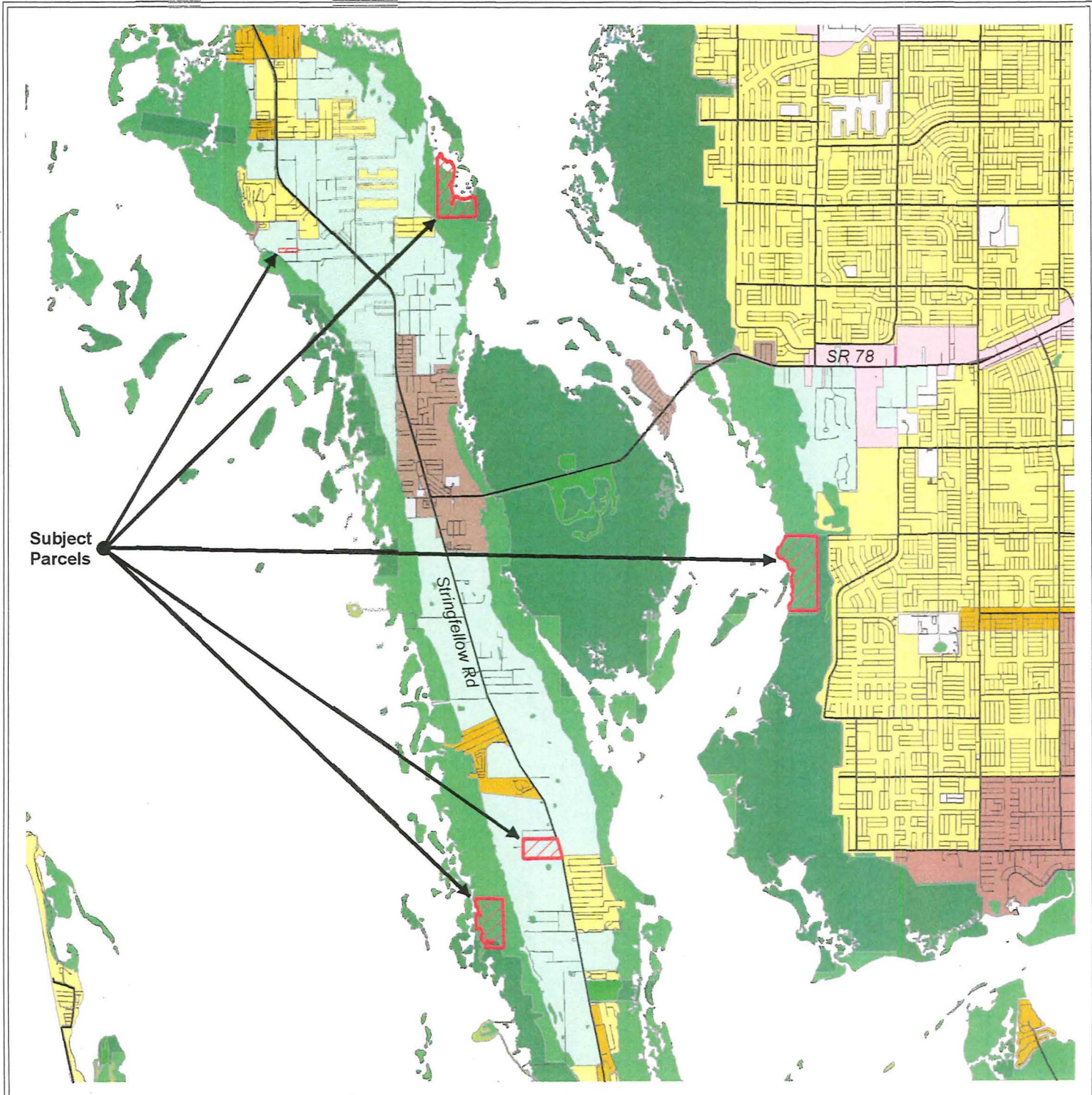
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



Map Created: 9.4.01



**CPA2000-09
Area 4
Future Land Use Map
(Existing)**



Future Land Use Categories

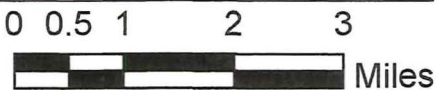
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland
- sde.SDE.ROADS



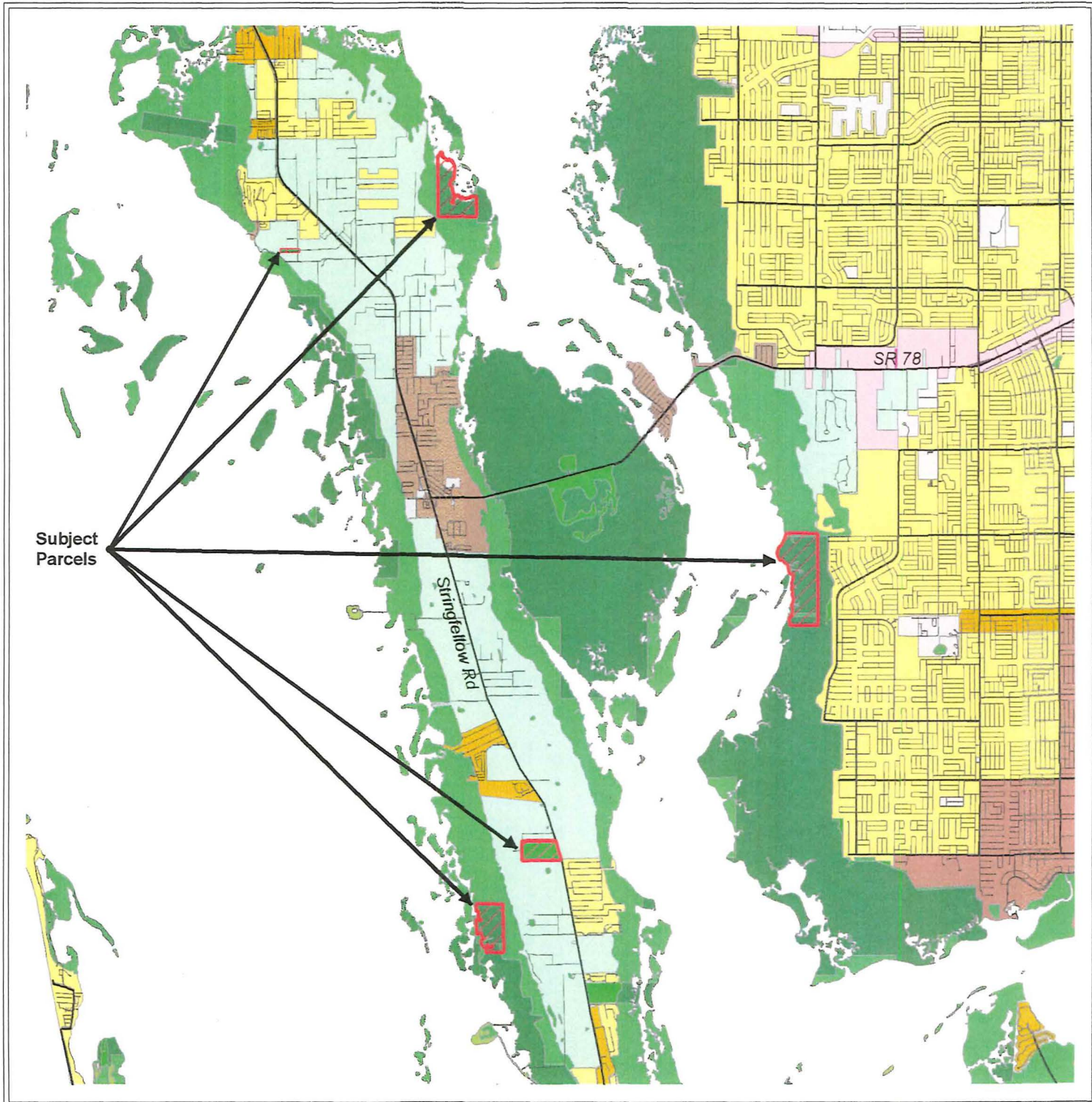
CPA2000-09 Area 4 Future Land Use Map (Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland
- sde.SDE.ROADS



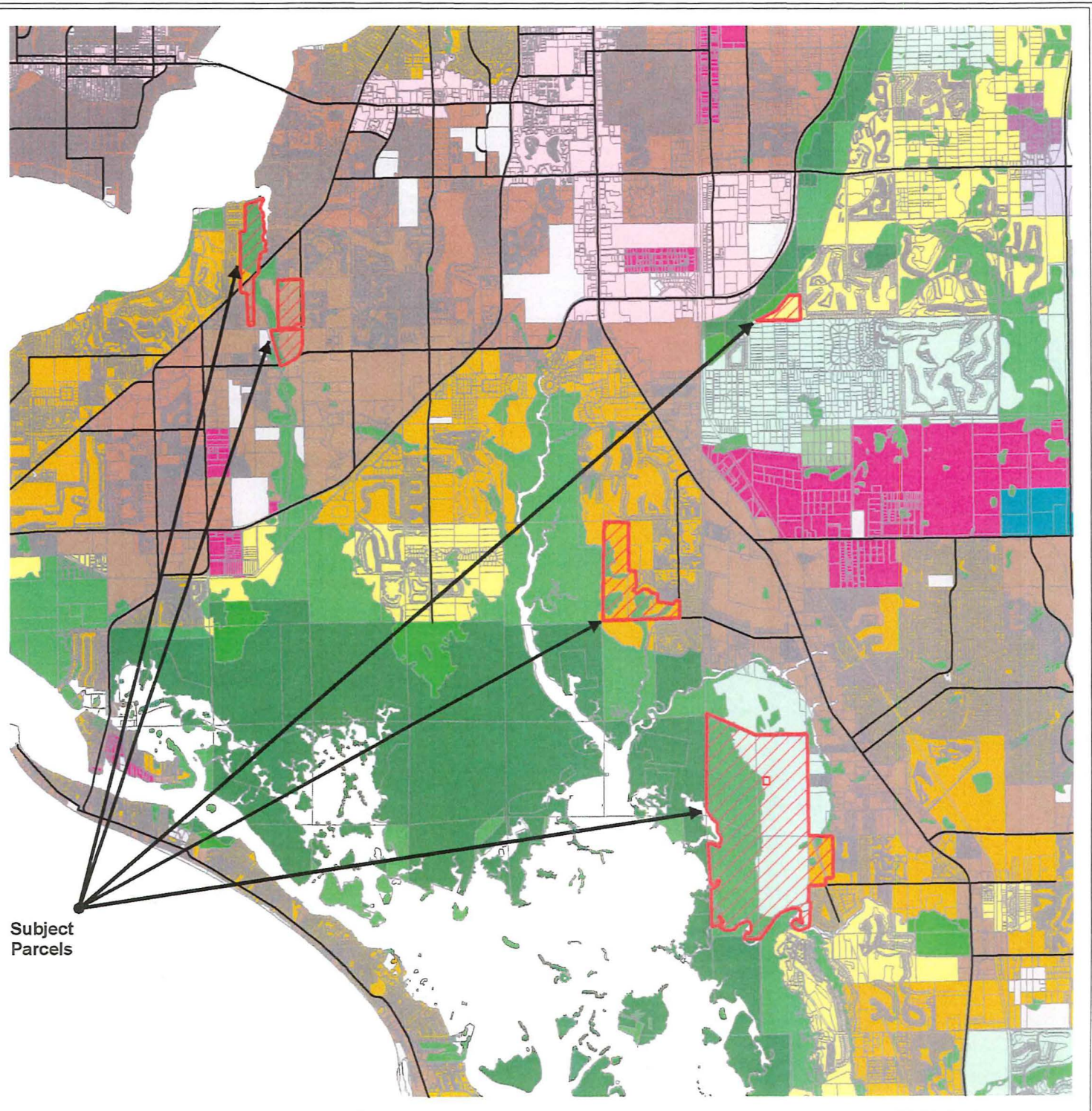
Map Created: 9/1/01



**CPA2000-09
Area 5
Future Land Use Map
(Existing)**

Future Land Use Categories

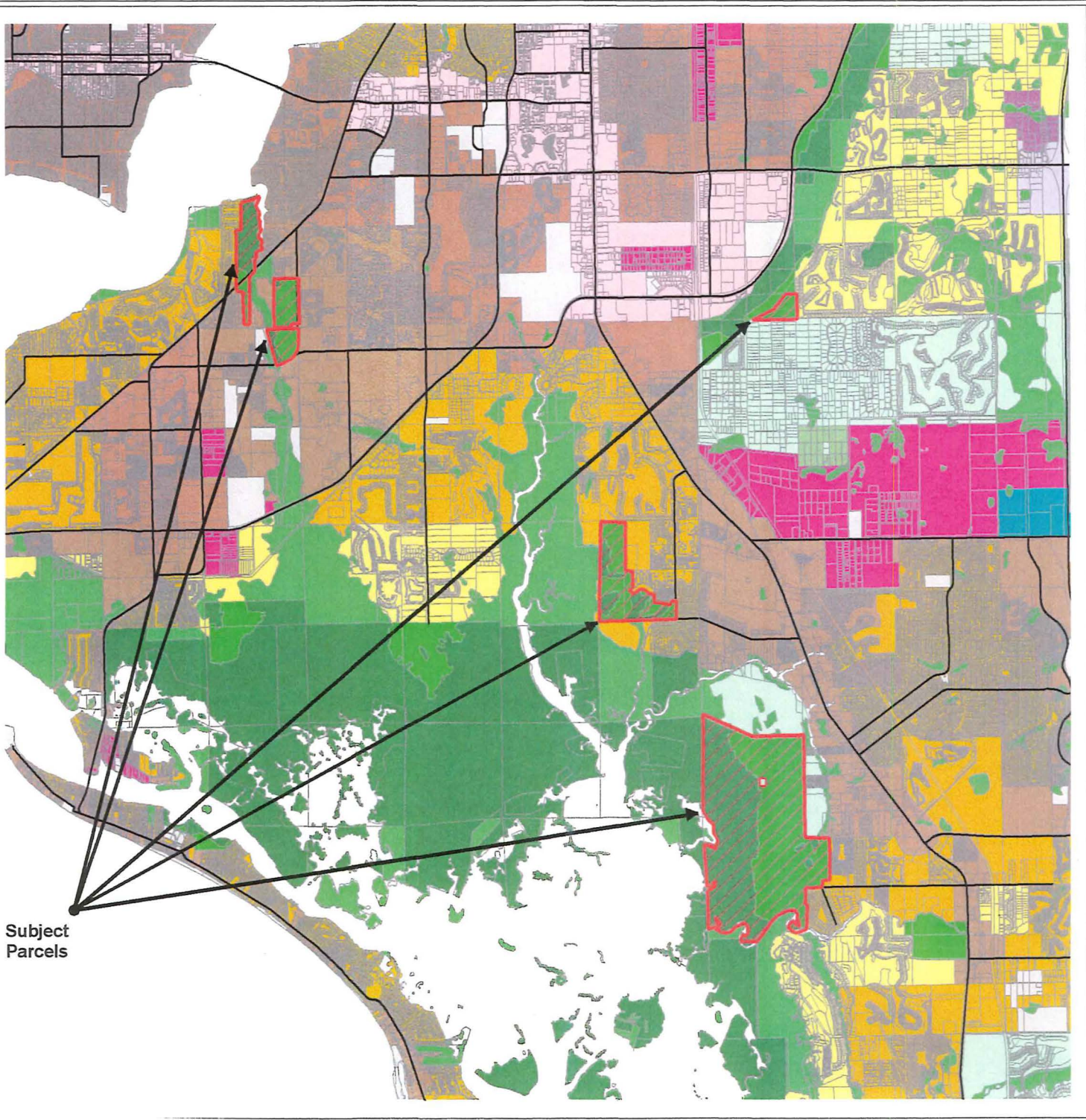
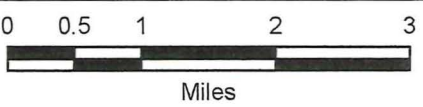
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



CPA2000-09 Area 5 Future Land Use Map (Proposed)

Future Land Use Categories

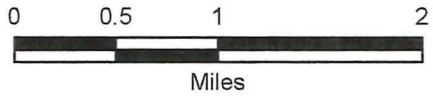
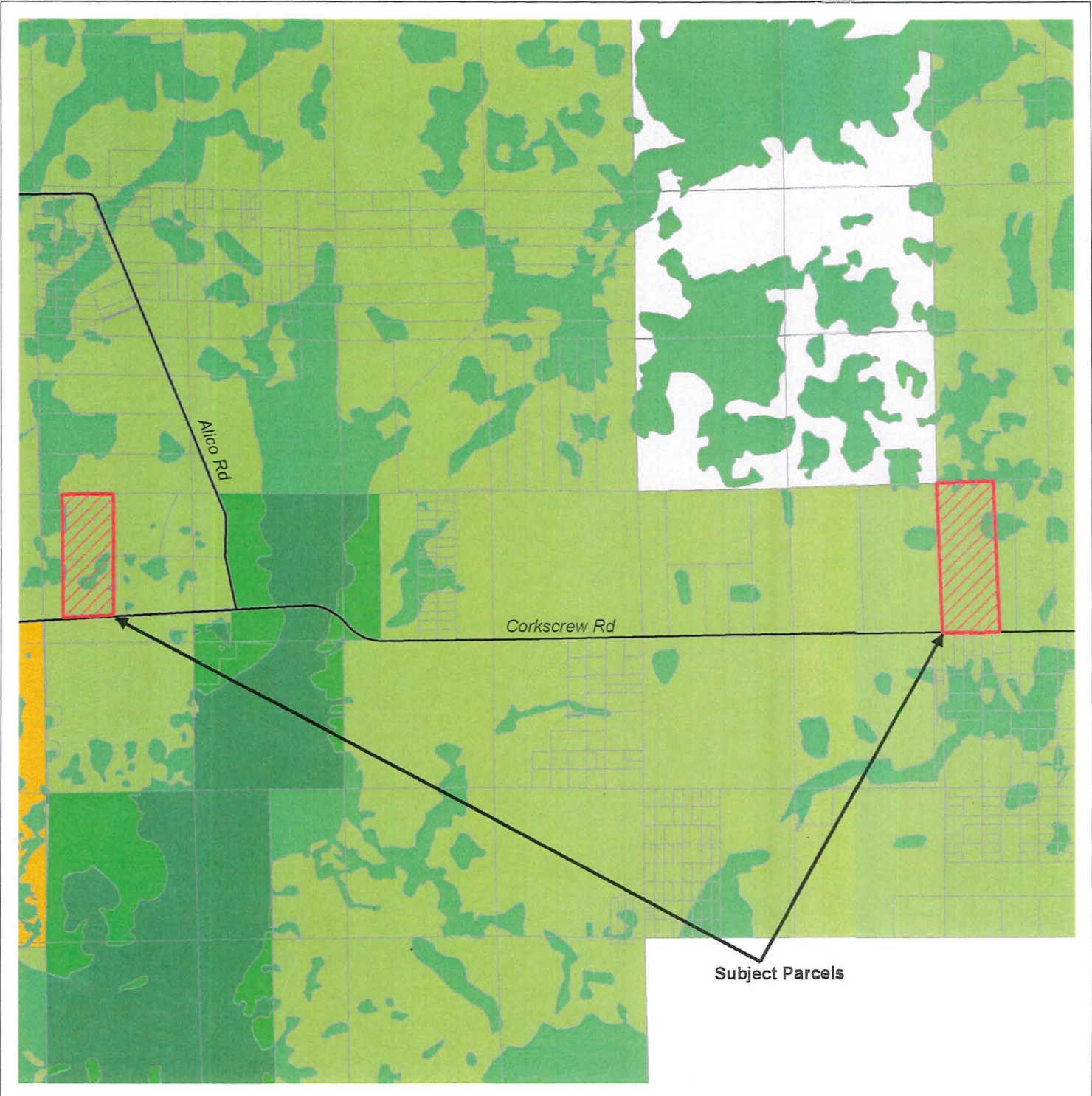
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



**CPA2000-09
Area 6
Future Land Use Map
(Existing)**

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



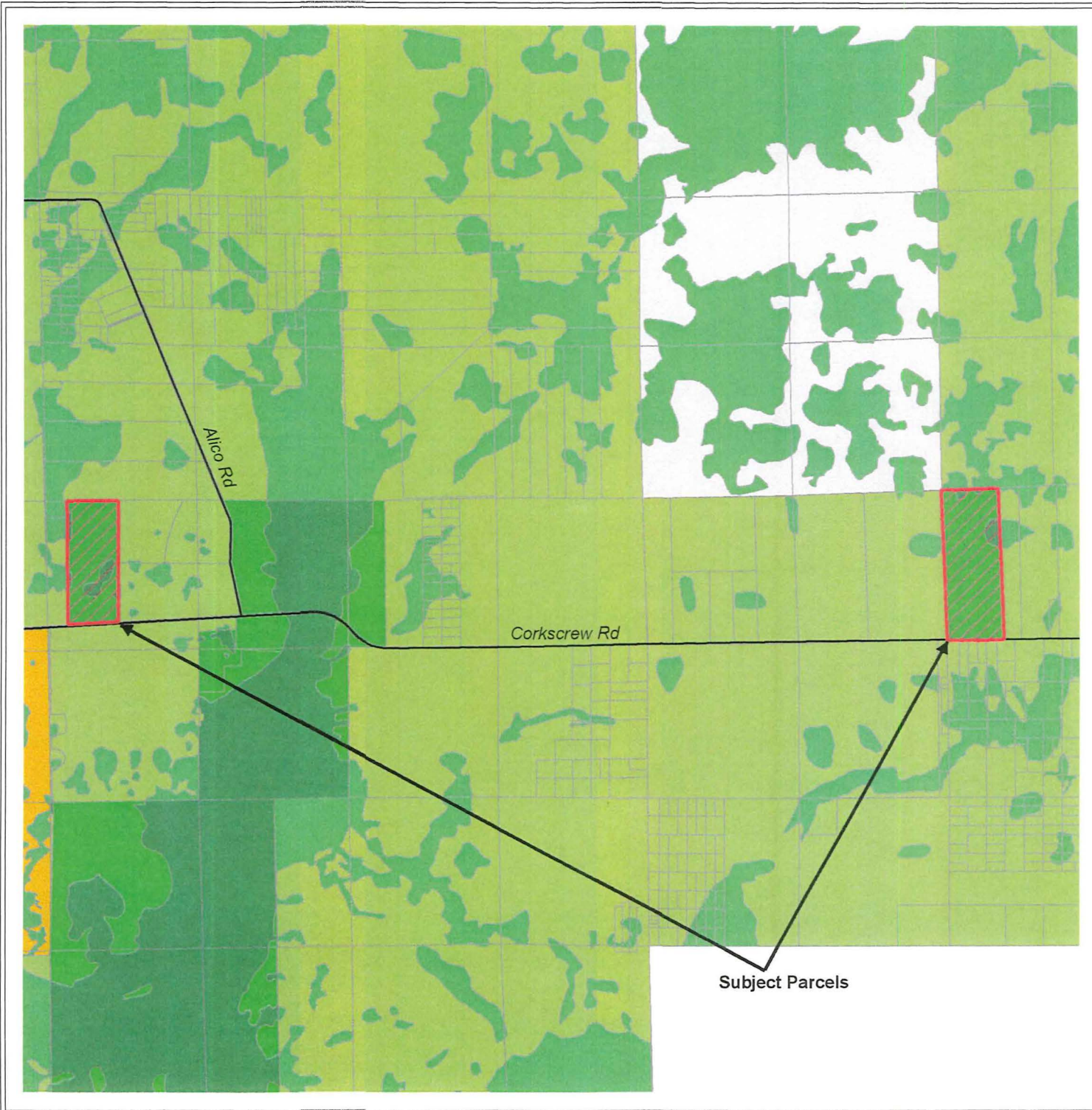
CPA2000-09 Area 6 Future Land Use Map (Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



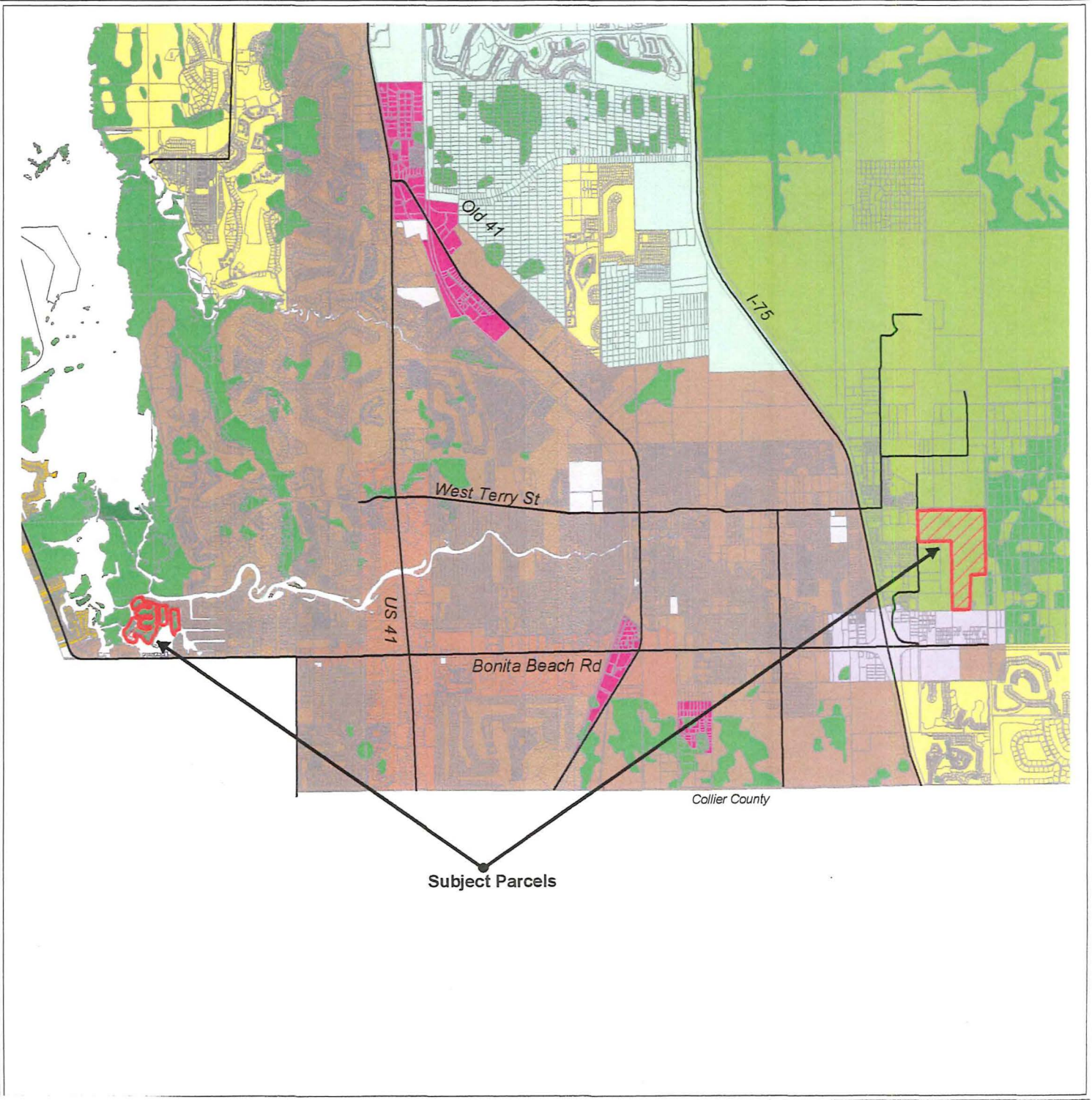
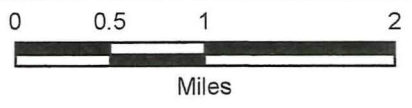
Map Created: 04/04



CPA2000-09 Area 7 Future Land Use Map (Existing)

Future Land Use Categories

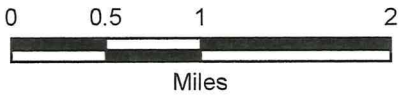
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



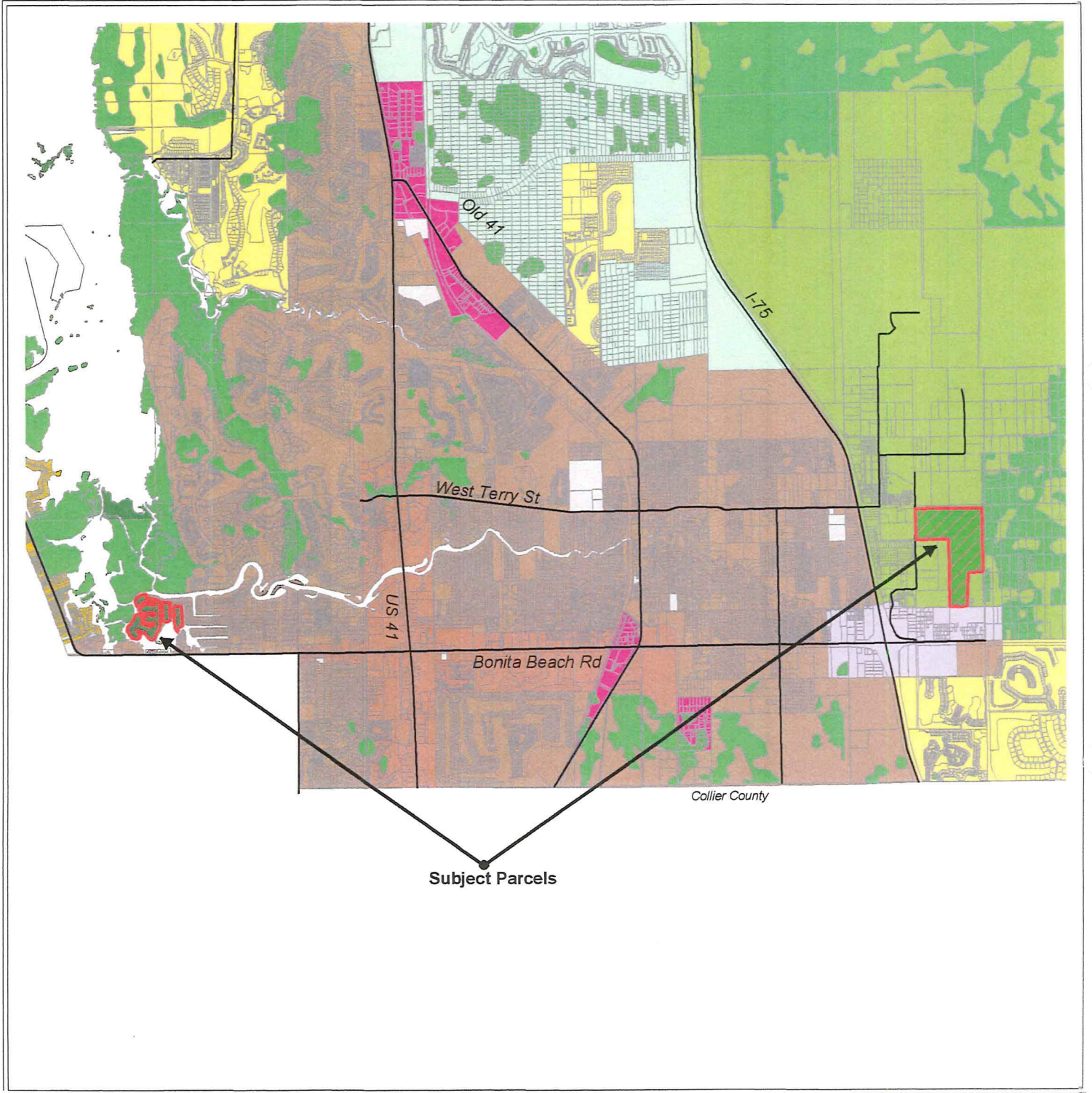
CPA2000-09 Area 7 Future Land Use Map (Proposed)

Future Land Use Categories

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial
- Public Facility
- University Community
- Industrial interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village
- Mixed Use Interchange
- New Community
- Airport Commerce
- Airport
- Rural
- Rural Community Preserve
- Outer Island
- Open Lands
- Density Reduction/ Groundwater Resource
- Conservation Land--Upland
- Wetland
- Conservation Land--Wetland



Map Created: 10/1/04



**CPA2000-09
BoCC SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
for
August 29, 2001 Public Hearing

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

August 1, 2001

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2000-09**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 16, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map to redesignate 5,929± acres, purchased through the Conservation 2020 Program and 1,245 acres purchased by the State from various land use categories to Conservation Lands, as specified under Objective 1.4.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends the Board of County Commissioners (BOCC) transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Upland and Wetland Conservation Lands categories those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property). The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland

conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Conservation Lands category was created to accurately depict the use of lands for conservation purposes.
- Lee County currently includes conservation areas owned by various agencies in the Conservation Lands Future Land Use Category.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has purchased 34 nominated properties through the Conservation 2020 Program as of August 1, 2001, and will continue to purchase lands for preservation.
- On July 12, 2001, CLASAC recommended that the proposed amendment be approved by the BOCC.
- In February 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the State preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Rural, Suburban, and Wetlands on the Future Land Use Map (FLUM).

- The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

C. BACKGROUND INFORMATION

1. COMPREHENSIVE PLAN POLICY BACKGROUND

On June 3, 1998 the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category. Currently, 50,000± acres are classified in the Conservation Lands category, and almost 15,000 acres of this total is owned by Lee County.

2. CONSERVATION 2020 PROGRAM

CLASAC was established by Ordinance 96-12 to develop and implement a conservation land acquisition and stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers. As of August 1, 2001, thirty-four properties have been acquired totaling 5,929± acres.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation and recommends the BOCC transmit this amendment.

3. EXISTING CONDITIONS OF ACQUIRED 2020 PROPERTIES

TOTAL ACREAGE: 5,929± acres

LOCATIONS: Conservation 2020 properties are located throughout Lee County (see Attachment 1 map).

EXISTING USES: The subject properties contain wetlands, passive agricultural uses, and vacant land.

CURRENT ZONING CLASSIFICATIONS: Attachment 2 details the individual parcel data including the acreage figures provided by the County Lands Department, which manages the Conservation 2020 program. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

CURRENT FUTURE LAND USE CLASSIFICATIONS: The subject properties are classified as Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, Rural, Rural Community Preserve, Open Lands, Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachment 2 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

4. ESTERO SCRUB PRESERVE aka SAHDEV PROPERTY

In February of 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the state preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Suburban, Rural, and Wetlands on the Future Land Use Map. These designations are no longer appropriate since the property is now part of the State conservation lands. The local representative of DEP who manages the Estero Bay Aquatic Preserve has been contacted by planning staff, and had no objection to the subject property being reclassified as Conservation Lands.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTENT OF PLAN AND MAP AMENDMENT

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

CONSERVATION LANDS POLICY

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks.

EXISTING CONSERVATION LANDS

Lee County has acquired over 15,000 acres of conservation lands at a cost of \$25 million since the 1989 plan was adopted including the Flint Pen Strand, the Imperial Marsh Southwest Florida International Airport Mitigation Area, the Hickey Creek Mitigation Park, the St. James Creek Preserve, and Bocilla Island Preserve. In addition to the conservation lands acquired by Lee County, there are approximately 30,000 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County including Cayo Costa State Park, Estero Bay State Buffer Preserve, Little Pine Island Mitigation Bank, Little Estero Critical Wildlife Area, and the Calusa Land Trust's St. James Creek Preserve on Pine Island.

CONSERVATION 2020 PROGRAM

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The BOCC established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 20/20", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would

only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities

The County has received about 200 willing seller applications. To date, 5,929 acres have been purchased.

On March 8, 2001, CLASAC met to discuss this proposed amendment. Lyle Danielson from the public commented on the proposal stating that the Conservation Lands should be rezoned to EC instead of this plan amendment. CLASAC members also had several questions and comments on the amendment. CLASAC was concerned that this amendment would prohibit future road construction and interim land management tools such as cattle grazing. Staff responded and stated that Policy 2.1.3 allows the consideration of public uses and facilities in all land use categories. In addition, Staff stated that Policy 1.4.5 does not prohibit cattle grazing as a management tool. CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program and recommends that the BOCC transmit this amendment.

On April 12, 2001, CLASAC members unanimously approved the Local Planning Agency's recommendation to include the new language into Policy 1.4.6.

On July 12, 2001, CLASAC members unanimously approved Planning Staff's recommendation to include lands purchased through the Conservation 2020 Program after March 8, 2001 in the Conservation Lands Future Land Use category. As of August 1, 2001, three more properties were acquired totaling an additional 2,550± acres.

LANDS TO BE RECLASSIFIED

All lands purchased by the Conservation 2020 Program and the Estero Scrub Preserve.

ALLOWABLE USES AND ACTIVITIES

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.

2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

ZONING

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

WETLANDS

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to comply with Rule 9J-5.006(1)(b)4., F.A.C. . Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

GRANTS

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

B. CONCLUSIONS

Placement of the lands acquired through the Conservation 2020 Program, as well as, the lands within the Estero Scrub Preserve into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 74, and Policy 74.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Attachment 3). These goals, objectives, and policies read as follows:

Objective 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the

provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

Goal 74: COASTAL RESOURCE PROTECTION. To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

Policy 74.1.2: The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands category those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: March 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

Staff provided a presentation to the LPA on the proposed plan amendment. The LPA provided a considerable amount of discussion on some key issues. One issue of particular concern was the language in Policy 1.4.6 that lists examples of uses that would be allowed in the Conservation Lands category, and how these uses would relate to the provisions of the ordinance that established the Conservation 2020 program. The LPA was concerned that certain allowable uses in the Conservation Lands category, such as well fields or ancillary uses such as parking lots, would not meet the intent of the Conservation 2020 program. It was the LPA's understanding that the Conservation 2020 lands were to remain in their natural state with some limited public access uses. The LPA was concerned that certain uses typically allowed in the Conservation Lands category were more intense than what the citizens of Lee County approved when they voted to tax themselves for the purchase of the Conservation 2020 parcels.

Staff responded to this concern by stating that currently, the Conservation 2020 lands were in a variety of land use categories, some of which would allow fairly intense development, had they not been purchased by the County. This amendment was simply an attempt to place all of these lands into the most appropriate category available. Each of the Conservation 2020 properties would still be subject to the provisions of the ordinance that established the program. This ordinance is generally more restrictive than the Future Land Use category, and would take precedence over the provisions of the Conservation Lands category. Furthermore, each of the Conservation 2020 properties has a specific management plan that is developed by County staff and approved by the Board of County Commissioners through public hearings. This management plan would also take precedence over the Future Land Use category.

Given the concern that this map amendment might allow uses within Conservation 2020 lands that might not be consistent with the intent of the Conservation 2020 program, the LPA suggested adding a sentence into Policy 1.4.6 that would clearly state that the Conservation 2020 lands in the Conservation Lands Future Land Use category would be subject to the more stringent conditions of the Conservation 2020 program. One member of the public provided a suggestion for this language. Another member of the public also spoke in favor of the amendment, but recommended that this type of language be included as a safeguard against land uses that might be inconsistent with the intent of the Conservation 2020 program.

The LPA also questioned whether the placement of the various properties into the Conservation Lands category would preclude the building of planned roadways. Staff responded that Policy 2.1.3 of the Lee Plan provides for public facilities in any land use category. A representative of Lee County DOT stated that each of the Conservation 2020 properties is reviewed by DOT for consistency with the County's 2020 Transportation Plan. If DOT anticipates that right-of-way will be needed within a property slated for Conservation 2020 purchase, they would put this on the record before the property is purchased. When DOT arrived at the phase where they would acquire right-of-way, then they would negotiate with the County (represented by the CLASAC) to purchase the needed right-of-way. Once a price was negotiated, then DOT would pay the County's Conservation 2020 program for the purchase of the right-of-way. The

placement of the Conservation 2020 properties into the Conservation Lands category would in no way preclude the acquisition of right-of-way or the construction of needed roadways.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the proposed amendment, with the addition of language to Policy 1.4.6 as shown below. Planning staff agrees with the addition of this language.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
SUSAN BROOKMAN	AYE
BARRY ERNST	AYE
RONALD INGE	AYE
GORDON REIGELMAN	AYE
VIRGINIA SPLITT	AYE
GREG STUART	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

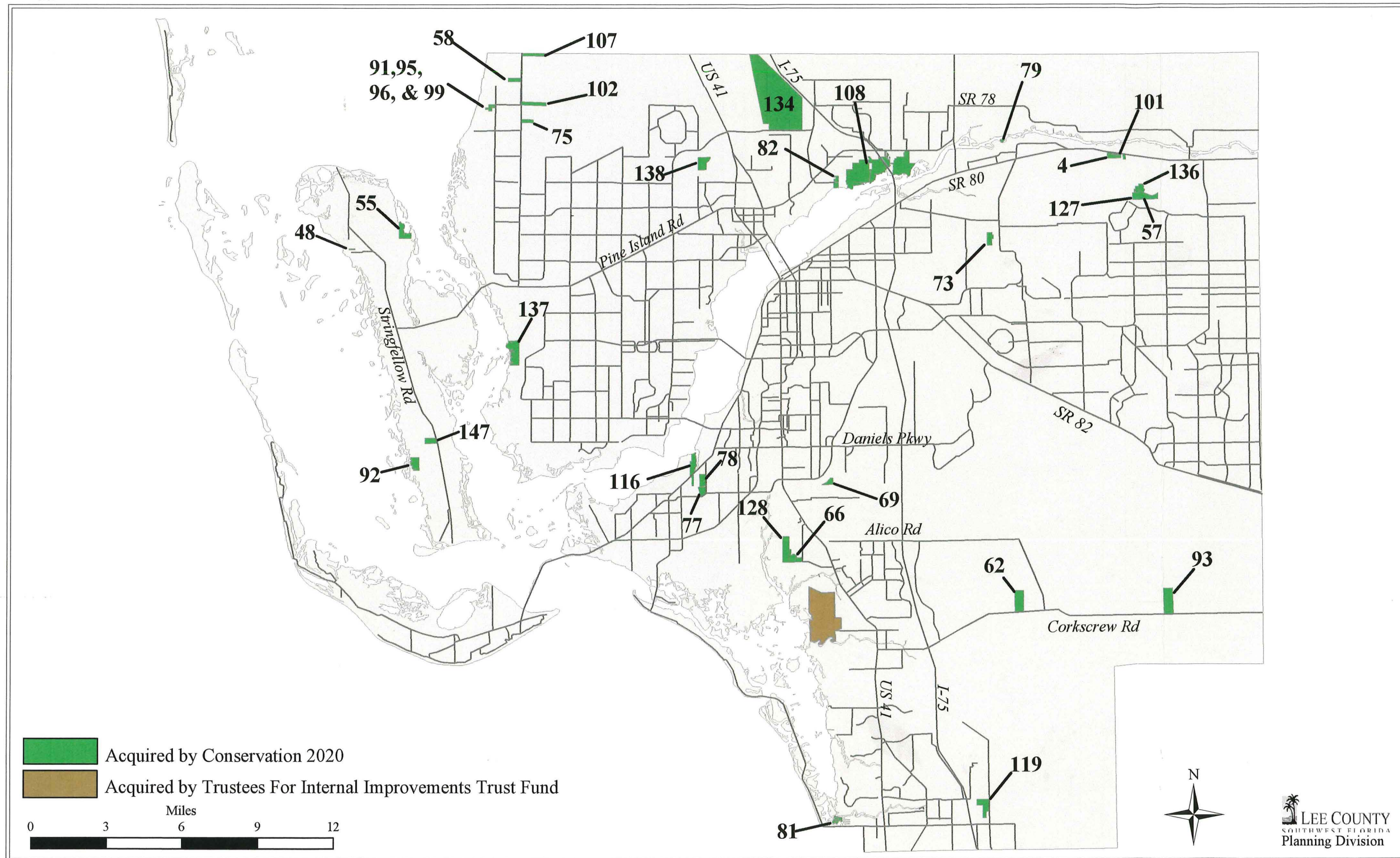
BOB JANES

RAY JUDAH

DOUG ST. CERNY

Lee Plan Amendment CPA 2000-09

Areas proposed for inclusion in Conservation Lands



**Parcels Being Added to the Conservation Lands Future Land Use Categories
through Plan Amendment CPA 2000-09**

Parcels Purchased Through Conservation 2020 Program

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
4	30-43-27-00-00001.0200	39.55	12/3/98	RM-2	Urban Community
48	07-44-22-00-00012.0000	8.59	12/4/00	RPD	Rural & Wetlands
55	04-44-22-00-00001.0010	157.9	5/13/98	AG-2	Wetlands
57	32-43-27-00-00001.0060	132.3	5/13/98	AG-2	Wetlands & Rural
58	07-43-23-C2-00001.0090	38.38	2/25/99	Cape R1A	Outlying Suburban
62	21-46-26-00-00001.1000	175	2/25/00	AG-2	DR/GR & Wetlands
66	12-46-24-00-00005.4000	82.93	12/15/99	RM-2	Suburban & Wetlands
69	30-45-25-00-00002.2000	39.51	12/20/99	AG-2	Outlying Suburban & Rural
73	08-44-26-00-00003.0000	66.55	12/3/99	AG-2	Rural Community Preserve & Wetlands
75	17-43-23-00-00001.0030	38.9	10/29/99	AG-2	Open Lands & Wetlands
77	32-45-24-01-000L0.0010	55.45	9/23/99	AG-2	Urban Community & Wetlands
78	29-45-24-00-00008.0000	75.26	7/16/99	RPD	Urban Community & Wetlands
79	20-43-26-00-00001.0020	8.7	9/9/99	RS-1	Wetlands
81	Multiple STRAPs in 31-, 32-47-25	39	2/26/97	AG-2,TFC-2,RM-2,IL	Wetlands
82	29-43-25-02-00007.0050; 32-43-25-00-00005.0000	52.4	2/23/00	PUD	Suburban & Wetlands
91	13-43-22-C2-00003.0160	5.2	2/23/00	Cape R1A	Outlying Suburban
92	22-45-22-00-00002.0000	80	5/11/00	AG-2	Wetlands
93	21-46-27-00-00001.0010	233.7	7/28/00	AG-2	DR/GR & Wetlands
95	13-43-22-C2-00003.0170	5	4/19/00	Cape R1A	Outlying Suburban
96	13-43-22-C2-00003.0000	10.43	2/23/00	Cape R1A	Outlying Suburban
99	13-43-22-C2-00003.0130	15.67	5/10/00	Cape R1A	Outlying Suburban
101	multiple STRAPs in 30-43-27	31.66	11/27/00	RM-2	Urban Community
102	08-43-23-00-00006.0030	83.02	3/3/00	AG-2	Open Lands & Wetlands
107	05-43-23-00-00001.0000	66.01	3/30/00	AG-2	Open Lands & Wetlands
108	Multiple STRAPs in 21-23, 26-29, 32 & 33-43-25	1,116	12/29/00	Various	Suburban & Wetlands
116	20-45-24-00-00004.0000; 20-45-24-00-00004.0030; 20-45-24-00-00003.0000	116.35	5/21/01	AG-2 & RS-1	Urban Community, Suburban & Wetlands
119	31-47-26-06-00009.0010	130.74	11/22/00	AG-2	DR/GR & Wetlands
127	32-43-27-00-00004.0020	24.72	12/7/00	AG-2	Rural
128	12-46-24-23-00000.00A0	160.42	7/9/01	PUD	Suburban & Wetlands
134	Multiple STRAPs in 01-43, 02-43, 11-43, 12-43, 13-43 & 14-43-24	2388.56	4/27/01	AG-2	Rural, Open Lands & Wetlands
136	32-43-27-00-00001.0000	38.2	11/9/00	AG-2	Rural
137	31-44-23-C2-00001.0000	234	3/9/01	Cape NZ	Wetlands
138	28-43-24-00-00001.0010	118.62	5/4/01	AG-2	Intensive Development, Central Urban, Outlying Suburban
147	15-45-22-00-00001.3020	60.9	3/16/01	AG-2	Rural
TOTAL		5929.62			

Other Parcels

Parcel Name	STRAP	Acres	Current Owner	Date Acquired	Zoning	Future Land Use
Former Sahdev Property	Multiple STRAPs in 19-, 29-, & 30-46-25	1,245.00	State of Florida	Feb-00	RPD	Rural, Wetlands, Suburban

ATTACHMENT 2

LEE COUNTY ORDINANCE NO. 96-12

AN ORDINANCE OF LEE COUNTY, FLORIDA, CREATING THE LEE COUNTY CONSERVATION LAND ACQUISITION AND STEWARDSHIP ADVISORY COMMITTEE; PROVIDING FOR CRITERIA RELATING TO THE PROCEDURAL IMPLEMENTATION OF LEE COUNTY'S AD VALOREM TAX LEVY PROGRAM TO PURCHASE AND IMPROVE ENVIRONMENTALLY CRITICAL OR SENSITIVE LANDS; PROVIDING FOR OBJECTIVES AND DUTIES OF THE COMMITTEE; PROVIDING FOR APPOINTMENT, COMPOSITION, TERMS AND PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public health, safety and welfare is served, promoted and enhanced by the acquisition and management of environmentally critical or sensitive lands for the protection of natural flood plains, marshes or estuaries; for surface water management and water supply, for the restoration of altered ecosystems; and to provide wildlife management areas and recreation opportunities; and the conservation of said natural resources; and

WHEREAS, applicable Florida Statutes reflect that such land acquisition and improvement serves a public purpose; and

WHEREAS, Lee County has determined it is in the public's interest to submit to voter referendum the issue of whether the county should be authorized to levy and use certain ad valorem tax funds to finance the purchase and improvement of said lands; and

WHEREAS, if said funding is authorized by the voters of Lee County and the Board in its discretion levies the necessary millage on an annual review basis as required by Florida law, it is further in the public's interest to have any resulting acquisition and improvement program procedurally implemented in a manner that sets specific guidelines for the program and provides the county with recommendations to ensure effective and successful completion of the program; and

WHEREAS, the Board of County Commissioners recognizes the need for the creation of an advisory committee in order to advise the county and public in the

implementation of the program and in proceeding with projects constituting a part of the limited general obligation bond acquisition and improvement program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: NAME:

This ordinance shall be known as the Lee County Conservation Lands Implementation Ordinance.

SECTION TWO: CREATION OF ADVISORY COMMITTEE:

The Board of County Commissioners hereby creates and establishes the Conservation Lands Acquisition and Stewardship Committee, hereinafter called "The Land Committee."

SECTION THREE: OBJECTIVES AND DUTIES:

The "Land Committee" will advise and provide recommendations to the Board concerning the county's environmentally critical or sensitive land purchase and improvement program, "The Land Program." Upon formation of the Land Committee, the Board, with input from the committee, shall establish reasonable rules, guidelines and milestones in order for the committee to meet its objectives and duties as provided herein.

The Land Committee will perform the following functions:

- A. Review and provide recommendations concerning the County's levy of millage and use of ad valorem funds in order to finance and implement The Land Program.
- B. Establish the parameters of The Land Program to include, but not limited to, criteria for land purchases, procedures to implement the program, and process for ranking purchase projects. The Land Program parameters will be confirmed by the Board by subsequent Resolution.
- C. Develop for Board approval by Resolution, a Property Acquisition Map depicting areas for purchase and specific properties which can be

purchased from willing sellers. The Land Acquisition Map and priorities for purchase will be reviewed and updated periodically, but at a minimum on an annual basis.

- D. Establish the parameters of a trust fund for land management, restoration and creation of public access for potential recreational use of acquired properties.
- E. Review established Land Program criteria and guidelines and provide recommendations for amendments and/or modifications to The Land Program that serve to enhance the effective operation of same.
- F. Provide periodic input and updates on the implementation and operation of The Land Program, to include but not limited to land purchase status, expenditures and availability of funds.
- G. Disseminate to and coordinate with Lee County local governments, potentially affected property owners and the general public by public hearing or otherwise, information concerning the program guidelines and the rationale for parcel selection.
- H. Coordinate with and assist as necessary Lee County staff in acquiring and managing the program lands.
- I. Offer amendments and/or modifications to this ordinance as necessary to effectively and successfully implement the program.

SECTION FOUR: PROGRAM CRITERIA

Notwithstanding the duties and objectives as specified in Section Three, supra, the Land Program shall be subject to the following general criteria:

- A. All land acquisitions and land improvement functions must be consistent with the legal and financial parameters of any County levy of millage and use of ad valorem tax proceeds providing funds for The Land Program.
- B. All land purchases shall conform to those laws applicable to the county purchase of real property or any interest therein.
- C. All lands shall be purchased in a legal interest sufficient to meet the objectives for the uses of the acquired lands herein.

- D. Priorities for land purchase must be reviewed and amended, if necessary, at least on an annual basis.
- E. The land Acquisition Program will be on a "willing seller" basis. No eminent domain will be used to acquire lands for the program.
- F. All lands considered for purchase will be appraised by one or more certified appraisers.
- G. In general, the lands considered for purchase should have critical or sensitive conservation value, be large enough in size to be effectively managed or be a unique/rare habitat type, contribute positively to surface water management, water supply, flood control, wildlife habitat or appropriate passive public recreation.
- H. Land purchases will be consistent with those lands as identified in the Lee County Comprehensive Plan as being appropriate for conservation and protection of natural resources efforts and public recreation.
- I. Lands to be acquired under The Land Program will be subject to the county's receipt of off-site mitigation credits from appropriate agencies or agency as the case may be.
- J. Any lands identified as a priority for purchase can be removed from said listing or acquisition map upon the request of any affected land owner.

SECTION FIVE: APPOINTMENT AND COMPOSITION:

The Board of County Commissioners shall appoint fifteen (15) members to the Land Committee, as herein established. It is the intent to establish an advisory committee with a balance of environmental, business, government and civic interests in Lee County. The membership will be established by the Board upon consensus vote after a review of recommendations of appointees. Each Board member shall nominate three (3) members to the Committee.

SECTION SIX: TERMS OF MEMBERS

The members to the Land Committee shall be appointed by the Board for a term up

to three (3) years. The membership hereof shall be appointed within thirty (30) days after the favorable adoption of the non-binding Referendum of November 5, 1996 on the land acquisition issue. The Board will make subsequent appointments or reappointments in the same manner as the original appointments. Members may be replaced subject to confirmation of the Board. Unless otherwise provided by the Board, replacement members will serve the unexpired term.

The Board may remove any member who is absent for four (4) consecutive meetings upon recommendation from the Land Committee.

SECTION SEVEN: RULES OF PROCEDURE:

- A. The Land Committee and its members shall comply with all applicable requirements of the Florida Sunshine Law, Public Records Law, Financial Disclosure Requirements (F.S. Ch. 112), if required, and the Lee County Lobbying Ordinance.
- B. The Land Committee may adopt additional procedures of operations provided there is no conflict with State Law.
- C. Roberts Rules of Order shall dictate parliamentary procedure. The Committee will elect its own officers for a one (1) year term.
- D. All members will serve without compensation.
- E. The committee shall adopt a meeting schedule consistent with the effective implementation and operation of the program and the objectives set forth in this ordinance. Regardless, in no event will the committee meet less than quarterly unless such revised schedule is first approved by the Board. The committee adopted meeting schedule or revisions thereto shall be forwarded to the Board of County Commissioners.

SECTION EIGHT: SEVERABILITY/REPEAL

The provisions of this ordinance are severable and it is the legislative intention to confer upon the whole or any part of the ordinance the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included herein. Any subsequent amendments to, or repeal of this ordinance shall not in any way affect the validity of the levy of millage and use of tax proceeds for the land acquisition program or the non-binding of referenda vote of November 5, 1996. The provisions of this ordinance, as a procedural implementing document, shall be deemed separate and apart from said ad valorem tax financing and related actions.

SECTION NINE: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Lee County Code; and that sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Administrator, or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court.

SECTION TEN: EFFECTIVE DATE/REPEALER:

This ordinance shall be effective upon official filing of same with the Secretary of the State of Florida, but shall be of no further force or effect and will be deemed repealed if the proposed non-binding Referendum for environmentally critical or sensitive lands is not duly approved at the November 5, 1996, Special Referendum Election.

The foregoing Ordinance was offered by Commissioner Ray Judah, who moved its

adoption. The motion was seconded by Commissioner Andrew Coy and, being put to a vote, the vote was as follows:

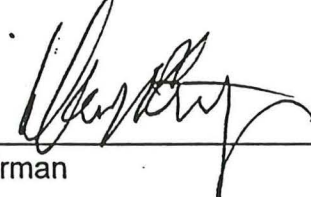
JOHN E. MANNING	<u>ABSENT</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW W. COY	<u>AYE</u>
JOHN E. ALBION	<u>AYE</u>

DULY PASSED AND ADOPTED this 31st day of July, 1996.

CHARLIE GREEN, CLERK
LEE COUNTY, FLORIDA

 BY Shirley E. Kost
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: 
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: James G. Jaeger
County Attorney

**CPA2000-09
BoCC SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

LPA Public Hearing Document
for
March 26, 2001 Public Hearing

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

March 21, 2001

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2000-09**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 16, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map to redesignate 3,379± acres purchased through the Conservation 2020 Program and 1,245 acres purchased by the state from various land use categories to Conservation Lands, as specified under Objective 1.4.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners (BOCC) transmit this proposed amendment to the Future Land Use Element, Map 1, Future Land Use Map.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Conservation Lands category was created to accurately depict the use of lands for conservation purposes.
- Lee County currently includes conservation areas owned by various agencies in the Conservation Lands Future Land Use Category.
- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has purchased 31 nominated properties through the Conservation 2020 Program as of March 16, 2001, and will continue to purchase lands for preservation.
- On March 8, 2001, CLASAC recommended that the proposed amendment be approved by the BOCC.
- In February of 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the State preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Rural, Suburban, and Wetlands on the Future Land Use Map (FLUM).
- The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.

C. BACKGROUND INFORMATION

1. COMPREHENSIVE PLAN POLICY BACKGROUND

On June 3, 1998 the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category. Currently, 50,000± acres are classified in the Conservation Lands category, and almost 15,000 acres of this total is owned by Lee County.

2. CONSERVATION 2020 PROGRAM

CLASAC was established by Ordinance 96-12 to develop and implement a conservation land acquisition and stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers. As of March 13, 2001, thirty-one properties have been acquired totaling of 3,379± acres.

CLASAC members unanimously approved Planning Staff's recommendation to include the lands purchased through the Conservation 2020 Program on March 8, 2001, and recommends the BOCC transmit this amendment.

3. EXISTING CONDITIONS OF ACQUIRED 2020 PROPERTIES

TOTAL ACREAGE: 3,379± acres

LOCATIONS: Conservation 2020 properties are located throughout Lee County (see Attachment 1 map). The attached map does not reflect the most recent Conservation 2020 purchase, Nomination #147. The County has recently closed on this property, however, the Conservation 2020 map had not been updated to reflect its status as of the writing of this report.

EXISTING USES: The subject properties contain wetlands, passive agricultural uses, and vacant land.

CURRENT ZONING CLASSIFICATIONS: Attachment 2 details the individual parcel data including the acreage figures provided by the County Lands Department, which manages the Conservation 2020 program. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

CURRENT FUTURE LAND USE CLASSIFICATIONS: The subject properties are classified as Central Urban, Urban Community, Density Reduction/Groundwater Recharge, Wetlands, Rural, Suburban, Outlying Suburban, Rural Community Preserve, and Open Lands Future Land Use Categories. Attachment 2 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

4. ESTERO SCRUB PRESERVE fka SAHDEV PROPERTY

In February of 2000, the State of Florida purchased a 1,245-acre parcel bordering the Estero Bay Aquatic Preserve, that was subsequently placed into the state preserve maintained by the Department of Environmental Protection (DEP). The property is currently designated Suburban, Rural, and Wetlands on the Future Land Use Map. These designations are no longer appropriate since the property is now part of the State conservation lands. The local representative of DEP who manages the Estero Bay Aquatic Preserve has been contacted by planning staff, and had no objection to the subject property being reclassified as Conservation Lands.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTENT OF PLAN AND MAP AMENDMENT

The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas and banks; natural resource based parks; and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

CONSERVATION LANDS POLICY

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks.

EXISTING CONSERVATION LANDS

Lee County has acquired over 15,000 acres of conservation lands at a cost of \$25 million since the 1989 plan was adopted including the Flint Pen Strand, the Imperial Marsh Southwest Florida International Airport Mitigation Area, the Hickey Creek Mitigation Park, the St. James Creek Preserve, and Bocilla Island Preserve. In addition to the conservation lands acquired by Lee County, there are approximately 30,000 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County including Cayo Costa State Park, Estero Bay State Buffer Preserve, Little Pine Island Mitigation Bank, Little Estero Critical Wildlife Area, and the Calusa Land Trust's St. James Creek Preserve on Pine Island.

CONSERVATION 2020 PROGRAM

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The BOCC established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 20/20", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

The Conservation 2020 Program objective is to put into the public domain private lands that provide the following public benefits:

- sustain native plant and animal populations;
- help protect people and property from flooding;
- help replenish our underground drinking water supply;
- help to improve or sustain the water quality of our coastal bays, inlets, and sounds;
- provide eco-tourism opportunities; and
- provide local environmentally-oriented recreational and educational opportunities

The County has received about 155 willing seller applications. To date, 3,379 acres have been purchased.

On March 8, 2001, CLASAC met to discuss this proposed amendment. Lyle Danielson from the public commented on the proposal stating that the Conservation Lands should be rezoned to EC instead of this plan amendment. CLASAC members also had several questions and comments on the amendment. CLASAC was concerned that this amendment would prohibit future road construction and interim land

management tools such as cattle grazing. Staff responded and stated that Policy 2.1.3 allows the consideration of public uses and facilities in all land use categories. In addition, Staff stated that Policy 1.4.5 does not prohibit cattle grazing as a management tool.

CLASAC members unanimously approved Planning Staff's recommendation to include the lands purchased through the Conservation 2020 Program and recommends that the BOCC transmit this amendment.

LANDS TO BE RECLASSIFIED

All lands purchased by the Conservation 2020 Program and the Estero Scrub Preserve.

ALLOWABLE USES AND ACTIVITIES

Conservation Lands are properties purchased and used primarily for the conservation of natural resources. Uses and activities should be compatible with this overall objective and must comply with all applicable federal, state, and local government requirements and conditions.

The allowable uses within the Conservation Lands categories would be determined by the entity owning each parcel and/or the government agency having management authority so long as such activities comply with applicable federal, regional, state, and local regulations. Examples of activities which are currently occurring on identified public conservation lands include but are not limited to:

1. Public education activities including research centers, interpretive centers, historical buildings, archaeological sites, guided nature walks, educational kiosks, educational programs, signage, and other associated facilities.
2. Natural resource enhancement, restoration and management activities such as fencing, prescribed burning, invasive exotic plant removal, wetlands restoration, and other similar activities.
3. Resource based recreation activities such as picnicking, hiking, canoeing, horseback riding, bicycle riding, camping, nature study, and associated facilities.
4. Public utility facilities associated with water conservation, public water supply, and water quality such as public well fields, water and wastewater treatment facilities, and effluent reuse and disposal systems.
5. Native range for cattle grazing as a management tool only.

ZONING

Currently the subject properties have many different zoning classifications. The most appropriate zoning district for Conservation Lands is the Environmentally Critical District (Sections 34-981 to 34-984, Land Development Code). Lee County may elect to rezone conservation lands to this zoning district if more restrictive land use regulations are desired.

WETLANDS

The Lee Plan has traditionally shown wetlands as a separate land use category with specific wetland protection policies. The wetlands category provides an accounting of the total wetlands in Lee County to

comply with Rule 9J-5.006(1)(b)4., F.A.C. . Wetlands will be identified as Conservation Lands to effectively account for, connect, enlarge, conserve, and provide long range management for natural resource conservation areas in Lee County. For planning purposes, wetlands in conservation lands will be subject to the land use policies of both the Wetlands and the Conservation Lands categories. If there is a conflict in land use policies, the more restrictive policy will apply.

GRANTS

The Conservation Lands designation will give the County a competitive edge in obtaining grants such as the Florida Community Trust, and Greenways and Trails grant programs. According to Rule 9K-4, pre-acquired lands are eligible for a grant through the Florida Community Trust within one year of purchase. The ranking criteria for the Florida Community Trust allocates 70 points out of a total 315 points to the comprehensive plan component.

B. CONCLUSIONS

Placement of the lands acquired through the Conservation 2020 Program, as well as, the lands within the Estero Scrub Preserve into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 74, and Policy 74.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Attachment 3). These goals, objectives, and policies read as follows:

Objective 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those area not anticipated for urban development at this time.

Policy 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields.

Goal 74: COASTAL RESOURCE PROTECTION. To protect the natural resources of the coastal planning area from damage caused by inappropriate development.

Policy 74.1.2: The county shall continue to support the preservation of environmentally sensitive areas in the coastal planning area by land acquisition.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands category those lands acquired by the County through the Conservation 2020 program, as well as the state-owned Estero River Scrub property (formerly known as the Sahdev Property).

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: March 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT
SUMMARY**

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

SUSAN BROOKMAN

BARRY ERNST

RONALD INGE

GORDON REIGELMAN

VIRGINIA SPLITT

GREG STUART

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

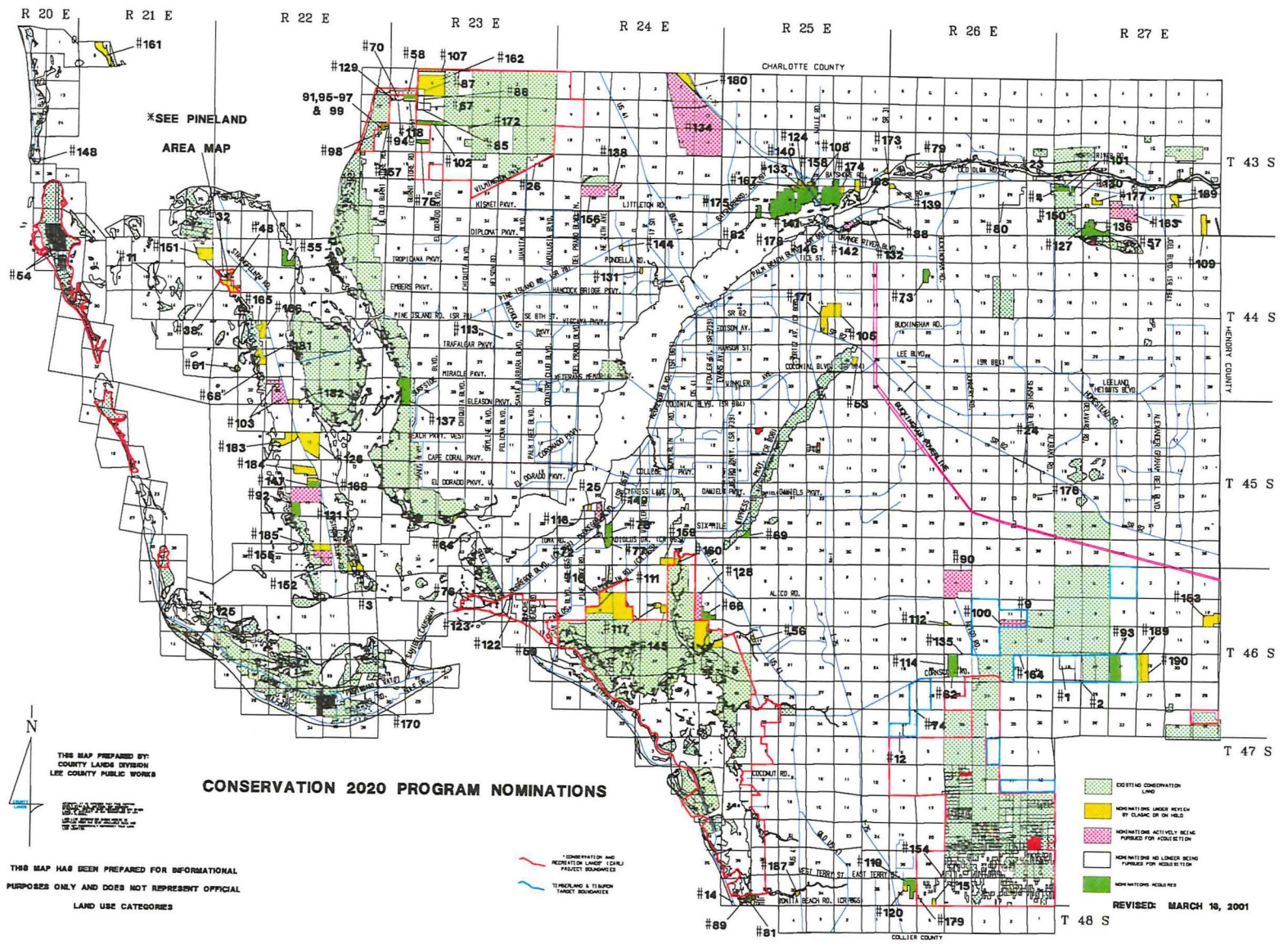
JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY



*SEE PINELAND
AREA MAP

CONSERVATION 2020 PROGRAM NOMINATIONS

THIS MAP PREPARED BY:
COUNTY LANDS DIVISION
LEE COUNTY PUBLIC WORKS

FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT REPRESENT OFFICIAL LAND USE CATEGORIES

THIS MAP HAS BEEN PREPARED FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT REPRESENT OFFICIAL LAND USE CATEGORIES

CONSERVATION AND RECREATION LAND (CARL) PROJECT BOUNDARIES
TRAILBLAZE & TRAILOR TRAILER BOUNDARIES

- EXISTING CONSERVATION LAND
 - NOMINATIONS UNDER REVIEW BY CLMDC OR ON FILE
 - NOMINATIONS ACTIVELY BEING PUBLISHED FOR ACQUISITION
 - NOMINATIONS NO LONGER BEING PUBLISHED FOR ACQUISITION
 - NOMINATIONS BEING REVIEWED
- REVISED: MARCH 10, 2001

**Parcels Being Added to the Conservation Lands Future Land Use Categories
through Plan Amendment CPA 2000-09**

Parcels Purchased Through Conservation 2020 Program

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
4	30-43-27-00-00001.0200	39.55	12/3/98	RM-2	Urban Community
48	07-44-22-00-00012.0000	8.59	12/4/00	RPD	Rural & Wetlands
55	04-44-22-00-00001.0010	157.9	5/13/98	AG-2	Wetlands
57	32-43-27-00-00001.0060	132.3	5/13/98	AG-2	Wetlands & Rural
58	07-43-23-C2-00001.0090	38.38	2/25/99	Cape R1A	Outlying Suburban
62	21-46-26-00-00001.1000	175	2/25/00	AG-2	DR/GR & Wetlands
66	12-46-24-00-00005.4000	82.93	12/15/99	RM-2	Suburban & Wetlands
69	30-45-25-00-00002.2000	39.51	12/20/99	AG-2	Outlying Suburban & Rural
73	08-44-26-00-00003.0000	66.55	12/3/99	AG-2	Rural Community Preserve & Wetlands
75	17-43-23-00-00001.0030	38.9	10/29/99	AG-2	Open Lands & Wetlands
77	32-45-24-01-000L0.0010	55.45	9/23/99	AG-2	Urban Community & Wetlands
78	29-45-24-00-00008.0000	75.26	7/16/99	RPD	Urban Community & Wetlands
79	20-43-26-00-00001.0020	8.7	9/9/99	RS-1	Wetlands
81	Multiple STRAPs in 31-, 32-47-25	39	2/26/97	AG-2,TFC-2,RM-2,IL	Wetlands
82	29-43-25-02-00007.0050; 32-43-25-00-00005.0000	52.4	2/23/00	PUD	Suburban & Wetlands
91	13-43-22-C2-00003.0160	5.2	2/23/00	Cape R1A	Outlying Suburban
92	22-45-22-00-00002.0000	80	5/11/00	AG-2	Wetlands
93	21-46-27-00-00001.0010	233.7	7/28/00	AG-2	DR/GR & Wetlands
95	13-43-22-C2-00003.0170	5	4/19/00	Cape R1A	Outlying Suburban
96	13-43-22-C2-00003.0000	10.43	2/23/00	Cape R1A	Outlying Suburban
99	13-43-22-C2-00003.0130	15.67	5/10/00	Cape R1A	Outlying Suburban
101	multiple STRAPs in 30-43-27	31.66	11/27/00	RM-2	Urban Community
102	08-43-23-00-00006.0030	83.02	3/3/00	AG-2	Open Lands & Wetlands
107	05-43-23-00-00001.0000	66.01	3/30/00	AG-2	Open Lands & Wetlands
108	Multiple STRAPs in 21-23, 26-29, 32 & 33-43-25	1,116	12/29/00	Various	Suburban & Wetlands
119	31-47-26-06-00009.0010	130.74	11/22/00	AG-2	DR/GR & Wetlands
127	32-43-27-00-00004.0020	24.72	12/7/00	AG-2	Rural
136	32-43-27-00-00001.0000	38.2	11/9/00	AG-2	Rural
137	31-44-23-C2-00001.0000	234	3/9/01	Cape NZ	Wetlands
147	15-45-22-00-00001.3020	60.9	3/16/01	AG-2	Rural

Other Parcels

Parcel Name	STRAP	Acres	Current Owner	Date Acquired	Zoning	Future Land Use
Former Sahdev Property	Multiple STRAPs in 19-, 29-, & 30-46-25	1,245.00	State of Florida	Feb-00	RPD	Rural, Wetlands, Suburban

LEE COUNTY ORDINANCE NO. 96-12

AN ORDINANCE OF LEE COUNTY, FLORIDA, CREATING THE LEE COUNTY CONSERVATION LAND ACQUISITION AND STEWARDSHIP ADVISORY COMMITTEE; PROVIDING FOR CRITERIA RELATING TO THE PROCEDURAL IMPLEMENTATION OF LEE COUNTY'S AD VALOREM TAX LEVY PROGRAM TO PURCHASE AND IMPROVE ENVIRONMENTALLY CRITICAL OR SENSITIVE LANDS; PROVIDING FOR OBJECTIVES AND DUTIES OF THE COMMITTEE; PROVIDING FOR APPOINTMENT, COMPOSITION, TERMS AND PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public health, safety and welfare is served, promoted and enhanced by the acquisition and management of environmentally critical or sensitive lands for the protection of natural flood plains, marshes or estuaries; for surface water management and water supply, for the restoration of altered ecosystems; and to provide wildlife management areas and recreation opportunities; and the conservation of said natural resources; and

WHEREAS, applicable Florida Statutes reflect that such land acquisition and improvement serves a public purpose; and

WHEREAS, Lee County has determined it is in the public's interest to submit to voter referendum the issue of whether the county should be authorized to levy and use certain ad valorem tax funds to finance the purchase and improvement of said lands; and

WHEREAS, if said funding is authorized by the voters of Lee County and the Board in its discretion levies the necessary millage on an annual review basis as required by Florida law, it is further in the public's interest to have any resulting acquisition and improvement program procedurally implemented in a manner that sets specific guidelines for the program and provides the county with recommendations to ensure effective and successful completion of the program; and

WHEREAS, the Board of County Commissioners recognizes the need for the creation of an advisory committee in order to advise the county and public in the

implementation of the program and in proceeding with projects constituting a part of the limited general obligation bond acquisition and improvement program;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: NAME:

This ordinance shall be known as the Lee County Conservation Lands Implementation Ordinance.

SECTION TWO: CREATION OF ADVISORY COMMITTEE:

The Board of County Commissioners hereby creates and establishes the Conservation Lands Acquisition and Stewardship Committee, hereinafter called "The Land Committee."

SECTION THREE: OBJECTIVES AND DUTIES:

The "Land Committee" will advise and provide recommendations to the Board concerning the county's environmentally critical or sensitive land purchase and improvement program, "The Land Program." Upon formation of the Land Committee, the Board, with input from the committee, shall establish reasonable rules, guidelines and milestones in order for the committee to meet its objectives and duties as provided herein.

The Land Committee will perform the following functions:

- A. Review and provide recommendations concerning the County's levy of millage and use of ad valorem funds in order to finance and implement The Land Program.
- B. Establish the parameters of The Land Program to include, but not limited to, criteria for land purchases, procedures to implement the program, and process for ranking purchase projects. The Land Program parameters will be confirmed by the Board by subsequent Resolution.
- C. Develop for Board approval by Resolution, a Property Acquisition Map depicting areas for purchase and specific properties which can be

purchased from willing sellers. The Land Acquisition Map and priorities for purchase will be reviewed and updated periodically, but at a minimum on an annual basis.

- D. Establish the parameters of a trust fund for land management, restoration and creation of public access for potential recreational use of acquired properties.
- E. Review established Land Program criteria and guidelines and provide recommendations for amendments and/or modifications to The Land Program that serve to enhance the effective operation of same.
- F. Provide periodic input and updates on the implementation and operation of The Land Program, to include but not limited to land purchase status, expenditures and availability of funds.
- G. Disseminate to and coordinate with Lee County local governments, potentially affected property owners and the general public by public hearing or otherwise, information concerning the program guidelines and the rationale for parcel selection.
- H. Coordinate with and assist as necessary Lee County staff in acquiring and managing the program lands.
- I. Offer amendments and/or modifications to this ordinance as necessary to effectively and successfully implement the program.

SECTION FOUR: PROGRAM CRITERIA

Notwithstanding the duties and objectives as specified in Section Three, supra, the Land Program shall be subject to the following general criteria:

- A. All land acquisitions and land improvement functions must be consistent with the legal and financial parameters of any County levy of millage and use of ad valorem tax proceeds providing funds for The Land Program.
- B. All land purchases shall conform to those laws applicable to the county purchase of real property or any interest therein.
- C. All lands shall be purchased in a legal interest sufficient to meet the objectives for the uses of the acquired lands herein.

- D. Priorities for land purchase must be reviewed and amended, if necessary, at least on an annual basis.
- E. The land Acquisition Program will be on a "willing seller" basis. No eminent domain will be used to acquire lands for the program.
- F. All lands considered for purchase will be appraised by one or more certified appraisers.
- G. In general, the lands considered for purchase should have critical or sensitive conservation value, be large enough in size to be effectively managed or be a unique/rare habitat type, contribute positively to surface water management, water supply, flood control, wildlife habitat or appropriate passive public recreation.
- H. Land purchases will be consistent with those lands as identified in the Lee County Comprehensive Plan as being appropriate for conservation and protection of natural resources efforts and public recreation.
- I. Lands to be acquired under The Land Program will be subject to the county's receipt of off-site mitigation credits from appropriate agencies or agency as the case may be.
- J. Any lands identified as a priority for purchase can be removed from said listing or acquisition map upon the request of any affected land owner.

SECTION FIVE: APPOINTMENT AND COMPOSITION:

The Board of County Commissioners shall appoint fifteen (15) members to the Land Committee, as herein established. It is the intent to establish an advisory committee with a balance of environmental, business, government and civic interests in Lee County. The membership will be established by the Board upon consensus vote after a review of recommendations of appointees. Each Board member shall nominate three (3) members to the Committee.

SECTION SIX: TERMS OF MEMBERS

The members to the Land Committee shall be appointed by the Board for a term up

to three (3) years. The membership hereof shall be appointed within thirty (30) days after the favorable adoption of the non-binding Referendum of November 5, 1996 on the land acquisition issue. The Board will make subsequent appointments or reappointments in the same manner as the original appointments. Members may be replaced subject to confirmation of the Board. Unless otherwise provided by the Board, replacement members will serve the unexpired term.

The Board may remove any member who is absent for four (4) consecutive meetings upon recommendation from the Land Committee.

SECTION SEVEN: RULES OF PROCEDURE:

- A. The Land Committee and its members shall comply with all applicable requirements of the Florida Sunshine Law, Public Records Law, Financial Disclosure Requirements (F.S. Ch. 112), if required, and the Lee County Lobbying Ordinance.
- B. The Land Committee may adopt additional procedures of operations provided there is no conflict with State Law.
- C. Roberts Rules of Order shall dictate parliamentary procedure. The Committee will elect its own officers for a one (1) year term.
- D. All members will serve without compensation.
- E. The committee shall adopt a meeting schedule consistent with the effective implementation and operation of the program and the objectives set forth in this ordinance. Regardless, in no event will the committee meet less than quarterly unless such revised schedule is first approved by the Board. The committee adopted meeting schedule or revisions thereto shall be forwarded to the Board of County Commissioners.

SECTION EIGHT: SEVERABILITY/REPEAL

The provisions of this ordinance are severable and it is the legislative intention to confer upon the whole or any part of the ordinance the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court of competent

jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included herein. Any subsequent amendments to, or repeal of this ordinance shall not in any way affect the validity of the levy of millage and use of tax proceeds for the land acquisition program or the non-binding of referenda vote of November 5, 1996. The provisions of this ordinance, as a procedural implementing document, shall be deemed separate and apart from said ad valorem tax financing and related actions.

SECTION NINE: CODIFICATION, INCLUSION IN CODE AND SCRIVENER'S ERRORS

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Lee County Code; and that sections of this ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the County Administrator, or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court.

SECTION TEN: EFFECTIVE DATE/REPEALER:

This ordinance shall be effective upon official filing of same with the Secretary of the State of Florida, but shall be of no further force or effect and will be deemed repealed if the proposed non-binding Referendum for environmentally critical or sensitive lands is not duly approved at the November 5, 1996, Special Referendum Election.

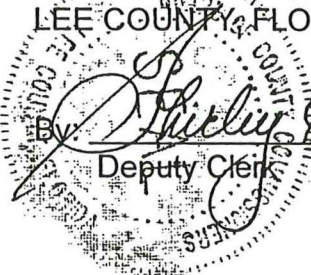
The foregoing Ordinance was offered by Commissioner Ray Judah, who moved its

adoption. The motion was seconded by Commissioner Andrew Coy and, being put to a vote, the vote was as follows:

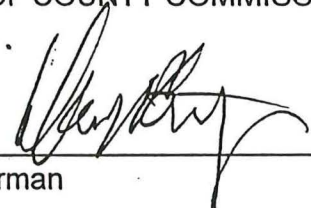
JOHN E. MANNING	<u>ABSENT</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW W. COY	<u>AYE</u>
JOHN E. ALBION	<u>AYE</u>

DULY PASSED AND ADOPTED this 31st day of July, 1996.

CHARLIE GREEN, CLERK
LEE COUNTY, FLORIDA

 *Charlie E. Kost*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: 
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: 
County Attorney

STEVE McQUILKIN

Business Editor

335-0393

smcquilkin@news-press.com

10 a.m.-7 p.m. Monday-Friday

For more real estate news:

www.news-press.com

The News-Press

Home Real Estate

SECTION

G

SUNDAY, MARCH 11, 2001

**Frank
D'Alessandro**

Market Watch



FrankDAlessandro@msn.com

Benefits of 2020 tax enormous

Lee County has spent more than \$22 million of our tax money to take 2,820 acres of taxable property off the tax rolls, and an additional 4,963 acres are either under contract or under negotiation. Why isn't the real estate community outraged? One word — SERENDIPITY: (ser-en-di-pe-të / an unforeseen benefit).

The \$22 million spent so far comes from the Conservation 2020 tax. In 1996 Lee County voters approved the 2020 tax. It was designed to raise \$80 million over seven years so the county could purchase environmentally sensitive land, and preserve it.

The 2020 tax idea seemed appalling to some real estate professionals. Why should we tax ourselves to take taxable real estate off the tax rolls? The real estate industry launched an offensive attack against the proposed tax, and lost — so we thought.

Now looking at the impact of the 2020 program, many real estate professionals and individual landowners who opposed the tax, including myself, are seeing benefits that neither we, nor the proponents of the tax, saw possible.

First, the program is voluntary. Landowners have the choice to sell their properties. The county, in essence, has become an able "buyer" for real estate that qualifies as environmentally sensitive. That's welcome news for landowners who have lost some of their development rights because of environmental limitations.

"Now there is a mechanism for people to sell properties that are impaired by environmental constraints," says Robert Clemens, Lee County's acquisition program manager.

Are the properties being acquired either undesirable for development or out-of-the-way parcels? No so far, according to local property appraiser Steve Cunningham. "Most of the acquisitions have elements of difficulty in permitting, but many happen to be directly in the path of growth," says Cunningham, who has appraised several parcels for 2020 acquisitions.

Conservation 2020 has other unforeseen benefits. For example, the preserved parcels serve as natural amenities to surrounding neighborhoods.

Nearby landowners are also seeing property values increase especially when the county preserves a competing parcel with high-density rights.

Let's face it — every time a parcel with development rights is taken off the market, the law of supply and demand kicks in, and surrounding parcels become more valuable.

Imagine that — landowners, real estate professionals, and wildlife are all benefiting from one idea. Who said environmentalists and the real estate industry couldn't coexist harmoniously?

— Frank D'Alessandro is a commercial real estate broker and consultant. Readers may contact him via e-mail at FrankDAlessandro@msn.com or 281-9009.

From: Walter McCarthy
To: Collins, Donna Marie
Date: 11/18/99 10:20AM
Subject: Re: Lands Acquired by the County pursuant to Conservation 2020 Acquisition

DMC: Once the properties have closed, please have the County advise me by letter that they are the current owner of the property and that they request that the development orders be vacated. OK? Walter.

>>> Donna Marie Collins 11/18/99 09:57AM >>>

Walter.

Greetings and salutations.

The county is about to purchase two parcels under the Conservation 2020 program that are subject to development orders. I believe both DO's are active. Once the county closes on the parcels, they will not be developed at all.

What kind of notice would you like to receive on behalf of your department once the parcel has closed.

The DO's involved are:

90-03-019.00D (98 dwelling units) and 83-09-02100D(184 dwelling units)

I am certain that your department uses information all active development orders for concurrency capacity purposes and possibly other. If the parcels will not be development once under county ownership, it seems that information would be relevant.

Please advise at your convenience!

Peace.

dmc

CC: Noble, Matthew

From: Donna Marie Collins
To: McCarthy, Walter
Date: 11/18/99 9:57AM
Subject: Lands Acquired by the County pursuant to Conservation 2020 Acquisition

Walter.

Greetings and salutations.

The county is about to purchase two parcels under the Conservation 2020 program that are subject to development orders. I believe both DO's are active. Once the county closes on the parcels, they will not be developed at all.

What kind of notice would you like to receive on behalf of your department once the parcel has closed.

The DO's involved are:

90-03-019.00D (98 dwelling units) and 83-09-02100D(184 dwelling units)

I am certain that your department uses information all active development orders for concurrency capacity purposes and possibly other. If the parcels will not be development once under county ownership, it seems that information would be relevant.

Please advise at your convenience!

Peace.

dmc

CC: Noble, Matthew

Calusa Land Trust and Nature Preserve of Pine Island, Inc. Land Acquisition Committee

Memorandum to The Board of Directors

5 Mar 01

Subject: Preservation of Calusa Land Trust Mangrove Areas

Summary: The Acquisition Committee recommends to the Board of Directors that Calusa Land Trust-owned mangrove areas on and around Pine Island be placed in the "conservation lands " category in the Lee County Land Plan.

Background: Florida law requires that each county or incorporated city have a land plan which designates future land use categories for all properties within their jurisdiction. The designations have the force of law and can only be changed by vote of the County Commissioners and subsequent approval by the Florida Department of Community Affairs in an annual review process. Typical designations include future industrial, commercial, residential (with varying densities), and agricultural areas as well as conservation areas. Thus far, Lee County has not had a "conservation lands" category, however, that problem is being remedied in the upcoming Land Plan Map amendment process. Federal, state, and Lee County owned preserves, as well as land trust preserves (if we agree), in all of unincorporated Lee County will all be placed in the conservation lands category, which will preclude use of the properties for commercial, residential, or other uses inconsistent with nature preserves.

Discussion:

The Calusa Land Trust has done an outstanding job of buying environmentally-sensitive lands on and around Pine Island. Including lands jointly owned with others, our holdings now total 1,852 acres. We advertise to the public and our members and contributors that we buy and preserve land. We have in fact long done the former--- now it's time to do the latter. While we generally regard land owned by the Calusa Land Trust to be preserved, and we call most of our properties preserves, in fact, they are not legally preserved or in any way restricted to use as nature preserves.

Many land trusts such as ours preserve their land by using conservation easements to restrict the property when purchased. We have not taken that route and the Acquisition Committee does not recommend that we do so because of the expense and difficulty of establishing a properly funded easement enforcement entity.

The Lee County Land Plan conservation lands category offers us a excellent opportunity to provide legal preserve protection for our mangrove areas at no cost to ourselves. Other advantages are as follows:

- (1) Designation as conservation lands precludes the County Commissioners from taking any action as regards our properties inconsistent with the definition of conservation lands without State DCA approval. Such actions could include seizure of our lands under eminent domain proceedings to build another bridge to Pine Island, construct roads, sewer plants, fire stations, etc., or simply rezoning our properties or adjoining properties to accommodate a greater density of housing.
- (2) Designation as conservation lands will make us eligible for Federal and State and other grants not available to lands which are not preserved. Florida Community Trust and Greenways and Trails grant programs, as well as other programs, would otherwise be unavailable to us.
- (3) We can honestly assure our members and contributors that our lands are indeed preserved. This is extremely important to our general public image and the integrity of our organization as well as specific transactions. Indeed, we currently have pending an offer by a member to contribute \$5,000 toward one of our projects (purchase of the Spignese property) if the member is assured that the property will be legally preserved.

The only disadvantage to this proposal is that we would forgo any possibility of selling development rights on our mangrove areas (conservation areas do not have development rights). This is not a serious problem since we long ago concluded that sale of development rights to our mangrove areas was and is not a practicable option. Designation as a conservation area does not affect the ability to get permits to build boardwalks and similar nature preserve related-improvements or the use of such properties for mitigation purposes.

Recommendation:

The Acquisition Committee members unanimously voted to instruct the Chair of the Acquisition Committee to offer a motion at the next Board of Directors meeting that we send a letter to Lee County Planning Department asking that our mangrove areas (and only our exclusively mangrove areas) be included in the category of conservation lands when the Land Plan map is redrawn in the next round of Land Plan amendments. The recommendation does not include Fritts Park, the Calusa Canal properties, Merwin Key, or the Baxley or Schock Preserves, all of which contain upland areas which we may wish to build upon, sell, or trade. Inclusion of York and Coconut Islands as well as the Long Cut Preserve is subject to SCCF concurrence (which has been requested).

To insure that our intent is absolutely clear, the letter to the County Planning Department must state that designation of our properties as conservation lands is being made to insure that our nature preserves remain nature preserves in perpetuity and used only for passive recreational purposes. Although not currently an issue as to conservation lands, the letter should further state that our designation is contingent

upon such lands being open to the public for passive recreation, including both power boating and paddled boats, fishing, hiking, birdwatching and similar nature related activities.

Please address all comments regarding this proposal to Phil Buchanan at 283-4067 or coolcherookee@hotmail.com. Directors are also requested to be prepared to discuss and vote on this matter at the 20 March Board of Directors meeting.

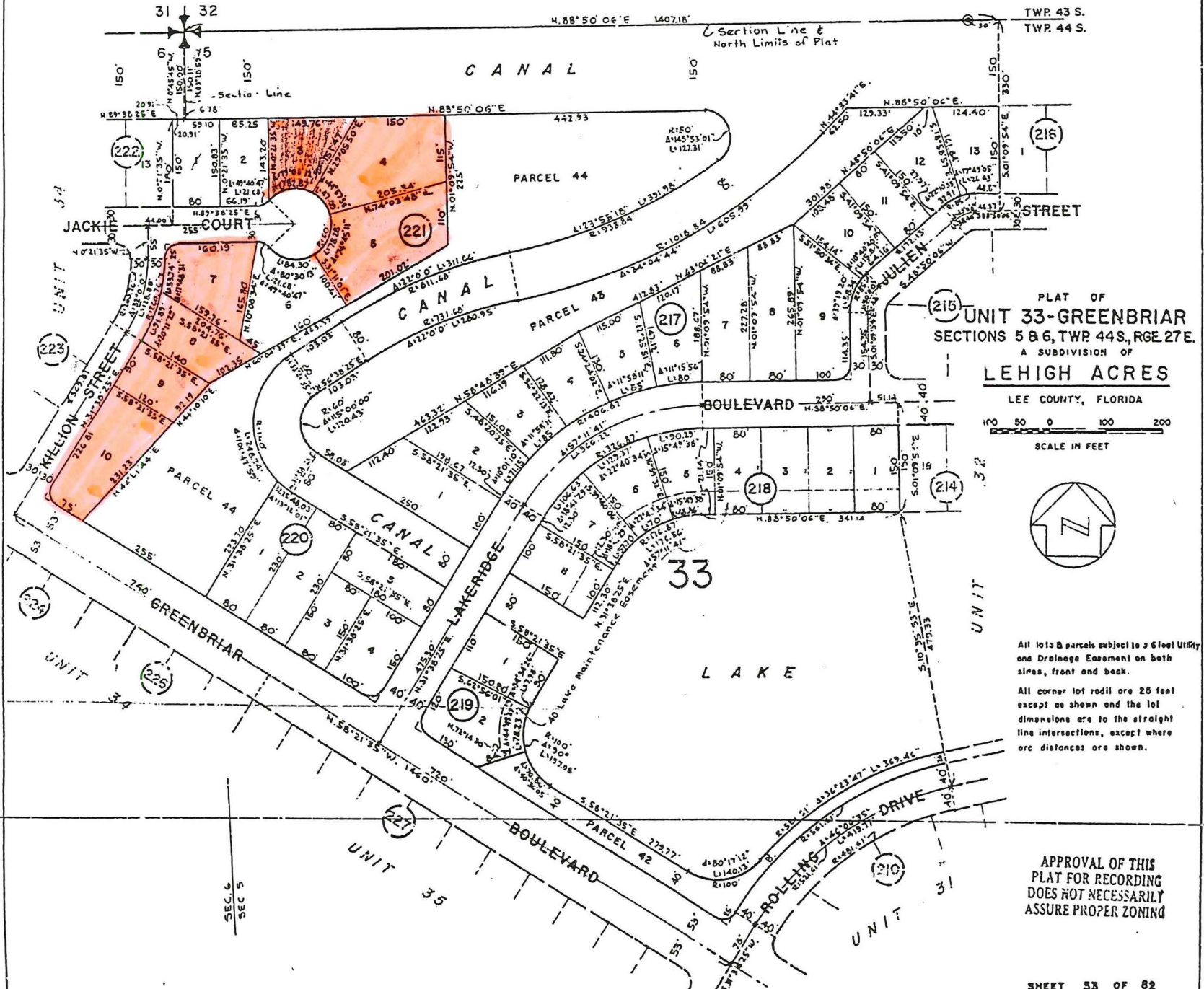
Phillip G. Buchanan

Copy to Eric Lindblad, ExDir, SCCF

PLAT BOOK 27 PAGE 53

NOT PLATTED

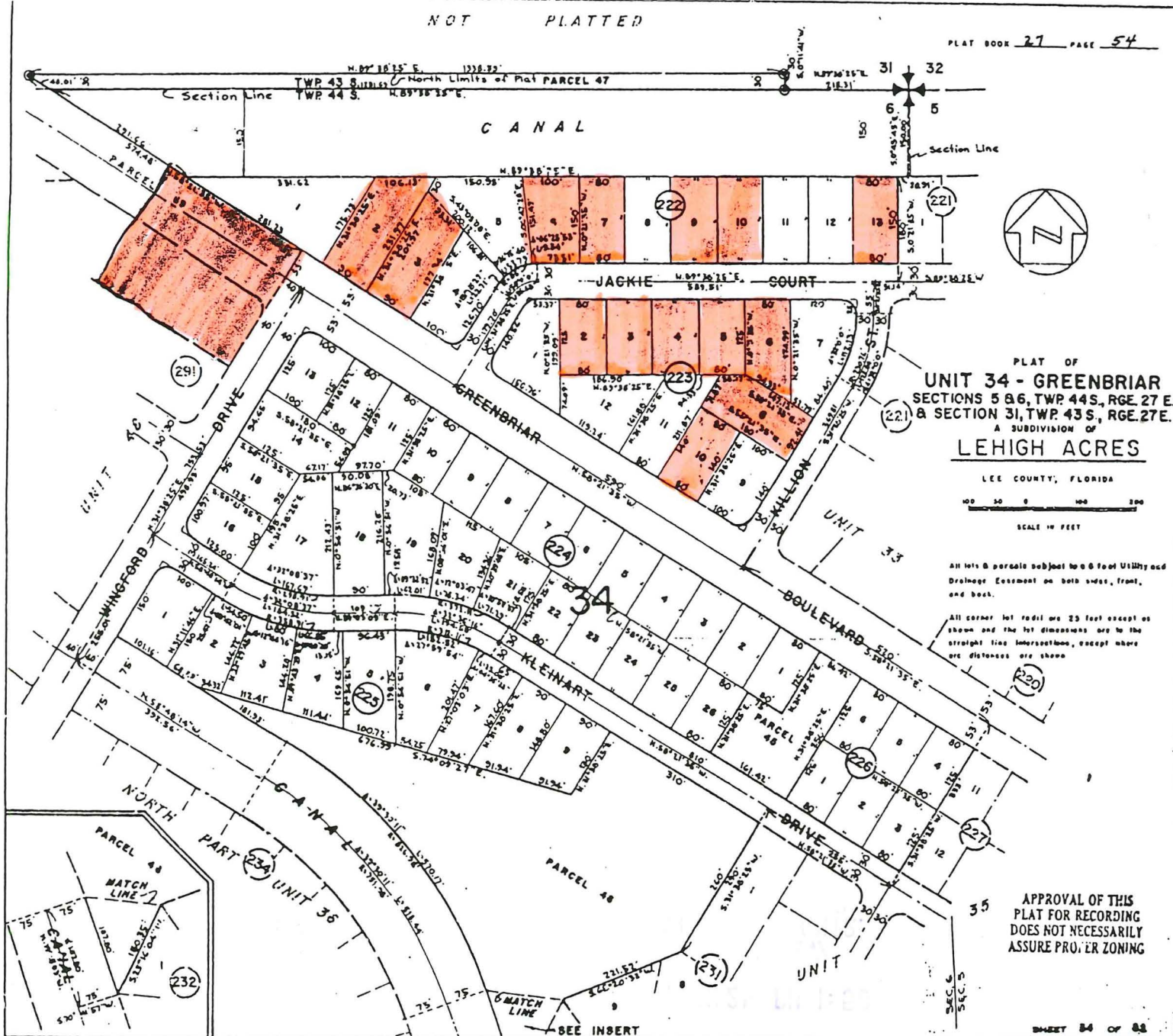
PLAT BOOK 27 PAGE 53



All lots & parcels subject to a 6 foot Utility and Drainage Easement on both sides, front and back.

All corner lot radii are 25 feet except as shown and the lot dimensions are to the straight line intersections, except where arc distances are shown.

APPROVAL OF THIS PLAT FOR RECORDING DOES NOT NECESSARILY ASSURE PROPER ZONING



PLAT OF
UNIT 34 - GREENBRIAR
 SECTIONS 5 & 6, TWP. 44S., RGE. 27 E.
 & SECTION 31, TWP. 43S., RGE. 27E.
 A SUBDIVISION OF
LEHIGH ACRES

LEE COUNTY, FLORIDA



SCALE IN FEET

All lots & parcels subject to 6 foot Utility and Drainage Easement on both street, front, and back.

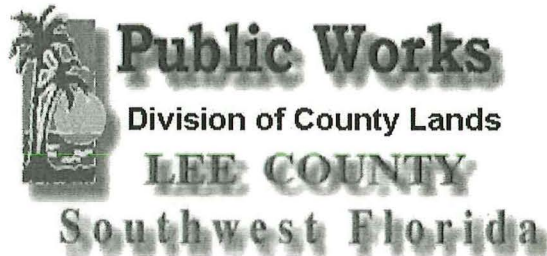
All corner lot radii are 25 feet except as shown and the lot dimensions are to the straight line intersections, except where arc distances are shown.

APPROVAL OF THIS
 PLAT FOR RECORDING
 DOES NOT NECESSARILY
 ASSURE PROPER ZONING

LEE COUNTY
RECEIVED

00 JAN 24 PM 1:50

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR



Conservation Land Program - Acquired Properties

4 ~ 48 ~ 55 ~ 57 ~ 58 ~ 62 ~ 66 ~ 69

73 ~ 75 ~ 77 ~ 78 ~ 79 ~ 81 ~ 82 ~ 91 ~ 92

93 ~ 95 ~ 96 ~ 99 ~ 101 ~ 102 ~ 107

108 ~~113~~ ~ 119 ~ 127 ~ 136 ~ 137



Management Status Report - December 2000



4

Name of Preserve: Hickey Creek Mitigation Park - Addition 1 (Conservation 2020 Site 004)

Size: 39 Acres

STRAP #: 30-43-27-00-00001.0200

Date of County Purchase: December 3, 1998

Location

Located adjacent to and south of S.R. 80 approximately 3/4 mile west of Bateman Road and north of the Hickey Creek Mitigation Park in Section 30, Township 43S, Range 27E.

Significance for Plants and Animals

The property was historically a slash pine flatwoods/scrub oak community. After being logged, the site was used as improved pasture for cattle range. Scrub jays, a listed species, have been observed using the native habitat on this site. After native habitats have regenerated or been restored, this site will provide additional upland species habitat for the Hickey Creek Mitigation Park ecosystem.

Significance for Water Resources

This property contains the potential for an improved outfall for the East County Water Control District. Left undeveloped, it provides flood plain protection for the nearby Hickey Creek.

Potential for Public Uses

This property will provide the future public entrance from Palm Beach Boulevard to the adjacent Hickey Creek Mitigation Park. The park will offer an extensive nature trail system with picnicking and possibly camping. The park opening is scheduled for June 1, 2000.

Environmental Management

The management of this site has been incorporated into the Hickey Creek Mitigation Park Management Plan. Short-term management activities will include continued cattle leases to control unwanted infestation by invasive exotic plant species. Long-term management activities call for restoration of the site with plantings of slash pines and native scrub species and prescribed burns to improve the habitat for the federally threatened scrub jay.

[Top of Page](#)

48

Name of Preserve: Unnamed (Conservation 2020 Site 048)

Size: 8.59 Acres

STRAP #: 07-44-22-00-00012.0000

Date of County Purchase: December 4, 2000

Location: Pine Island

Significance for Plants and Animals

Significance for Water Resources

The mangrove portion of this site serves to enhance water quality. Mangrove systems provide valuable protection from storm damage. The parcel is strategic to flood management.

Potential for Public Uses

The area would become part of the Randell Research Center at Pineland which will offer public education for the archaeological resources. The site is believed to contain archaeologically significant deposits with extraordinary preservation of wood, cordage, and other normally perishable materials.

Environmental Management

Approximately 35% of this eight-acre site contains relatively pristine mangrove swamp which is connected to the large coastal mangrove system along the Pine Island coastline. The remaining portion lies north of Pineland Road and contains remnants of oak hammock upland habitat. The majority of the uplands portion is disturbed by clearing and exotics.

Management Status

This 8-acre site is bisected by Pineland Road. The University of Florida will manage this parcel as part of the Randell Research Center at Pineland.

[Top of Page](#)

55

Name of Preserve: Unnamed (Conservation 2020 Site 055)

Size: 157 Acres

STRAP #: 04-44-22-00-00001.0010; 04-44-22-00-00004.0000

Location: On northeastern coastline of Pine Island in Section 4, Township 44S, Range 22 E

Date of County Purchase: May 13, 1998

Significance for Plants and Animals

This mangrove system is part of a large mangrove ecosystem that surrounds Pine Island. This portion is adjacent to and helps protect the health of the Matlacha Pass Aquatic Preserve. Mangrove wetlands provide important habitat for fisheries, marine invertebrates, small mammals, and many species of coastal birds.

Significance for Water Resources

Mangroves benefit the water quality of the aquatic preserve by filtering impurities from storm water runoff. They also help protect the shoreline from erosion.

Potential for Public Uses

The preservation of this mangrove system would maintain its scenic values for boating activities which occur in the adjacent Matlacha Pass waters.

Environmental Management

Mangrove wetlands require very little management. This mangrove system is adjacent to other mangrove preserve areas. Litter clean-up and other management activities can be coordinated with the Florida Department of Environmental Protection as part of its management of the Charlotte Harbor Buffer Preserve.

[Top of Page](#)

57

Name of Preserve: Hickey Creek Mitigation Park - Greenbriar Connector (Conservation 2020 Site 057)

Size: 132.29 Acres

STRAP #: 32-43-27-00-00001.0060

Location: Located east of the Hickey Creek Mitigation Park in Section 32, Township 43S, Range 27 E

Date of County Purchase: May 13, 1998

Significance for Plants and Animals

Property is primarily cypress wetlands with areas of slash pine flatwoods. The habitat type is important for many wildlife species, including neotropical migrants and several listed species.

Significance for Water Resources

The acquisition of this site preserves an important hydrological link between the Greenbriar Swamp and Hickey Creek and protects an important outfall to the river for the East County Water Control District. Preservation of this site protects a portion of the Hickey Creek flood plain from encroachment. The wetlands provide water quality benefits through filtration. Additional water quality enhancements can be made to the channelized connection to Hickey Creek.

Potential for Public Uses

This property will expand upon the recreational opportunities of the Hickey Creek Mitigation Park. The park will offer an extensive nature trail system with picnicking and possibly camping. The park opening is scheduled for June 1, 2000.

Environmental Management

The management of this site has been incorporated into the Hickey Creek Mitigation Park Management Plan which is being co-managed by Lee County and the Florida Game and Fish Commission. Long-term management activities call for removal of exotics and a regular prescribed burning program to maximize the benefits to native wildlife.

[Top of Page](#)

58



Name of Preserve: Charlotte Harbor Buffer Preserve - Eastern Addition #1(Conservation 2020 Site 058)

Size: 39 Acres

STRAP #: 07-43-23-C2-00001.0090

Location: West of Burnt Store Road, approximately 8 miles north of Pine Island Road, in Section 7, Township 43S, Range 23 E.

Date of County Purchase: February 25, 1999

Significance for Plants and Animals

Primarily uplands and includes scrub, pine flatwoods, and creek habitat. This site provides an important habitat and drainage connection between the Charlotte Harbor Buffer Preserve and the proposed Charlotte Harbor Flatwoods wildlife management area.

Significance for Water Resources

This site lies just below the reach of the Yucca Pen Creek and provides corresponding flood plain protection. The natural wetland conveyance provides water quality benefits to receiving stormwater.

Potential for Public Uses

The recreational opportunities on the adjacent CARL lands will be enhanced with this linkage by adding trail connections for hiking and horseback riding.

This site is adjacent to state management preserve lands and may be able to be managed in conjunction with the state management activities.

[Top of Page](#)

62

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: February 25, 2000

Size: 175 acres

STRAP #: 21-46-26-00-00001.1000; 21-46-26-00-00001.1010

Location

North of Corkscrew Road, approximately 3 miles east of I-75.

Significance for Plants and Animals The property contains approximately 155 acres of uplands and 20 acres of seasonal wetlands. The plant communities/land cover identified on this site include pine flatwoods, melaleuca, cypress, wet prairie, and abandoned farm lands. Listed species documented on the site include black bear, gopher tortoises, and fox squirrel. The site is located within an area designated as Priority 2 Panther Habitat and provides habitat for other wide ranging species such as woodstorks, wading birds, hawks, and the Florida black bear.

Significance for Water Resources This property is located in the County's Groundwater Resource Area and provides high potential productivity of the water table aquifer. The site contains approximately 20 acres of freshwater wetlands, including 13 acres of Cypress swamp. The wetlands provide water quality benefits through filtration.

Environmental Management There is excellent access from Corkscrew Road. Management of this site will be conducted using approaches and methods similar to those being used in the nearby CREW project. Recreation potential is good with year-round trail use. There is moderate melaleuca invasion which will require exotic removal and control.

[Top of Page](#)

66

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: December 15, 1999

Size: 82.93 acres

STRAP #: 12-46-24-00-00005.0000; 12-46-24-00-00005.4000

Location: This nature preserve is located in the Mullock Creek area; south of Island Park Village on the northwest corner of Island Park Drive and Park Road; in Section 12, Township 46S, Range 24 E.

Significance for Plants and Animals

Plant communities include slash pine flatwoods, oak hammock, tidal creeks and marshes, and mangrove forests. These habitats are important for wide ranging species, migratory and shore birds, and many listed plant and animal species.

Significance for Water Resources

This property includes a branch of Mullock Creek and a large (33-acre) black rush marsh. Preservation of this site prevents further encroachment of the Mullock Creek floodplain. The natural stream and wetlands enhance water quality.

Potential for Public Uses

The Lee County Division of Parks and Recreation will develop a management plan, with public input, to determine the appropriate public uses of this property. Potential public uses may include boating, birding, nature study and nature trails.

Environmental Management

Appropriate long-range environmental management will be determined in the management plan. Initial site inspection indicates that exotics are extensive in some areas and will require heavy equipment work; other areas will only require hand work.

[Top of Page](#)

69

Name of Preserve: Six Mile Cypress Slough Preserve (Conservation 2020 Site 069)

Size: 39.51 Acres

STRAP #: 30-45-25-00-00002.2000

Date of County Purchase: December 20, 1999

Location: This preserve is located between the Lee County Six Mile Cypress Slough Preserve and the

Eagle Ridge development; in Section 30, Township 45S, Range 25E.

Significance for Plants and Animals

The property is a transitional pine flatwoods that is heavily invaded by *Melaleuca*. After it is restored, the parcel will enhance the Six Mile Cypress Slough ecosystem and help buffer the slough from the impacts of adjacent high density residential development. Listed species documented on the site include Nodding Clubmoss.

Significance for Water Resources

This property contains an important flow-way for the Six Mile Cypress Watershed. Drainage from the Eagle Ridge and Legends developments flow into this parcel. Currently, drainage has to jog north. The acquisition of this property is important for surface water management to provide an outfall for property to the east, including the SW Florida International Airport. Water quality enhancement features are also proposed for this site.

[Top of Page](#)

73

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Size: 66.55 Acres

STRAP #: 08-44-26-00-00003.0000

Date of County Purchase: December 3, 1999

Location: This nature preserve is located in the Buckingham area; on the south side of Peace Road approximately ½ mile west of Buckingham Road; in Section 8, Township 44S, Range 26 E.

Significance for Plants and Animals

This site is very diverse botanically and is very scenic. Plant communities include thick forested areas, open saw palmetto prairies, wetlands, and pastures. Dominant tree species include live and laurel oaks, hickories, cabbage palm, saw palmetto, and slash pines. Many active gopher tortoise burrows were documented on site.

Significance for Water Resources

This preserve contains a natural creek which is a tributary to the Orange River. The creek provides a needed outfall for the Sunniland development located upstream. The meandering nature of the creek slows the volume of flow and provides water quality benefits.

Potential for Public Uses

The Lee County Division of Parks and Recreation will develop a management plan, with public input, to determine the appropriate public uses of this property. Recreation potential is high, particularly for hiking trail development and nature study.

Environmental Management

Appropriate environmental management will be determined in the management plan. The existing farm buildings, farm equipment, and land debris will be cleared. In the short term, cattle grazing will continue on the property to control exotic vegetation. Removal of the exotic plants Brazilian pepper and tropical soda apple has begun.

[Top of Page](#)

75

Name of Preserve: Charlotte Harbor Flatwoods - Western Addition #1 (Conservation 2020 Site 075)

Size: 38 Acres

STRAP #: 17-43-23-00-00001.0030; 17-43-23-00-00001.0160

Location: Adjacent to and east of Burnt Store Road approximately 6.5 miles north of Pine Island Road in Section 17, Township 43S, Range 23 E.

Date of County Purchase: October 29, 1999

Significance for Plants and Animals

This property is part of the largest remaining tract of intact pine flatwoods in southwest Florida. Many rare plants and animals are documented to use this habitat including the Florida panther and black bear. Golden Leatherleaf fern, beautiful pawpaw, gopher tortoise, and fox squirrel have been found on or near this site. Approximately 20 acres of this site are pine flatwoods and 20 acres are freshwater wetlands.

Significance for Water Resources

This property is part of sheetflow drainage and provides limited floodplain protection. An eight-foot deep pit provides water retention. The wetlands provide water quality benefits through filtration.

Potential for Public Uses

This site has good access from Burnt Store Road. The borrow pit has high scenic value. Property to the east is proposed for acquisition by the Florida Department of Environmental Protection for the Charlotte Harbor Flatwoods wildlife management area. Public use of these properties should be coordinated.

Environmental Management:

This property is near the Charlotte Harbor Flatwoods/Cecil B. Webb wildlife management areas, so there may be co-management opportunities with the Florida Game and Fish Commission.

[Top of Page](#)

77



Name of Preserve: Cow Slough Preserve (Conservation 2020 Site 077)

Size: 55.45 acres

STRAP #: 32-45-24-01-000L0.0010

Location: Northwest corner of Gladiolus Drive and A&W Bulb Road in Section 32, Township 45S, Range 24 E

Date of County Purchase: September 23, 1999

Significance for Plants and Animals

While it is not officially documented, aerial photographs suggest that approximately 75% of the 54 acre parcel are wetlands and 25% are uplands. The wetlands are a combination of tidal and freshwater wetlands and include mangroves and salt marsh. Aerial mapping and site review indicate previous site disturbances such as clearing and ditching. It appears that invasive, exotic plants, especially Brazilian Pepper, dominate both the wetlands and uplands. As such, this site offers great potential for mitigation credits if the exotics are removed and the native vegetation and hydrology are restored.

Significance for Water Resources

The majority of this property is located directly in the flow boundaries of Cow Slough. The Cow Slough exchanges waters from and into the nearby Caloosahatchee River. The property is within the Deep Lagoon watershed and is adjacent to an important drainage canal (IDD Canal "C"). The property provides flood plain protection, has high potential productivity of the water table aquifer, and provides water quality benefits through the wetland filtration process.

Potential for Public Uses

The property has excellent access from A&W Bulb Road and Gladiolus Drive. The adjacent Harlem Heights Elementary School has an existing educational boardwalk which stops at this property boundary. The boardwalk could potentially be extended into this property. After restoration, the Cow Slough Preserve will offer an ecologically diverse park for outdoor recreational activities.

Environmental Management

Initially solid waste debris and exotics need to be removed. Long-term management will be necessary to control exotic pest plants from re-invading the site.

[Top of Page](#)

78



Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: July 16, 1999

STRAP #: 29-45-24-00-00008.0000

Size: 75.26 Acres

Location: This nature preserve is located along the Cow Slough Preserve; south of A&W Bulb Road

between McGregor Blvd and Gladiolus Drive; in Section 29, Township 45S, Range 24E.

Significance for Plants and Animals

This property is a mix of uplands and wetlands. The 63 acres of uplands consist of cabbage palm/slash pine forest which have been disturbed by conversion to active pasture land and invaded by Australian pine and melaleuca. The approximately 15 acres of wetlands consist of disturbed mangrove and buttonwood swamp, which are invaded by Brazilian pepper and Australian pine, and cattail marsh. Restoration of this property will provide valuable habitat and will help to restore the health of the Cow Slough ecosystem.

Significance for Water Resources

This property is within the Deep Lagoon watershed and is adjacent to an important drainage canal (IDD Canal "C-7"). The property provides flood plain protection, has high potential productivity of the water table aquifer and provides water quality benefits through the wetland filtration process.

Potential for Public Uses

The Lee County Division of Parks and Recreation will develop a management plan, with public input, to determine the appropriate public uses of this property. This property is located in a highly developed urban area and offers good potential for passive recreational uses and nature study with excellent access.

Environmental Management

Appropriate long-range environmental management will be determined in the management plan. Initially, cattle grazing will continue on the site to help control exotic invasive vegetation. Lee County has submitted a grant application to the National Oceanic and Atmospheric Administration for an environmental assessment of how to improve water flow and restore wetlands in the Deep Lagoon watershed.

[Top of Page](#)

79

Name of Preserve The name of this nature preserve will be determined by the Management Plan. The island was called "Fantasy Island" by the previous owner, Southwest Florida Council Boy Scouts of America.

Date of County Purchase: September 9, 1999

STRAP #: 20-43-26-00-00001.0020; 20-43-26-00-00001.002A; 20-43-26-00-00001.002B; 21-43-26-00-00001.0020

Size: 8.7 Acres

Location: This oxbow island is located in the Olga area; along the southern bank of the Caloosahatchee River; in Sections 20 and 21, Township 43S, Range 26E.

Significance for Plants and Animals:

This island is primarily a tropical hardwood hammock with shoreline mangroves. The invasive exotic tree, Brazilian pepper, occurs on the island. The Simpson stopper, a listed plant species has been documented on the site. The island provides significant breeding and roosting habitat for migratory and resident

shorebirds.

Significance for Water Resources

This oxbow island is a remnant of the original Caloosahatchee River and is part of a natural flow-way system. The island is beneficial to flood management if left intact without obstructions. The meander in the river caused by the Oxbow provides water quality enhancement to water flowing through it.

Potential for Public Uses

The Lee County Division of Parks and Recreation will develop a management plan, with public input, to determine the appropriate public uses of this property. The site has high recreation potential due to its location on the Caloosahatchee River and accessibility to boaters.

Environmental Management

Appropriate environmental management will be determined in the management plan. The island habitat is well protected from other land uses and activities. Exotic plants and trash can be removed and then the site can be maintained with a routine maintenance schedule.

[Top of Page](#)

81

Name of Preserve: Imperial River Preserve

Date of County Purchase:

STRAP #: 31-47-25-04-00008.0390; 31-47-25-04-00010.0010; 31-47-25-04-00011.0010; 31-47-25-04-00012.0010; 32-47-25-02-00007.030A; 32-47-25-02-00007.0320; 32-47-25-02-00009.0010

Size: 47.58 Acres

Location: In Section 32, Township 43S, Range 27 E; Mouth of the Imperial River.

Significance for Plants and Animals

The entire property consists of an undisturbed mangrove swamp. The very few exotics that exist are on the edge and are easily removed. Mangroves are important habitat for fish and shore birds, including several listed species. White ibis, a listed species was observed in the site.

Significance for Water Resources

Property lies adjacent to the Imperial River, which receives storm water from a major watershed. Flood plain protection is critical for this area. Preservation of the natural riverine system is desirable for erosion control and water quality.

Potential for Public Uses

The site is accessible by road. Mangroves require relatively little management compared to uplands. The preservation of this mangrove system would maintain its scenic values for the abundant boating activities which occur in the adjacent Imperial River waters. The site could become part of a canoe trail with platforms for resting/viewing.

Top of Page

82

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: February 23, 2000

STRAP #: 29-43-25-02-00007.0050; 32-43-25-00-00005.0000

Size: 52.4 acres

Location: Approximately 2 miles east of Bayshore Road on Donald Road in Sections 29 and 32, T43S, R25E. Property lies west of Bonita Blvd. between the Caloosahatchee River and Winston Road.

Significance for Plants and Animals

This property has a good diversity of upland and wetland plant communities. There are approximately 26 acres of Leather Fern and Black Rush Marsh. Upland species observed included mature slash pines, saw palmetto, laurel oak, myrtle oak, live oak, dwarf oak, sand live oak, and wax myrtle. There appears to be good potential for gopher tortoise habitat, although no burrows were detected. There is also potential for eagle nesting habitat in the mature pines. The wetlands are highly productive biologically and provide habitat for a number of listed migratory and wading birds and other species.

Significance for Water Resources

This property is located in the Coastal High Hazard Area and Tropical Storm 1 storm surge flood zone. This property is strategic to flood management. Cohn Branch drains into this property and is an outfall for the Donald Road area. The property provides downstream flood plain protection for Cohn Branch watershed. The wetlands provide flood and erosion control and help improve water quality through filtration.

Potential for Public Uses

The site offers good recreational potential. It has good access from Bayshore Road and is located in a residential area. Canoeing, kayaking, bird watching, and hiking would be suitable recreational activities.

Top of Page

91

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: February 23, 2000

STRAP #: 13-43-22-C2-00003.0160

Size: 5.2 acres

Location: Located adjacent to and west of Old Burnt Store Road, approximately 3/8 mile north of NW 40th Street, Cape Coral, Florida; in Section 13, Township 43S, Range 22E.

Significance for Plants and Animals

This property is part of a relatively pristine mesic pine flatwoods forest that is transitional between the coastal mangrove buffer preserve and the Yucca Pen hydric pine flatwoods. This outstanding natural plant community is habitat to a number of listed species including gopher tortoises, fox squirrel and the federally endangered beautiful pawpaw.

Significance for Water Resources

Preservation of this site will help prevent further encroachment of home sites in this coastal High Hazard Area, Tropical Storm Surge Area, and floodplain. Flood water sheet-flows across the site into Pine Island Sound. The sheet-flow action improves the quality of the floodwater.

Potential for Public Uses

This property has good access from Burnt Store Road. It can provide access to Nominations 99, 97, and 95 if the County also acquires them. This site could be co-managed with the Florida Department of Environmental Protection in their management of the Charlotte Harbor Buffer Preserve. Recreation opportunities could include hiking, equestrian, mountain biking, and nature study.

[Top of Page](#)

92

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: May 11, 2000

STRAP #: 22-45-22-00-00002.0000

Size: 80 acres

Location: Located on Pine Island, approximately 1/4 mile west of Western Drive in Section 22, Township 45 South, Range 22 East. This property is contiguous to State owned property to the south. This coastal property borders the Pine Island Sound Aquatic Preserve to the west.

Significance for Plants and Animals

Mangroves provide important habitat for fish and shore birds, including several listed species and wide ranging migratory birds.

Significance for Water Resources

Mangroves provide flood protection from storm surge flooding. The wetlands provide enhanced water quality through filtration, adsorption, assimilation, and erosion control.

Potential for Public Uses

The site is accessible only by boat. Recreational opportunities may include boating and nature study. The preservation of this mangrove system would maintain its scenic values. Mangroves require relatively little management compared to uplands.

[Top of Page](#)

93

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: July 28, 2000

STRAP #: 21-46-27-00-00001.0010; 21-46-27-00-00001.0040

Size: 233.68 acres

Location: Located on the north side of Corkscrew Road approximately 10 miles east of I-75 in Section 21, Township 46S, Range 27E

Significance for Plants and Animals

The property is currently cleared pasture with a series of impacted cypress slough systems. Although the uplands have been cleared, the property serves as a travel corridor and foraging area for wide ranging species such as the Florida panther, black bear, Sand Hill crane, and wood stork. This property is located within the documented Priority 2 Panther Habitat area. The importance of this site would be greatly enhanced if the pine flatwoods and hydrology are restored and the exotics are removed.

Significance for Water Resources

The property serves as a wetland/sheetflow corridor. Agricultural uses have disturbed the natural surface water flow. The site has high potential for groundwater recharge. Preservation of this flow-way will preserve part of the floodplain of a significant watershed. The wetlands provide water quality benefits through filtration.

Potential for Public Uses

Good access is provided by Corkscrew Road for both management and public use. Management activities may require removal of exotics, restoration of hydrology, tree planting, and prescribed burning. Potential recreational activities could include hiking, equestrian, and biking trails. This site offers excellent potential for off-site mitigation.

[Top of Page](#)

95

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: April 19, 2000

STRAP #: 13-43-22-C2-00003.0170

Size: 5 acres

Location: Located ¼ mile west of Old Burnt Store Road and 3/8 mile north of NW 40th Street, Cape Coral, Florida; in Section 13, Township 43S, Range 22E.

Significance for Plants and Animals

This property is part of a relatively pristine mesic pine flatwoods forest that is transitional between the coastal mangrove buffer preserve and the Yucca Pen hydric pine flatwoods. This outstanding natural plant community is habitat to a number of listed species including gopher tortoise, fox squirrel and the federally endangered beautiful pawpaw.

Significance for Water Resources

Preservation of this site will help prevent further encroachment of home sites in this coastal High Hazard Area, Tropical Storm Surge Area, and floodplain. Flood water sheet-flows across the site into Pine Island Sound. The sheet-flow action improves the quality of the floodwater.

Potential for Public Uses

This site will likely be co-managed with the Florida Department of Environmental Protection in their management of the Charlotte Harbor Buffer Preserve. Recreation opportunities could include hiking, equestrian, and biking trails.

[Top of Page](#)

96

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: February 23, 2000

STRAP #: 13-43-22-C2-00003.0000

Size: 10.429 acres

Location: Located on the west side of Old Burnt Store Road, approximately 1/2 mile north of NW 40th Street, Cape Coral, Florida; in Section 13, Township 43S, Range 22E.

Significance for Plants and Animals

This property is part of a relatively pristine mesic pine flatwoods forest that is transitional between the coastal mangrove buffer preserve and the Yucca Pen hydric pine flatwoods. This outstanding natural plant community is habitat to a number of listed species including gopher tortoise, fox squirrel and the federally endangered beautiful pawpaw.

Significance for Water Resources

Preservation of this site would help prevent further encroachment of home sites in this coastal High Hazard Area, Tropical Storm Surge Area, and floodplain. Flood water sheet-flows across the site into Pine Island Sound. The sheet-flow action improves the quality of the floodwater.

Potential for Public Uses

This property has good access from Old Burnt Store Road. It can provide access to Nominations 99, 97, and 95 if the County also acquires them. This site will be co-managed with the Florida Department of Environmental Protection in their management of the Charlotte Harbor Buffer Preserve. Recreation opportunities could include hiking, equestrian, and mountain biking trails.

[Top of Page](#)

99

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: May 10, 2000

STRAP #: 13-43-22-C2-00003.0130

Size: 15.672 acres

Location: Approximately 160 feet west of Old Burnt Store Road and approximately ½ mile north of N.W. 40th Street, Cape Coral, Florida; in Section 13, Township 43S, Range 22E. This property is contiguous to a portion of the Charlotte Harbor Buffer Preserve that was acquired by the State on December 31, 1998. This property is part of the same coastal buffer ecosystem, but was not included in the 1998 acquisition due to its small parcel size.

Significance for Plants and Animals

This property is part of a relatively pristine mesic pine flatwoods forest that is transitional between the coastal mangrove buffer preserve and the Yucca Pen hydric pine flatwoods. This outstanding natural plant community is habitat to a number of listed species including gopher tortoise, fox squirrel and the federally endangered beautiful pawpaw.

Significance for Water Resources

Surface water drains through a natural flow-way across this property. Preservation of this site would help prevent further encroachment of home sites in this coastal High Hazard Area, Tropical Storm Surge Area, and floodplain. Flood water sheet-flows across the site into Pine Island Sound. The sheet-flow action improves the quality of the floodwater.

Potential for Public Uses

This site will be co-managed with the Florida Department of Environmental Protection in their management of the Charlotte Harbor Buffer Preserve. There is a minor infestation of Brazilian pepper along the flow-way that will need to be controlled.

[Top of Page](#)

101

Name of Preserve: Hickey Creek Mitigation Park - Addition (Conservation 2020 Site 101)

Date of County Purchase: November 27, 2000

STRAP #: 30-43-27-00-00001.0010; 30-43-27-01-00009.0000 through 01-00014.0000 inclusive; 30-43-27-00-00029.0000, 30-43-27-01-00033.0000, 30-43-27-01-00035.0000, 30-43-27-01-00039.0000, 30-43-27-02-00002.0000 through 00025.0000 inclusive; 30-43-27-02-00029.0000

Size: 31.66 acres

Location: This property consists of various parcels located on the south side of S.R. 80 between Zeligro Road and Bateman Road in Section 30, Township 43 South, Range 27 East. This property is contiguous on the southern boundary with the recently acquired Conservation 2020 Parcel 4. Acquisition of this property would provide additional buffering and expansion of the Hickey Creek Mitigation Park.

Significance for Plants and Animals

Several of the parcels of this multi-parcel nomination contain mature slash pines and indigenous plants. The remaining parcels have been cleared of most of the native plants.

Significance for Water Resources

A small, natural creek system drains northerly from this property under State Route 80. The property provides an outfall for a limited area. There are water quality benefits from overland and creek flow over a small area.

Potential for Public Uses

This property can be easily accessed from SR 80 and Bateman Road. The property can be managed as part of the Hickey Creek Mitigation Park with possible assistance from the Florida Fish and Wildlife Conservation Commission.

[Top of Page](#)

102

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: March 3, 2000

STRAP #: 08-43-23-00-00006.0030

Size: 83.02 acres

Location: Located directly east of Burnt Store Road, approximately 7 miles north of Pine Island Road; in Section 8, Township 43 South, Range 23 East.

Significance for Plants and Animals

This property is part of the largest remaining tract of intact pine flatwoods in southwest Florida. Many rare plants and animals are documented to use this habitat including the Florida panther and black bear. Golden Leather fern, beautiful pawpaw, gopher tortoise, and fox squirrel have been found on or near this site.

Significance for Water Resources

This property serves as a flowway for surface water as sheet flow. The wetlands provide water quality benefits through filtration. The hydrology of the site has been partially disturbed by ditching.

Potential for Public Uses

There is high recreation potential due to the proximity to other preserve areas, including the Charlotte Harbor Buffer Preserve, Charlotte Harbor Flatwoods, and Babcock/Webb Wildlife Management Area. This property is near the Charlotte Harbor Flatwoods/Cecil B. Webb wildlife management areas, so there may be co-management opportunities with the Florida Fish & Wildlife Conservation Commission.

[Top of Page](#)

107

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: March 30, 2000

STRAP #: 05-43-23-00-00001.0000

Size: 66.01 acres

Location: Located adjacent to and east of Burnt Store Road and adjacent to and south of the Lee/Charlotte County line in Section 5, Township 43 South, Range 23 East.

Significance for Plants and Animals

This property is part of the largest remaining tract of intact pine flatwoods in southwest Florida. Many rare plants and animals are documented within this ecosystem including the Florida panther, black bear, Golden Leatherleaf fern, beautiful pawpaw, gopher tortoise, and fox squirrel.

Significance for Water Resources

Approximately 30% of the site is freshwater wetlands. The property can help provide flood management for the Yucca Pen Creek floodplain. Surface water flows as sheetflow across this property. The wetlands and sheetflow provide water quality benefits.

Potential for Public Uses

There is high recreation potential due to the proximity to other preserve areas, including the Charlotte Harbor Buffer Preserve, Charlotte Harbor Flatwoods, and Babcock/Webb Wildlife Management Area. This property is near the Charlotte Harbor Flatwoods/Cecil B. Webb wildlife management areas, so there may be co-management opportunities with the Florida Fish and Wildlife Conservation Commission.

[Top of Page](#)

108

Name of Preserve: The name of this preserve will be determined by the Management Plan.

Date of County Purchase: December 29, 2000

STRAP #: 21-43-25-00-00007.002B; 22-43-25-00-00017.0000; 22-43-25-02-0000A.0080; 22-43-25-02-0000A.0090; 23-43-25-00-00034.0020; 23-43-25-00-00034.0000; 26-43-25-00-00001.0000; 26-43-25-01-00005.0000; 27-43-25-00-00001.0000; 27-43-25-00-00001.0010; 27-43-25-00-00001.0020; 27-43-25-00-00001.0110; 27-43-25-02-0000B.0080; 28-43-25-00-00004.0010; 28-43-25-00-00007.0000; 29-43-25-00-00007.0000; 29-43-25-00-00007.0130; 29-43-25-00-00007.0150; 32-43-25-00-00007.0000; 33-43-25-00-00009.0000

Size: 1115 acres

Location: This property is located south of Bayshore Road along the northern bank of the Caloosahatchee River and on both sides of Interstate-75. The property generally lies between the Yacht Club Colony to the west and slightly past Durrance Road to the east. Property is contiguous to the Caloosahatchee National Wildlife Refuge located directly under Interstate 75. Several state and federal island preserves are located nearby in the Caloosahatchee River.

Significance for Plants and Animals

The property contains an excellent diversity of habitat types. Documented plant communities include Palmetto Prairies, Pine Flatwoods, Tropical Hardwood Hammock, Cabbage Palm, Sand Live Oak, Hardwood-Conifer Mix, Streams & Waterways, Mangrove Swamp, Wetland Forested Mix, Freshwater Marshes./Seasonal Ponds, and Saltwater Marshes.

A Protected Species Survey was conducted in Feb. 1992 that documented gopher tortoises, Eastern Indigo Snakes, alligators, little blue herons, reddish egrets, snowy egrets, and tricolored herons. In addition to the above, staff observed 2 bald eagles on a site review on June 3, 1999.

Significance for Water Resources

The property contains several natural tidal creek systems and a variety of freshwater and saltwater wetland systems. The wetlands and creeks provide water quality benefits and provide floodwater storage and protection.

Potential for Public Uses

Vehicular access is provided by two entrances on S.R. 78 (Bayshore Road). The railroad access road could possibly provide an additional vehicular access for management activities in the western portion of the site.

The site could make an outstanding canoeing/kayaking park due to: (1) approximately 2.5 miles of Caloosahatchee River frontage; (2) the several small creeks and mid-sized canals that traverse the property; (3) the proximity to numerous other preserve areas and islands; and (4) the proximity to Daughtrey's Creek and the Orange River.

The site has high scenic value as it is highly visible from the heavily traveled I-75 Caloosahatchee River bridge. This scenic corridor will be preserved in perpetuity.

The site has approximately 688 acres of uplands that may be utilized for low-impact recreational uses

such as overlooks to the river, hiking trails, boardwalks, blinds as the ponds, camping, wildlife viewing, photography and nature study.

Brazilian pepper has invaded a significant portion of this site, particularly the wetlands. There will be considerable management costs to remove the exotic vegetation. Grant money will be pursued to help offset these costs.

[Top of Page](#)

119

Name of Preserve: The name of this preserve will be determined by the Management Plan

Date of County Purchase: November 22, 2000

STRAP #:

Size: 130.74 acres

Location: Within incorporated Bonita Springs. Located south of E. Terry Street between Kent Road and Bonita Grand Drive. This property is contiguous to the Corkscrew Regional Ecosystem Watershed proposed CARL acquisition area.

Significance for Plants and Animals

The property contains a diversity of wetland and upland plant communities including Cabbage Palm-Oak, Pine Flatwoods, Cypress, Cypress-Pine, Mesic Cypress-Pine, Hydric Cypress-Pine and Palmetto Prairie. There are approximately 3 acres of scrub oak, a designated "Rare and Unique Upland" by the Lee Plan and mature second-generation pines. At least 38 gopher tortoise burrows and a Big Cypress fox (both listed species) were noted on the property.

Significance for Water Resources

This property serves as an important flow-way for surface water. It contains the historic extension of the Imperial River and borders the Kehl Canal. This property is strategic to the flood management of the Imperial River watershed by the South Florida Water Management District. This property is within an area of high potential productivity of the water table aquifer. The wetlands and Imperial River provide water quality benefits through filtration.

Potential for Public Uses

The parcel can be easily accessed for management from East Terry Street, Kent Road, and Bonita Grand Drive. Potential management activities by the County include removal of exotics and planting of native species in several disturbed areas and around the perimeter of a 12.4-acre borrow pit. Plant communities are 25 to 50 percent invaded by exotic pest plants. The South Florida Water Management District plans to make drainage improvements to the Imperial River and Kehl Canal to reduce downstream flooding problems.

[Top of Page](#)

127

Name of Preserve: Hickey Creek Mitigation Park - Addition (Conservation 2020 Site 127)

Date of County Purchase: December 7, 2000

STRAP #: 32-43-27-00-00004.003A; 32-43-27-00-00004.0020

Size: 24.718 acres

Location: Alva Area. Located approximately ½ mile east of the end of Bateman Road. Southern boundary is contiguous to Conservation 2020 Property No. 057, which has been acquired by Lee County.

Significance for Plants and Animals

The property has approximately 15 to 20 acres of oak-palm hammock, which is designated as a "Rare And Unique Uplands" in the Lee Plan. This plant community is habitat for the pileated woodpecker, which requires a large territory. This is habitat significant to listed flora, including *Ophioglossum palmatum* (hand fern) and *Tilandsia fasciculata* (common wild pine), which are both listed as federally endangered.

Significance for Water Resources

This property contains an extensive network of riverine systems, which are part of the headwaters of Hickey Creek. The property is strategic to flood management. Wetlands provide water quality benefits.

Potential for Public Uses

Access for land management is via private road through the Hickey Creek Mitigation Park and Conservation 2020 Property No. 057. A small, disturbed area around a stilt barn will need to be restored. Unlike the most common upland community in Lee County, Pine Flatwoods, the oak hammock plant community will not require prescribed burning to maintain the ecological benefits. The property has little exotic infestation.

[Top of Page](#)

136

Name of Preserve: Hickey Creek Mitigation Park - Addition (Conservation 2020 Site 136)

Date of County Purchase: November 9, 2000

STRAP #: 32-43-27-00-00001.0000

Size: 38.2 acres

Location: Alva area; located at the end of "Witts End", a private road, off of Goggin Road, off of Palm Beach Boulevard. Adjacent to Conservation 2020 Site 57 (acquired) and Conservation 2020 Nomination 127 (under negotiation), which are contiguous to the Hickey Creek Mitigation Park.

Significance for Plants and Animals

Plant cover is primarily pine flatwoods with a scrub component. Upland communities include very pristine oak cabbage palm hammock, a Lee Plan designated "Rare and Unique Uplands" and wax-myrtle-willow.

There are approximately 11 acres of cypress swamp. The forest habitat is suitable for listed flora and fauna including gopher tortoise and hand fern. The habitat mix is suitable for neotropical migrant birds, birds of prey, and wading birds, including possibly wood storks.

Significance for Water Resources

The parcel serves as a flow-way for surface water for the Greenbriar Swamp and for Hickey Creek. The parcel is within a flood-way and is important for flood management. The swamps provide water quality benefits through filtration of storm water runoff.

Potential for Public Uses

Relatively minor exotic vegetation control will be necessary. Except for the small pine flatwoods area, prescribed burning would not be recommended for this site. Access for environmental management and public use could be provided from Conservation 2020 Site 57, acquired on April 30, 1999. The management of this site is compatible with adjacent land uses. Recreation and management activities will be incorporated into the Hickey Creek Mitigation Park management plan.

[Top of Page](#)

137

Name of Preserve: (Conservation 2020 Site 137)

Date of County Purchase: March 9, 2001

STRAP #: 31-44-23-C2-00001.0000

Size: 234+/- acres

Location: This is coastal property located on Matlacha Pass Aquatic Preserve, within the City of Cape Coral, in Section 31, Township 44S, Range 23E. There are no roads that lead to this property. It is approximately 1/6 mile west of the end of Miracle Parkway on the north end and the same distance west of Surf Side Boulevard on the south end.

This property is surrounded by preserves. To the west are the Matlacha Pass Aquatic Preserve and the USFWS-owned Egret Island preserve. To the north lies a large City of Cape Coral-owned mitigation area required to construct the Burnt Store Road extension. To the east and south are State of Florida preserves.

Significance for Plants and Animals

This property consists of mangrove wetlands. Some exotic vegetation is growing on the eastern property boundary. Mangroves provide important habitat for fish and shore birds, including several listed species and wide ranging migratory birds.

Significance for Water Resources


These mangroves provide a coastal outfall for surface water drainage and coastal protection from storm damage. Wetlands provide enhanced water quality through filtration, adsorption, assimilation, and erosion control.

Potential for Public Uses

This property is one of the last remaining privately owned mangrove areas along this coastline. Contiguous public ownership will allow for easier coordination of the management and restoration of this coastal mangrove buffer zone. Exotic plant control and hydrological restoration appear to be important actions needed to protect this area. Recreational opportunities may include boating and nature study. The preservation of this mangrove system would maintain its scenic values.

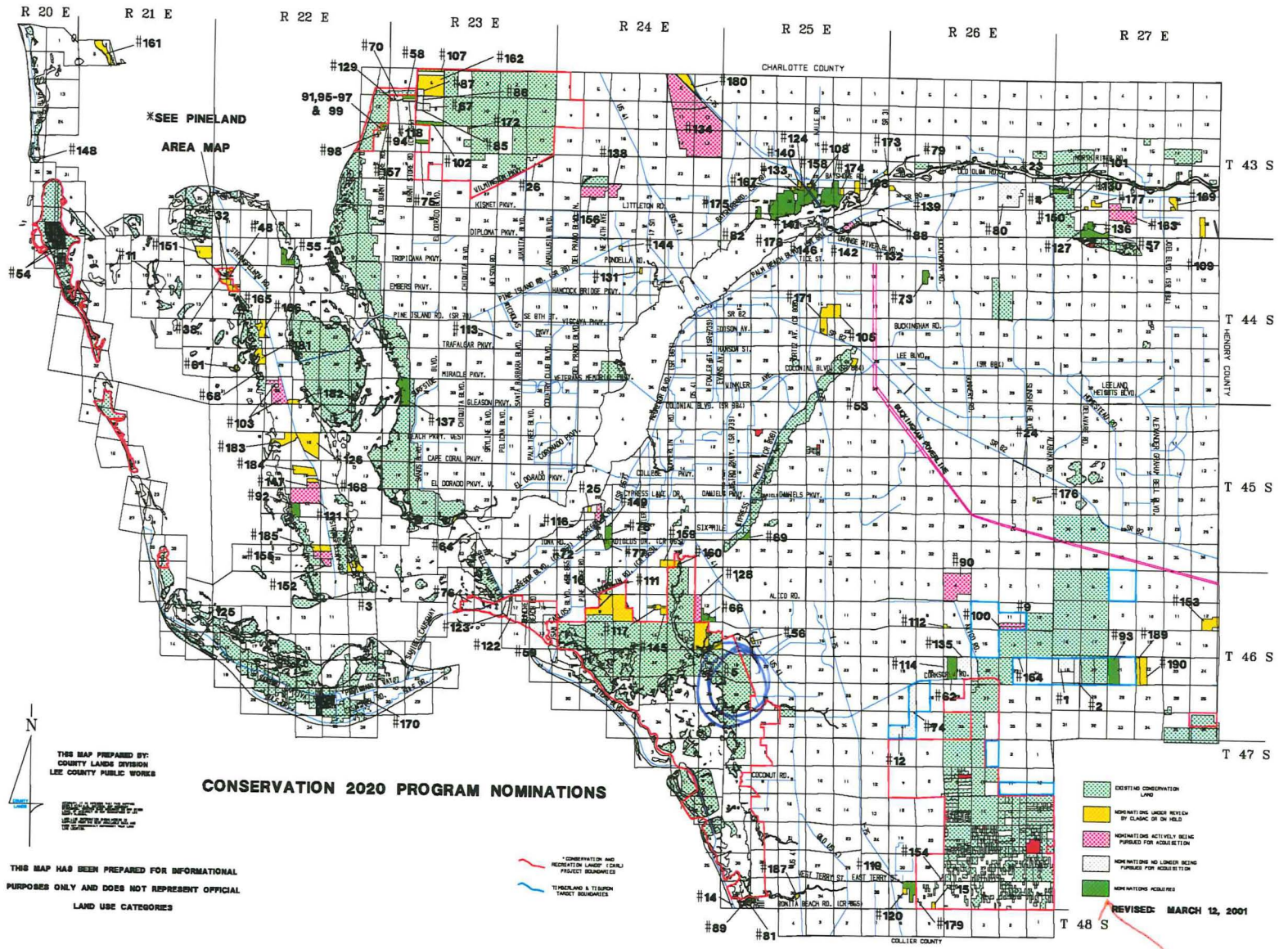
[Top of Page](#)

[Top of Page](#)

[Return to Conservation Land Program Homepage](#) 

[Return to County Lands Homepage](#) 

Last Updated 03/09/01 03:23 PM

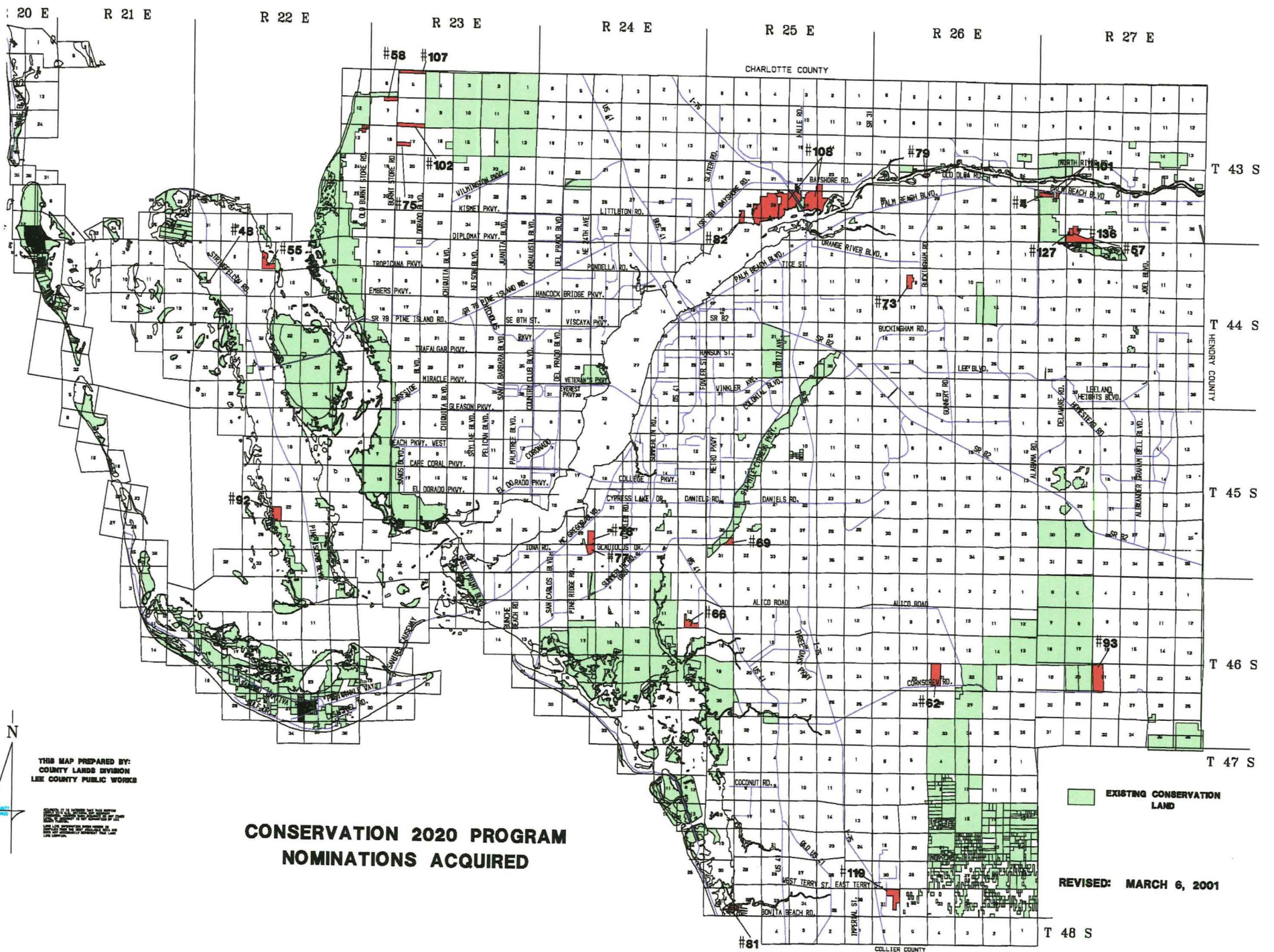


drawing name
KF497

inc # (OBJECTS)

green ones and
Parcel 147

TIITF Sahdev
Trustee owned
Non-conservation



THIS MAP PREPARED BY:
 COUNTY LANDS DIVISION
 LEE COUNTY PUBLIC WORKS

THIS MAP IS A REPRESENTATION OF THE
 INFORMATION PROVIDED TO THE COUNTY LANDS
 DIVISION BY THE APPLICANTS AND DOES NOT
 CONSTITUTE A WARRANTY OF TITLE OR
 A GUARANTEE OF THE ACCURACY OF THE
 INFORMATION PROVIDED.

CONSERVATION 2020 PROGRAM NOMINATIONS ACQUIRED

REVISED: MARCH 6, 2001

EXISTING CONSERVATION
 LAND

Conservation 2020 Project No. 8800

Acquired Properties Report

January 8, 2001

Nomination STRAP	Previous Owner	Acres	County Owned As Of	Purchase Price	Closing Costs	Appraisal Costs	Survey Costs	Env. Audit Costs	Phase II Costs	Upland/ Wetland Costs
004 30-43-27-00-00001.0200	D'Alessandro, Frank D. & Hull, James D.	39.55	12/3/98	\$157,000.00	\$60.50	\$2,000.00	\$0.00	\$1,700.00		
048 07-44-22-00-00012.0000 (CARL)	Jessy-Chris Inc.	8.59	12/4/00	\$389,000.00	\$669.05	\$2,900.00	\$0.00	\$1,600.00	\$2,704.78	
055 04-44-22-00-00001.0010; 4.0000	Edison Community College Foundation, Inc.	157.9	5/13/99	\$75,000.00	\$35.50	\$1,700.00	\$0.00	\$2,200.00		
057 32-43-27-00-00001.0060	Case, Shirley L.	132.3	4/30/99	\$423,360.00	\$10.50	\$3,200.00	\$7,982.00	\$1,800.00		
058 07-43-23-C2-00001.0090	Fullenkamp, Dennis Tr.	38.38	2/25/99	\$211,200.00	\$6.00	\$1,000.00	\$5,600.00	\$1,800.00		
062 21-46-26-00-00001.1000; 1.1010	Bennett, Richard K., Tr.	175	2/25/00	\$3,000,000.00	\$15.00	\$3,800.00	\$2,600.00	\$2,700.00		
066 12-46-24-00-00005.0000; .4000	Johnson, Walter L.	82.93	12/15/99	\$1,425,970.00	\$15.00	\$5,000.00	\$7,500.00	\$1,800.00		
069 30-45-25-00-00002.2000	Hagen, J. Ross Successor-Trustee	39.51	12/20/99	\$725,500.00	\$10.50	\$4,500.00	\$4,500.00	\$2,000.00		
073 08-44-26-00-00003.0000	Wilenius, Francine Trustee	66.55	12/3/99	\$467,000.00	\$10.50	\$3,000.00	\$4,500.00	\$1,800.00		
075 17-43-23-00-00001.0030; 17-43-23-00-00001.0160	Lo Conte, Anthony & Lucy	38.9	10/29/99	\$100,000.00	\$6.00	\$1,200.00	\$0.00	\$1,800.00		
077 32-45-24-01-000L0.0010	Swor, Doris Trustee	55.45	9/23/99	\$970,375.00	\$6.00	\$4,000.00	\$0.00	\$1,800.00		
078 29-45-24-00-00008.0000	Fisher, Donald & Sharon	75.26	7/16/99	\$1,881,500.00	\$6.00	\$5,200.00	\$0.00	\$1,800.00		
079 20-43-26-00-00001.0020; .002A; .002B; 21-43-26-00-00001.0020	Boy Scouts of America	8.7	9/9/99	\$48,000.00	\$382.00	\$2,500.00	\$0.00	\$1,900.00		
081 32-47-25-02-00007.030A; 0320; 00009.0010; 31-47-25-04-00008.0390; .00010.0010; 00011.0010; .00012.0010	Lee County, a political subdivision of the State of Florida	39	2/26/97	\$600,000.00	\$0.00	\$0.00	\$0.00	\$0.00		
082 29-43-25-02-00007.0050; 32-43-25-00-00005.0000	Lowell, Harry	52.4	2/23/00	\$650,000.00	\$15.00	\$4,400.00	\$3,500.00	\$2,000.00		
091 13-43-22-C2-00003.0160	Staffile, Paul et al	5.2	2/23/00	\$35,000.00	\$15.00	\$1,500.00	\$0.00	\$1,500.00		

Conservation 2020 Project No. 8800

Acquired Properties Report

January 8, 2001

<i>Nomination STRAP</i>	<i>Previous Owner</i>	<i>Acres</i>	<i>County Owned As Of</i>	<i>Purchase Price</i>	<i>Closing Costs</i>	<i>Appraisal Costs</i>	<i>Survey Costs</i>	<i>Env. Audit Costs</i>	<i>Phase II Costs</i>	<i>Upland/ Wetland Costs</i>
092 22-45-22-00-00002.0000	Church, Catherine Crowder & Sellas, Patricia B. Trustees	80	5/11/00	\$8,500.00	\$365.50	\$1,600.00	\$0.00	\$2,000.00		
093 21-46-27-00-00001.0010; 21-46-27-00-00001.0040	LaCascio, Carmela and Cirrincione, Biagio	233.7	7/28/00	\$1,261,900.00	\$19.50	\$2,750.00	\$0.00	\$2,000.00		
095 13-43-22-C2-00003.0170	Gatto, Joseph C.	5	4/19/00	\$20,000.00	\$10.50	\$1,000.00	\$0.00	\$1,500.00		
096 13-43-22-C2-00003.0000	Peirano, Gerard J.	10.43	2/23/00	\$65,000.00	\$10.50	\$1,500.00	\$0.00	\$1,600.00		
099 13-43-22-C2-00003.0130	Iarussi, Ruth	15.67	5/10/00	\$52,500.00	\$10.50	\$1,250.00	\$3,100.00	\$1,600.00		
101 multiple straps in 30-43-27	D'Alessandro, Frank R. & Hull, James D.	31.66	11/27/00	\$171,343.00	\$413.27	\$1,500.00	\$0.00	\$1,950.00		
102 08-43-23-00-00006.0030	Curtis, Robert	83.02	3/3/00	\$310,000.00	\$3,880.50	\$1,500.00	\$5,900.00	\$2,000.00		
107 05-43-23-00-00001.0000	McMains, Martha Ogle, Tr.	66.01	3/30/00	\$264,000.00	\$10.50	\$1,400.00	\$0.00	\$2,000.00		
108 Multiple STRAPS in 21-23, 26-29, 32 & 33-43-25	Kean, Hamilton; Kean Stewart; Kean, John	1115	12/29/00	\$6,400,000.00	\$69.00	\$15,500.00	25,000.00	\$18,496.34	16,200.00	
119 31-47-26-06-00009.0010	Crisafulli, A.S. & Dorothy	130.7	11/22/00	\$1,950,000.00	\$7,836.00	\$4,250.00	\$6,850.00	\$1,750.00		
127 32-43-27-00-00004.0020; .003A	Jones, Elizabeth S.	24.72	12/7/00	\$54,000.00	\$705.00	\$2,000.00	\$4,600.00	\$2,200.00		
136 32-43-27-00-00001.0000	Little, Bobby B.	38.2	11/9/00	\$371,000.00	\$340.00	\$1,800.00	\$0.00	\$2,200.00		
Totals:		2849.7		\$22,087,148.00	\$14,933.32	\$81,950.00	\$81,632.00	\$67,496.34	18,904.78	

Conservation 2020 Project No. 8800

Acquired Properties Report

January 8, 2001

Nomination STRAP	Previous Owner	Acres	County Owned As Of	Purchase Price	Closing Costs	Appraisal Costs	Survey Costs	Env. Audit Costs	Phase II Costs	Upland/Wetland Costs
004 30-43-27-00-00001.0200	D'Alessandro, Frank D. & Hull, James D.	39.55 ✓	12/3/98	\$157,000.00	\$60.50	\$2,000.00	\$0.00	\$1,700.00		
048 07-44-22-00-00012.0000 (CARL)	Jessy-Chris Inc.	8.59 ✓	12/4/00	\$389,000.00	\$669.05	\$2,900.00	\$0.00	\$1,600.00	\$2,704.78	
055 04-44-22-00-00001.0010; 4.0000 <i>Combined</i>	Edison Community College Foundation, Inc.	157.9 - 100.4	5/13/99	\$75,000.00	\$35.50	\$1,700.00	\$0.00	\$2,200.00		
057 32-43-27-00-00001.0060	Case, Shirley L.	132.3 - 142.5	4/30/99	\$423,360.00	\$10.50	\$3,200.00	\$7,982.00	\$1,800.00		
058 07-43-23-C2-00001.0090	Fullenkamp, Dennis Tr. <i>Cape zoning</i>	38.38 - 42.59	2/25/99	\$211,200.00	\$6.00	\$1,000.00	\$5,600.00	\$1,800.00		
062 21-46-26-00-00001.1000; 1.1010 <i>Combined</i>	Bennett, Richard K., Tr.	175 ✓	2/25/00	\$3,000,000.00	\$15.00	\$3,800.00	\$2,600.00	\$2,700.00		
066 12-46-24-00-00005.0000; 4.000 <i>Combined</i>	Johnson, Walter L.	82.93 - 87	12/15/99	\$1,425,970.00	\$15.00	\$5,000.00	\$7,500.00	\$1,800.00		
069 30-45-25-00-00002.2000	Hagen, J. Ross Successor-Trustee	39.51 ✓	12/20/99	\$725,500.00	\$10.50	\$4,500.00	\$4,500.00	\$2,000.00		
073 08-44-26-00-00003.0000	Wilenius, Francine Trustee	66.55 ✓	12/3/99	\$467,000.00	\$10.50	\$3,000.00	\$4,500.00	\$1,800.00		
075 17-43-23-00-00001.0030; 17.43-23-00-00001.0460 <i>Combined</i>	Lo Conte, Anthony & Lucy	38.9 ✓	10/29/99	\$100,000.00	\$6.00	\$1,200.00	\$0.00	\$1,800.00		
077 32-45-24-01-000L0.0010	Swor, Doris Trustee	55.45 ✓	9/23/99	\$970,375.00	\$6.00	\$4,000.00	\$0.00	\$1,800.00		
078 29-45-24-00-00008.0000	Fisher, Donald & Sharon	75.26 ✓	7/16/99	\$1,881,500.00	\$6.00	\$5,200.00	\$0.00	\$1,800.00		
079 20-43-26-00-00001.0020; .002A; .002B; 21-43-26-00-00001.0020	Boy Scouts of America	8.7 ✓	9/9/99	\$48,000.00	\$382.00	\$2,500.00	\$0.00	\$1,900.00		
081 32-47-25-02-00007.030A; 0320; 00009.0010; 31-47-25-04-00008.0390; .00010.0010; 00011.0010; .00012.0010	Lee County, a political subdivision of the State of Florida	39 ✓	2/26/97	\$600,000.00	\$0.00	\$0.00	\$0.00	\$0.00		
082 29-43-25-02-00007.0050; 32-43-25-00-00005.0000	Lowell, Harry	52.4	2/23/00	\$650,000.00	\$15.00	\$4,400.00	\$3,500.00	\$2,000.00		
091 13-43-22-C2-00003.0160	Staffile, Paul et al	5.2	2/23/00	\$35,000.00	\$15.00	\$1,500.00	\$0.00	\$1,500.00		

31 47 25 B3 00408 350(1.15)
 32 47 25 B4 00207 030A 2.76 (2.76)
 32 47 25 B4 00209 0010 9.64 (6.3)
 31 47 25 B3 00411 0010 11 AC (8.6)
 31 47 25 B3 00410 0010 11 AC (6.2)
 32 47 25 B4 00207 0320 1.03

Conservation 2020 Project No. 8800

Acquired Properties Report

January 8, 2001

Nomination STRAP	Previous Owner	Acres	County Owned As Of	Purchase Price	Closing Costs	Appraisal Costs	Survey Costs	Env. Audit Costs	Phase II Costs	Upland/Wetland Costs
092 22-45-22-00-00002.0000	Church, Catherine Crowder & Sellas, Patricia B. Trustees	80	5/11/00	\$8,500.00	\$365.50	\$1,600.00	\$0.00	\$2,000.00		
093 21-46-27-00-00001.0010; 21-46-27-00-00001-0040	LaCascio, Carmela and Cirrincione, Biagio	233.7	7/28/00	\$1,261,900.00	\$19.50	\$2,750.00	\$0.00	\$2,000.00		
095 13-43-22-C2-00003.0170	Gatto, Joseph C.	5	4/19/00	\$20,000.00	\$10.50	\$1,000.00	\$0.00	\$1,500.00		
096 13-43-22-C2-00003.0000	Peirano, Gerard J.	10.43	2/23/00	\$65,000.00	\$10.50	\$1,500.00	\$0.00	\$1,600.00		
099 13-43-22-C2-00003.0130	Iarussi, Ruth	15.67	5/10/00	\$52,500.00	\$10.50	\$1,250.00	\$3,100.00	\$1,600.00		
101 multiple straps in 30-43-27	D'Alessandro, Frank R. & Hull, James D.	31.66	11/27/00	\$171,343.00	\$413.27	\$1,500.00	\$0.00	\$1,950.00		
102 08-43-23-00-00006.0030	Curtis, Robert	83.02	3/3/00	\$310,000.00	\$3,880.50	\$1,500.00	\$5,900.00	\$2,000.00		
107 05-43-23-00-00001.0000	McMains, Martha Olgle, Tr.	66.01	3/30/00	\$264,000.00	\$10.50	\$1,400.00	\$0.00	\$2,000.00		
108 Multiple STRAPS in 21-23, 26-29, 32 & 33-43-25	Kean, Hamilton; Kean Stewart; Kean, John	1115	12/29/00	\$6,400,000.00	\$69.00	\$15,500.00	25,000.00	\$18,496.34	16,200.00	
119 31-47-26-06-00009.0010 ⁸²⁻⁶⁰⁶⁰⁹⁻⁰⁰¹⁰	Crisafulli, A.S. & Dorothy	130.7	11/22/00	\$1,950,000.00	\$7,836.00	\$4,250.00	\$6,850.00	\$1,750.00		
127 32-43-27-00-00004.0020; 003A	Jones, Elizabeth S.	24.72	12/7/00	\$54,000.00	\$705.00	\$2,000.00	\$4,600.00	\$2,200.00		
136 32-43-27-00-00001.0000	Little, Bobby B.	38.2	11/9/00	\$371,000.00	\$340.00	\$1,800.00	\$0.00	\$2,200.00		
Totals:		2849.7		\$22,087,148.00	\$14,933.32	\$81,950.00	\$81,632.00	\$67,496.34	18,904.78	

PROPERTIES RECOMMENDED BY CLASAC FOR ACQUISITION

CONS2020 PROGRAM - STATUS LOG

STATUS	Nom#	Property Owner	ACRES	Asking Price	Purchase/ Contract Price	Price Per Acre	Contract Approved	Closing Date	Initial	2ND
ACQ	4	D'Alessandro, Frank D.	39.55	\$156,000.00	\$157,000.00	\$3,969.66	10/13/98	12/3/98	4	19
ACQ	48	Jessy-Chris Inc. - Casey, John	8.59	\$450,000.00	\$389,000.00	\$45,285.22	6/13/00	11/15/00	4	25
ACQ	55	Edision Community College Foundation, Inc.	157.9	\$87,000.00	\$75,000.00	\$474.98	3/9/99	5/13/99	4	23
ACQ	57	Case, Shirley Little	132.3		\$423,360.00	\$3,200.00	3/16/99	4/30/99	4	30
ACQ	58	Fullenkamp, Dennis	38.38	\$300,000.00	\$211,200.00	\$5,502.87	1/12/99	2/25/99	5	29
ACQ	62	Bennett, Richard K.	175	\$4,375,000.00	\$3,000,000.00	\$17,142.86	1/11/00	2/25/00	4	33
ACQ	66	Johnson, Walter Lee	82.93	\$1,500,000.00	\$1,425,970.00	\$17,194.86	8/17/99	12/15/99	4	32
ACQ	69	Hagan, Ross	39.51	\$1,200,000.00	\$725,500.00	\$18,362.44	11/16/99	12/20/99	4	26
ACQ	73	Wilenius, Francine	66.55	\$565,250.00	\$467,000.00	\$7,017.28	10/5/99	12/3/99	4	26
ACQ	75	Lo Conte, Anthony	38.9	\$100,000.00	\$100,000.00	\$2,570.69	9/7/99	10/29/99	4	23
ACQ	77	Swor, Doris	55.45	\$953,400.00	\$970,375.00	\$17,500.00	8/3/99	9/23/99	4	30
ACQ	78	Fisher, Donald B.	75.26	\$1,950,000.00	\$1,881,500.00	\$25,000.00	5/25/99	7/16/99	5	20
ACQ	79	Southwest Florida Council, Boy Scouts of Am	8.7	\$48,000.00	\$48,000.00	\$5,517.24	6/29/99	9/9/99	4	20
ACQ	81	Board of County Commissioners -	39		\$600,000.00	\$15,384.62		3/25/98	5	30
ACQ	82	Suite 251 Pinebrook - Lowell, Harry M.	52.4	\$950,000.00	\$650,000.00	\$12,404.58	12/21/99	2/23/00	4	32
ACQ	91	Staffile, Paul	5.2	\$37,500.00	\$35,000.00	\$6,730.77	12/21/99	2/23/00	4	24
ACQ	92	General Securities Liquidation Trust - Sellas,	80	\$10,000.00	\$8,500.00	\$106.25	3/21/00	5/15/00	5	22
ACQ	93	Cirincione, Biagio	233.7	\$2,280,000.00	\$1,261,900.00	\$5,399.66	4/4/00	7/28/00	6	26
ACQ	95	Gatto, Joseph C.	5	\$40,000.00	\$20,000.00	\$4,000.00	3/21/00	4/19/00	4	25
ACQ	96	Peirano, Gerald J.	10.43	\$80,000.00	\$65,000.00	\$6,232.02	12/21/99	2/23/00	5	26
ACQ	99	Iarussi, Guy	15.67		\$52,500.00	\$3,350.35	3/28/00	5/11/00	4	25
ACQ	101	Hull, James D.	31.66	\$180,345.00	\$171,343.00	\$5,411.97	8/22/00	11/27/00	6	25
ACQ	102	Curtis, Robert F.	83.02		\$310,000.00	\$3,734.04	1/18/00	3/3/00	4	27
ACQ	107	Charlotte Trust - McMains, Martha Ogle	66.01		\$264,000.00	\$3,999.39	2/15/00	3/30/00	4	24
ACQ	108	Realty Transfer Company Liquidating Trust -	1116	\$8,500,000.00	\$6,400,000.00	\$5,734.77	10/10/00	12/29/00	5	40
ACQ	119	Crisafulli, A.S. and Dorothy	130.74	\$2,691,000.00	\$1,950,000.00	\$14,915.10	9/26/00	11/22/00	5	35
ACQ	127	Jones, Elizabeth S.	24.718	\$60,000.00	\$54,000.00	\$2,184.64	10/3/00	12/1/00	5	35
ACQ	136	Little, Bobby B.	38.2	\$385,200.00	\$371,000.00	\$9,712.04	9/12/00	11/9/00	5	34
ACQ	137	Schuchter, William R.	234	\$345,000.00	\$117,000.00	\$500.00	1/16/01	3/9/01	4	26
CONT	9	Bamman, Harvey and Emma	80	\$412,000.00	\$360,000.00	\$4,500.00	11/21/00	4/1/01	5	20
CONT	90	Chard, JoAnne	587	\$4,125,000.00	\$3,100,000.00	\$5,281.09	1/9/01	7/1/01	4	33
CONT	100	Cement Industries, Inc. - Thompson, Gay Re	80	\$412,000.00	\$360,000.00	\$4,500.00	11/21/00	4/1/01	5	20
CONT	116	Eveleigh, George W.	128	\$1,852,000.00	\$1,198,000.00	\$9,359.38	2/27/01	4/27/01	4	32
CONT	134	Fort Myers Little Ranches Co. - Baum, Truste	2440	\$6,600,000.00	\$6,350,000.00	\$2,602.46	2/20/01	4/27/01	4.5	36
CONT	138	George Graham Trust - Graham, George G.	113	\$1,300,000.00	\$565,000.00	\$5,000.00	2/27/01	5/4/01	4	27
CONT	147	Thompkins, Richard L.	60	\$1,050,000.00	\$629,500.00	\$10,491.67	1/16/01	3/16/01	4	31
UN	111	Swor, David W.	28	\$976,150.00					4	28
UN	121	Kelly, D. Wayne	320	\$2,880,000.00					5	28
UN	128	Bennett, Richard K.	160	\$3,568,411.00	\$2,392,000.00	\$14,950.00			5	28
UN	132	Fullenkamp, Dennis	22	\$455,500.00					5	30
UN	142	Stavole, C. Anthony	59.5	\$2,625,000.00	\$0.00	\$0.00			4	30
UN	152	Mills, William T.	52	\$450,000.00	\$0.00	\$0.00			5	27
UN	154	Hurley's Tavern - Hurley, Thomas F.	15	\$45,000.00	\$24,000.00	\$1,600.00			4	27
UN	155	Todd, Leslie A.	110	\$775,000.00	\$0.00	\$0.00			5	27
UN	156	Fliegel, Bernard	221.73	\$3,500,000.00	\$0.00	\$0.00			4	34
UN	157	Sardo, Frances	5	\$33,000.00	\$0.00	\$0.00			5	26
UN	163	Woodward, Robert P.	340	\$3,060,000.00	\$0.00	\$0.00			5	34
2BCC	158	Patrissy, Daniel	12	\$245,000.00	\$0.00	\$0.00			4	34
2BCC	159	Geraci, Helen	40	\$880,000.00	\$0.00	\$0.00			3+	26
2BCC	165	Monzingo, Charles D. & Ruth S.	26	\$130,000.00	\$0.00	\$0.00			5	30
2BCC	166	Spignese, Edward	83.929	\$1,500,000.00	\$0.00	\$0.00			6	36
2BCC	167	Keady, Debra E.	14.24	\$120,000.00	\$0.00	\$0.00			5	26
2BCC	171	c/o Wolff & Samson - Wiss, Ronald	234.51	\$0.00	\$0.00	\$0.00			4	31

ACQ		CONT		UN		2BCC	
# of Nominations	29	# of Nominations	7	# of Nominations	11	# of Nominations	6
Sub of Acres	3084.768	Sub of Acres	3488	Sub of Acres	1333.23	Sub of Acres	410.679
Purchase/Contract \$	\$22,204,148.00*	Purchase/Contract \$	\$12,562,500.00				

TOTAL # PARCELS: 53

* Total purchase price, including non-Conservation 2020 Program contributory matching funds.
See cash flow statement for actual Conservation 2020 Program expenditures.

Last Revised 3/13/01

KEY:	ACQ	Property acquired by County.
	CONT	Property is under contract.
	UN	Approved by the BOCC and under negotiation.
	2BCC	CLASAC approved to go to BCC. Pending BCC action.