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

POLICY 29.2.1: Proposed planned developments will be encouraged to provide a mix of unit types and flexible lot sizes to allow for clustering, affordability, preservation of open space, natural assets, and diversity of choice within the community.

POLICY 29.2.2: Proposed residential development adjacent to an existing large lot residential area or commercial agriculture business will provide appropriate separation, such as a minimum lot size of one unit per acre for lots abutting the perimeter of property line(s). For the purposes of this policy, large lot residential uses are defined as those residential uses with lot sizes equal to or greater than one acre.

These policies identify clustering and allowing for a diversity of choices within the community as methods for protecting rural character. The RPD includes single- and two-family dwelling types with expanded perimeter setbacks as identified elsewhere. Additionally, development tracts are separated from residents along Duke Hwy. by approximately 140 feet.

POLICY 29.2.3: Encourage proposed planned developments to provide community gardens to allow for social, recreational and education activities for the residents of the planned development.

It is the responsibility of the County to implement this policy, however, the attached schedule of uses includes community gardens within the Optional Amenity areas noted on the proposed MCP. The request also supports this policy through the two optional active amenity locations within the development which will provide a variety of recreational programming for its residents. Additionally, these amenities are internally located to avoid any impacts to adjacent properties.

POLICY 29.6.5: Evaluate the need for community facilities within North Olga to provide public meeting space. This evaluation will include the identification of funding sources and the facility's appropriate location and scale.

It is the responsibility of the County to implement this policy, however, the proposed MCP includes two optional active amenity centers. Although these amenity centers will not be open to the public, they ensure that the development does not increase the surrounding community's need for public meeting space.

POLICY 29.7.2: Encourage future development to maintain on-site native vegetation Communities.

As described throughout this narrative, the proposed development will include significant on-site preservation and restoration of native vegetation communities through wetland preservation as well as the preservation and restoration of rare and unique uplands.

POLICY 29.7.3: Proposed planned developments will consider the incorporation of "Firewise"

principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface.

The proposed Indigenous Preserve and Wildlife Management Plan is consistent with all principals of "Firewise" site design through the use of buffers to vegetated areas, compliance with current building codes, and the use of native vegetation in landscaping.

POLICY 59.1.3: Maintain floodplain regulations in accordance with the most recently adopted Flood Insurance Rate Map (FIRM) and other available sources.

The proposed project is located within designed FEMA flood zones AE-10, AE-11 and Zone X of the FEMA Preliminary Coastal Study. Where development is proposed within Coastal A zones, development will comply with construction standards for Coastal A zones.

The FEMA Regulated Floodway is depicted on the proposed MCP. No development is proposed within the Floodway.

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

A surface water management system is proposed which will provide water quality treatment before discharging into Trout Creek and the Caloosahatchee.

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

The proposed RPD includes wetland preservation areas which will maintain existing flow-ways and associated habitats to the maximum extent practicable.

POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

The proposed RPD includes a surface water management plan that complies with all LDC design standards.

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

The RPD provides 51.46± acres of wetland preservation throughout the project. The surface water management system was designed to protect and maintain the function of the on-site wetland areas.

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

The existing wetlands are proposed to be preserved to the maximum extent possible. Wetland preservation areas will not be disconnected from the surrounding wetland system.

POLICY 61.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely, and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality freshwater compatible with that use, consistent with financial and technical constraints.

The Applicant will obtain an Environmental Resource Permit from the South Florida Water Management District. The master drainage system and established conservation areas proposed in this amendment request, and which will be established through the ERP and subsequent development orders, are designed in compliance with this policy.

POLICY 61.1.6: When and where available, reuse water should be the first option for meeting irrigation needs of a development. Where reuse water is not available, surface water or low quality groundwater should be utilized for irrigation. All other potential water sources must be eliminated prior to selecting potable water as the sole source for meeting the irrigation needs of a development. New developments will coordinate with County staff regarding the source of irrigation water.

Surface water will be used for all irrigation of landscaping within the community. The proposed community will not use potable water provided as a result of this amendment for irrigation purposes.

POLICY 61.2.1: All development proposals outside the future urban areas must recognize areas where soils, vegetation, hydrogeology, topography, and other factors indicate that water flows or ponds; and require that these areas be utilized to the maximum extent possible, without significant structural alteration, for on-site stormwater management; and require that these areas be integrated into area-wide coordinated stormwater management schemes.

Natural features such as soils, vegetation, hydrogeology, topography, and wetlands have influenced the design of the proposed development as suggested by this policy. The proposed development areas provide for preservation of wetlands to the maximum extent possible with 51.46 acres of wetland preserves. The MCP also preserves the Trout Creek Floodplain. A total of 328.72 acres of Rare and Unique uplands are preserved, restored or created as demonstrated in Appendix C of the Indigenous Preserve Management and Restoration Plan. These natural features are integrated into the development to the maximum extent possible as required by this policy.

POLICY 61.3.3: Keep floodways as unobstructed as possible.

The Property includes a portion of the Trout Creek floodway, which is demonstrated on the proposed MCP. No development is proposed within this area.

POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.

The site plan, in conjunction with the activities proposed within the Indigenous Preserve and Protected Species Management Plan, was designed to be compatible with surrounding natural systems and will protect and continue to provide functions including water retention and purification. Defense against flooding is provided through the proposed stormwater management system and through the preservation of 420± acres of wetland and upland habitat on-site.

The site plan includes the construction of a permitted stormwater management system and will provide long-term protection of wildlife habitat. The site plan was designed to protect and maintain the function of the on-site wetland areas and adjacent upland habitat and to provide on-site preservation adjacent to proposed off-site preservation areas located to the north.

POLICY 101.1.2: Protect and conserve the following environmentally sensitive coastal areas: wetlands, estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, and marine grass beds.

As required by Lee Plan Policy 101.1.2, the site plan protects environmentally sensitive areas through the preservation and enhancement of 420± acres of on-site wetlands and rare and unique upland habitat. The wetland areas, in combination with adjacent upland areas, will be protected in perpetuity through a conservation easement. The Project does not contain estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, or marine grass beds.

POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.

A portion of the Property is located within the Coastal High Hazard Area. The proposed project includes development that impacts approximately 0.29 acres of wetlands within the CHHA. Wetland limits were previously reviewed and approved on a portion of the Property by SFWMD as part of Application No. 080519-3 on September 3 and 5, 2008, however, the ERP was eventually withdrawn. The applicant is required to obtain an ERP to reflect approval of the proposed wetland impacts prior to approval of the Local Development Order. Development within the 0.29 acres of wetlands is anticipated to be permitted by the State Agency (SFWMD) through the issuance of an amended ERP after which the approved impacted 0.29 acres will be consistent with Policy 101.3.2.

County staff has previously opined that state-permitted and mitigated impacts to wetlands are treated as developable uplands for development purposes. The Applicant agrees to a condition which requires obtaining all federal and state permits for such impacts prior to commencement of construction consistent with Policy 124.1.2.

The Applicant agrees to a condition that construction may not commence until issuance of the required state permits ensures that all development within the CHHA will be limited to uplands in compliance with this policy. If the CHHA wetlands impacts are not approved, then development would be restricted to remaining upland areas.

Additionally, at the time of local Development Order, the development will provide compensating floodplain storage to further ensure that there are no floodplain impacts to surrounding properties due to the wetlands impacted within the CHHA.

POLICY 101.3.4: Encourage new residential development, as required by the Land Development Code, to provide continuing information to residents concerning hurricane evacuation and shelters.

A homeowners' or residents' association will be established to provide continuing information concerning hurricane evacuation and shelters. Additionally, the developer will mitigate impacts to shelter space through the payment schedule outlined in Chapter 2 of the LDC.

POLICY 123.1.5: Encourage private restoration of natural habitats to support connectivity between public and private conservation and preservation efforts.

It is the responsibility of the County to implement this policy, however, the proposed RPD includes significant preservation areas with direct connection to public and private conservation and preservation efforts on surrounding properties. Restoration of the preserve areas within the RPD will be completed by the developer. The proposed preserve area is intended to preserve habitat on site, as well as to support connectivity with nearby public conservation lands in compliance with this policy.

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

POLICY 123.2.6: Avoid destruction of upland vegetation communities including coastal and interior hammocks through consideration of alternative site design layouts.

POLICY 123.2.8: Promote the long-term maintenance of natural systems through such instruments as conservation easements, transfer of development rights, restrictive zoning, public acquisition, and appropriate other means.

POLICY 123.2.13: Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.

POLICY 123.2.15: Protect Rare and Unique upland habitats from development impacts to the maximum extent possible, through conservation and/or site design.

The proposed preserve areas exceed the minimum requirements of the LDC and provide 328.72 acres of Rare and Unique habitat preservation, restoration, or creation. Preservation areas are designed to provide large contiguous areas and increase viability of the plant communities and provide significant buffers to surrounding natural areas.

POLICY 123.2.17: As an incentive to preserve, enhance, and restore indigenous Rare and Unique upland habitat, on land within the Rural future land use category, one (1) additional dwelling unit may be created for each one (1) acre of created, preserved and/or restored indigenous Rare and Unique upland habitat if approved and developed as a unified planned development that meets all the following criteria:

1. **Development must be a minimum of 10 acres.**
2. **Development must have direct access to an arterial road.**
3. **Development must provide connection to public water and sewer services.**

The Property is 788.96 acres with direct access to N. River Rd. a two-lane county maintained arterial roadway. On March 20, 2024, Lee County adopted Map Amendments that expanded

the Water and Sewer Service Area Maps to include the Cary+Duke+Povia property. The amendment was transmitted to the State and found complete and will become effective on April 28, 2024.

As demonstrated in the attached Preliminary Density Calculation and Application form, base density is calculated one dwelling unit per acre for 770.13 acres of Rural and preserved wetlands and one dwelling unit per 20 acres for 18.85 acres of impacted wetlands. As a result, the total base density for the project is 771.07 dwelling units.

The project proposes to generate one additional dwelling unit per acre through the preservation of 26.03 acres of existing Rare and Unique upland habitat creation of 300.01 acres of Rare and Unique upland habitat, and restoration of 2.68 acres of existing Rare and Unique upland habitat for a total of 328.72 additional dwelling units. The Rare and Unique upland habitats being preserved, restored, or created are depicted in Appendix C of the Indigenous Preserve and Restoration Management Plan.

The combination of base density and additional dwelling units results in a maximum of 1,099.79 dwelling units, and the maximum allowable dwelling units requested in this application is 1,099.

4. **Development is clustered so as to maintain large, contiguous tracts of open space and protect environmentally sensitive areas. To comply with this criteria, a minimum of 60% open space is required, of which 50% must be indigenous preserve. The indigenous preserve may consist of created or restored wetlands, flowways/creeks, or Rare and Unique upland habitats. Management and monitoring of the indigenous preserve must be in compliance with the indigenous management plan required by the LDC. Monitoring timelines will be extended as needed to assure success criteria established in the indigenous management plan is achieved for at least five consecutive years.**

   The attached MCP includes clustered development areas in order to provide a minimum of 60 percent open space of which a minimum of 50 percent will be indigenous preserves. Proposed development areas have been clustered to ensure open space and preserve areas are as large and contiguous as possible, including the creation of two distinct development pods to the east and west of Trout Creek. This clustering ensures Trout Creek, and the natural floodway are preserved. Indigenous preserves on the property will consist of a variety of habitat types, including preserved wetlands and flowways/creeks as well as significant Rare and Unique Uplands. The attached Indigenous Preserve and Protected Species Management Plan establishes a monitoring program consistent with this policy.

5. **Creation, preservation, and/or restoration of indigenous Rare and Unique upland habitats, as defined, must meet the following:**
   a. **The area of the Rare and Unique upland habitats must comply with the minimum dimensions required for indigenous open space areas set forth in the LDC.**
   b. **The land where creation and/or restoration of indigenous Rare and Unique upland habitats will occur must contain the soil(s) needed to support the establishment and success of the indigenous Rare and Unique upland habitats.**
   c. **Habitats impacted by logging, drainage, and/or exotic infestation may not count towards the density incentive unless restored to standards established in an approved site-specific ecological restoration plan. The ecological restoration plan must include, at a minimum, a replanting plan, habitat restoration plan, success criteria, and long-term monitoring and maintenance criteria.**

d. **A Conservation Easement, to be dedicated to the appropriate maintenance entity that provides Lee County or some other public agency, acceptable to Lee County, with third party enforcement rights must be recorded for areas used towards the density incentive. All Conservation Easements required as part of the planned development**

Rare and Unique upland habitats will comply with all minimum dimensions for indigenous open space areas in the LDC.

The attached Indigenous Preserve and Protected Species Management Plan demonstrates that the soils needed to support establishment and success are present. The Management Plan includes the minimum replanting, restoration, success criteria and monitoring requirements required to generate additional density.

All preserved, restored or created rare and unique uplands will be placed under a conservation easement as required.

POLICY 123.3.3: Protect wildlife from impacts of new non-agricultural development in nonurban areas through the creation and implementation of a human-wildlife coexistence plan for each new development requiring a development order.

A human-wildlife coexistence plan is attached in compliance with this policy. See Section 11 of the Protected Species Management and Human-Wildlife Coexistence Plan.

POLICY 123.8.1: Protect Gopher Tortoise burrows wherever they are found. If unavoidable conflicts make on-site protection infeasible, off-site mitigation may be provided in accordance with FWC requirements.

Please see the attached Indigenous Preserve and Protected Species Management Plan that was prepared for the Project. Gopher tortoise (*Gopherus polyphemus*) burrows that will be impacted by construction activities will be relocated on-site where feasible, or off-site in accordance with the Florida Fish and Wildlife Conservation Commission Gopher Tortoise Permitting Guidelines.

OBJECTIVE 123.10: WOOD STORK. Lee County will maintain regulatory measures to protect the wood stork's feeding and roosting areas and habitat.

No wood stork (Mycteria americana) rookeries or roosting areas were documented on the Project site. Compensation for impacts to wood stork foraging habitat will be provided through the enhancement and preservation of on-site wetland areas, or through the purchase of credits from a wetland mitigation bank. Additionally, the enhancement and preservation of wetland areas within the onsite preserve will provide and protect potential foraging habitat for woods storks and other wading birds. The proposed stormwater system will comply with all design requirements in the LDC, including the littoral planting requirements, which provides potential forage areas.

POLICY 124.1.1: Ensure that development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter XIII. Owners of wetlands adjacent to Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, New Community, Outlying

Suburban, Sub-Outlying Suburban, and Rural future land use categories may transfer dwelling units from preserved freshwater wetlands to developable contiguous uplands under common ownership at the same underlying density as permitted for those uplands.

The proposed development is limited to very low-density residential uses. Density is calculated at 1 du/20 acres in all wetlands proposed to be impacted in accordance with table 1(a). Densities from preserved wetlands are transferred to developable contiguous uplands under common ownership at 1 dwelling unit per acre, consistent with the maximum allowable density for the adjacent Rural Future Land Use Category as identified in this policy and Table 1(a).

POLICY 124.1.2: The County's wetlands protection regulations will be consistent with the following:

2. No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development orders and development permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.

A condition is proposed which requires that construction may not commence until an ERP is obtained to authorize any impacts to wetlands proposed by the MCP.

4. Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.

The proposed MCP demonstrates the clustering of development and the use of reduced lot sizes to allow for the minimization of adverse impacts on wetlands. As a result, wetland impacts have been minimized in accordance with this policy.

6. The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of one dwelling unit per 20 acres. Nonresidential uses on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category.

The proposed development calculates allowable density based on 1 du/ac for uplands and preserved wetlands and as mentioned above, a calculation of 1 du/20 acres in all wetlands proposed to be impacted in accordance with table 1(a).

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

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.

POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.

The proposed RPD will include stormwater lakes adjacent to the residential tracts to address water quality. The surface water system will also be required to obtain an ERP from the South Florida Water Management District at the time of DO. The proposed amendment will not impact existing infrastructure in the area, and roadways, schools, EMS, potable water and sanitary sewer service are available to serve the property.

Additionally, a Water Quality Monitoring Plan is included to ensure the development does not result in any impacts to Wellfield Protection areas.

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

The Property includes a portion of the Trout Creek floodplain, the limits of which is shown on the proposed MCP. No development is proposed within this area and it is included within the proposed preserve areas on the MCP. The Surface Water Management System will be designed to maintain existing off-site flows.

POLICY 126.1.3: Freshwater resources will be managed in order to maintain adequate freshwater supplies during dry periods and to conserve water.

Irrigation for the proposed development will be provided via onsite lakes and resupplied by groundwater. The proposed development will comply with the County ordinance for water conservation related to irrigation.

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

The development of the proposed stormwater management system will provide water quality and water quantity improvements. The system will be designed so that sufficient flow of water to retain the existing hydroperiods will be maintained. The attached Surface Water Management Plan demonstrates that existing off-site flows through both Trout Creek and Otter Creek will be maintained.

IX. CONCLUSION

The proposed Cary+Duke+Povia RPD is a well-planned community which accommodates increasing demand for housing, balanced with extensive protection of environmental and rural character.

Previous zoning approvals for the Owl Creek Reserve RPD and Babcock Ranch Community MPD extended development to the Property and the proposed Cary+Duke+Povia RPD makes efficient use of the significant private investment in infrastructure in this area.

The proposed Cary+Duke+Povia RPD also provides significant protection to the North Olga Community and the surrounding neighborhoods through a site plan which internalizes development through expansive buffers and setbacks, limited access points, and 420± acres of preservation and restoration on site.

For these reasons, the Applicant respectfully requests approval of this RPD rezoning as proposed.

Cary+Duke+Povia RPD
Preliminary Density Calculation

Base Density

Future Land Use Category	Acres	Lee Plan Table 1(a) Max. standard density	Units
Rural	718.67	1 du/ac	718.67
Wetlands	70.31	1 du/ac & 1 du/20 ac	52.4
Preserved Wetlands	*51.46*	*1 du/ac*	*51.46*
Impacted Wetlands	*18.85*	*1 du/20 ac*	*0.94*
Subtotal	**788.98**		**771.07 DU**

Rare & Unique Habitat Incentive (Lee Plan Policy 123.2.17)

Rare and Unique Habitat Incentive Areas	Acres	Lee Plan Table 1(a) Max. standard density	Units
Rare & Unique Upland Creation	300.01	1 du/ac	300.01
Rare & Unique Upland Preservation	26.03	1 du/ac	26.03
Rare & Unique Upland Restoration	2.68	1 du/ac	2.68
Subtotal	**328.72**		**328.72 DU**

Maximum Allowable Dwelling Units

Future Land Use Category	Acres	Lee Plan Table 1(a) Max. standard density	Units
Rural	718.67	1 du/ac	718.67
Wetlands	70.31	1 du/ac & 1 du/20 ac	52.4
Rare & Unique Habitat Incentive Areas	328.72	1 du/ac	328.72
	Maximum Allowable Dwelling Units		**1,099.79 DU**

ATTACHMENT I

Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

Cecil L Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Michael Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief Hearing Examiner

November 28, 2022 Via E-Mail

Jeremy Frantz
RVI Planning
28100 Bonita Grande Drive
Bonita Springs, FL 34135

RE: **Potable Water and Wastewater Availability**
Cary Duke RPD
STRAP # 17-43-26-00-0001.0000; 17-43-26-01-00003.0000; 17-43-26-01-00009.0000; 16-43-26-00-00001.0040; 17-43-26-01-00004.0000; 17-43-26-01-00008.0000; 16-43-24-00-00001.0000

Dear Mr. Frantz:

The subject properties are not located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. The nearest potable water north of the Caloosahatchee River is located on Bayshore Road approximately 4.5 mile west of the subject parcels. The nearest wastewater is on the south side of the Caloosahatchee River. In order to provide service to the subject parcels completion of a comprehensive plan amendment and developer funded system enhancements such as, but not limited to, line extensions will be required.

Your firm has indicated that this project will consist of 1,099 single family residential units with an estimated flow demand of approximately 274,750 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our North Lee County Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers North Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There are no reuse mains in the vicinity of these parcels.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Comprehensive Plan Amendment and Zoning only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic

Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

ATTACHMENT J

Cary+Duke+Povia Residential Planned Development
Neighborhood Meeting Summary

In compliance with Lee Plan Policy 27.1.8, Neal Communities of Southwest Florida, LLC, (Applicant) and their consultant team hosted advertised public information meetings in North Olga and Alva, as well as additional public meetings with the community. A summary of the public meetings is provided below.

North Olga Meetings

Planning Panel Meeting

The North Olga meeting was held at the Bayshore Fire Department Station 131, 17350 Nalle Road, North Fort Myers, FL 33917, at 6:00 p.m., on Thursday, January 26, 2023. The meeting notice was published in the News-Press on January 9, 2023. The Affidavit of Publication is attached as Exhibit A. Please note that this meeting was originally advertised for a meeting on January 19, 2023, but was rescheduled on January 18, 2023, at the community's request. Panel leadership requested the change by phone after the panel's internal email notification to members was not released on time. The rescheduled date of January 26th was chosen by the panel.

The list of participants is attached as Exhibit B and demonstrates approximately 25 attendees were present at the meeting in addition to the consultant team.

Alexis Crespo, AICP, with RVi Planning + Landscape Architecture, Brandon Frey, P.E., with JR Evans Engineering, and Jack Weber and Katie Rhyne with Neal Communities of Southwest Florida, introduced the project, explained changes that have been made since the Applicant's previous presentation to the North Olga group, and presented three exhibits which included an Aerial, and illustrative examples of similar developments, which are attached as Exhibit C, and an MCP, which is attached as Exhibit D.

The Applicant explained the proposed development will include 1,099 single-family and two-family dwelling units, for a maximum density of 1.4 units per acre (figure was rounded from 1.39), and wetland preserves. The Master Concept Plan was also displayed and proposed uses, access points, open space and restoration plan, and project perimeter setbacks were also discussed. After the presentation the Applicant opened the floor for attendees to ask questions and make comments.

Questions and comments raised from attendees included the following topics:

- How water and sewer would be provided.
- Questions regarding traffic impacts on North Road and SR 31.
- Questions about buffer distances, whether fencing was proposed, and proposed berm heights and locations.
- Issues regarding flooding from Babcock Ranch, the Caloosahatchee River, and where drainage will be directed.
- How hurricane shelter impacts would be addressed.
- Questions about proposed development characteristics such as:

    - Dwelling types,
    - Pricing,
    - Density,
    - Sizes,
    - Architectural style,
    - Whether the project would be gated,
    - If there would be a CDD, and
    - Whether sidewalks are proposed.
- How streetlights would protect rural character.
- The anticipated buildout timeframe.
- The size and location of the largest contiguous preserve area.
- Whether the development would be combined with the Owl Creek development to the west.
- Whether fill dirt is needed.
- How utilities would be routed to the development.
- Questions about how additional density is generated and whether density would be increased in the future.

The Applicant offered to provide tours of Neal Communities other developments and attendees were provided contact information and if there were any other questions. It was also noted that the Applicant would continue to attend meetings in North Olga throughout the application process.

Following the discussion and public comment, the Applicant thanked the attendees and provided contact information. The Applicant's presentation was concluded at approximately 7:00 p.m.

2nd Advertised Meeting

Since the N. Olga Planning Panel holds meetings outside of the North Olga boundary, a second advertised meeting was held at the Cracker Shack Cafe, 18672 SR 31, North Fort Myers, FL 33920, at 11:00 a.m., on Tuesday, June 20, 2023. The meeting notice was published in the News-Press on June 10, 2023. The Affidavit of Publication is attached as Exhibit A.

The list of participants is attached as Exhibit B and demonstrates approximately 59 attendees were present at the meeting in addition to the consultant team.

Jeremy Frantz, AICP, with RVi Planning + Landscape Architecture, Brandon Frey, P.E., with JR Evans Engineering, Yury Bykau, P.E., with TR Transportation, Shane Johnson, with Passarella and Associates, and Jack Weber, Ivory Matthews, Katie Rhyne and Dan Ciesielski, with Neal Communities of Southwest Florida, introduced the project, and presented three exhibits which included an Aerial, and illustrative examples of similar developments, which are attached as Exhibit C, and an MCP, which is attached as Exhibit E.

The Applicant explained the proposed development will include 1,099 single-family and two-family dwelling units, for a maximum density of 1.39 units per acre, and 423 acres of preserves. The Master Concept Plan was also displayed and proposed uses, access points, open space and restoration plan, and project perimeter setbacks were also discussed. After the presentation the Applicant opened the floor for attendees to ask questions and make comments.

Questions and comments raised from attendees included the following topics:

- How access would be provided to the property.

- How water and sewer will be provided, and whether there is wastewater capacity.
- Questions regarding traffic impacts and the planned widening of North Road and SR 31.
- Questions about other projects in the area.
- The potential for nutrient impacts to the Caloosahatchee.
- How public meetings are advertised.
- Issues regarding the potential for flooding and where drainage will be directed.
- How hurricane evacuation would be addressed.
- Questions about proposed development characteristics such as:
    - Dwelling types,
    - Density and the number of lots,
    - Lot Sizes,
    - Whether the project would be gated, and
    - If there would be a CDD or homeowners association and whether they could control the number of vehicles or activities in the development.
- The anticipated construction timeframe.
- Concerns about the values of new residents that will move in.
- Whether the project size has changed.
- Whether the development would be combined with the Owl Creek development to the west.
- Whether fill dirt is needed.
- Concerns regarding wildlife habitat.
- Suggestions were made to:
    - Reduce the density being requested.
    - Donate the property to Conservation 20/20.
- How the development will impact property values and taxes.
- What stormwater event the development will be planned for and how off-site stormwater will be addressed.
- A request to include design and architectural features that are compatible with the rural area.
- What will happen with the excess dirt that came from the Calooshatchee.
- Whether the applicant can ask for more density at a later date.
- Who owns the property now.
- Whether there will be blasting.

It was also noted that the application process is ongoing and that once public hearings are scheduled, the hearing dates would be advertised.

Following the discussion and public comment, the Applicant thanked the attendees and provided contact information. The Applicant's presentation was concluded at approximately 12:30 p.m.

Alva Meeting

The Alva meeting was held at the Alva Community Center, 21471 N. River Rd., Alva, FL 33920, at 7:00 p.m., on Tuesday, March 14, 2023. The meeting notice was published in the News-Press on March 4, 2023. The Affidavit of Publication is attached as Exhibit A.

The list of participants is attached as Exhibit B and demonstrates approximately 48 attendees were present at the meeting in addition to the consultant team.

Jeremy Frantz, AICP, with RVi Planning + Landscape Architecture, Jack Weber, with Neal Communities of Southwest Florida, Shane Johnson, with Passarella and Associates, Yury Bykau, with TR Transportation, and Brandon Frey, P.E., with JR Evans Engineering, introduced the project and presented three exhibits which included an Aerial, and illustrative examples of similar developments, which are attached as Exhibit C, and an MCP, which is attached as Exhibit E.

The Applicant explained the proposed development includes a new Residential Planned Development and update to the Future Water and Sewer Service Area maps to allow a maximum of 1,099 single-family and two-family dwelling units for a maximum density of 1.39 dwelling units per acre. The presentation also noted that the development includes 51 acres of wetland preserve areas, 420 acres of total preserve area and is designed to preserve the current rural character. The Master Concept Plan was also displayed and proposed uses, access points, open space and restoration plan, project perimeter setbacks and stormwater system requirements were also discussed. After the presentation the Applicant opened the floor for attendees to ask questions and make comments.

Questions and comments raised from attendees included the following topics:

- Agricultural style developments such as Riverwind Cove are preferred, not suburban lots.
- Listed species and habitat on the property.
- Density of the project combined with other surrounding developments.
- Whether the Applicant has begun working with SFWMD.
- Questions about transportation impacts, traffic safety, how the access points will function, whether turn lanes would be provided, and whether there would be impacts to hurricane evacuation.
- How the development would impact response times related to EMS and Fire service.
- The sizes of homes and whether fewer units have been considered.
- Concerns about new residents not sharing the same values as existing residents.
- It was noted that public spaces are needed in the area.
- How water and sewer would be provided.
- Whether hearing dates have been established.
- It was noted that the Community Plan should be followed for the area.
- The rain event the community is required to plan for and whether flooding of the surrounding area would increase.
- Whether there are any historic resources on the property.
- Whether the community would result in high-speed or fiber optic internet access becoming available to the surrounding area.
- Whether the development includes properties along the Caloosahatchee.
- Whether the Applicant has worked with the school district.

The Applicant's presentation was concluded at approximately 8:00 p.m.

Exhibit A
Affidavit of Publication

0005548561 / FNP-0000002582

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:
RVI PLANNING, INC
28100 BONITA GRANDE DR
BONITA SPRINGS, FL 34135

State of Wisconsin, County of Brown:
Before the undersigned authority personally appeared D Roberts, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated or by publication on the newspaper's website, if authorized, on:

01/09/2023

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 14th of February 2023, by legal clerk who is personally known to me.

D Roberts
Affiant

Kathleen Allen
Notary State of Wisconsin, County of Brown

1-7-25
My commission expires

# of Affidavits: 1

This is not an invoice

KATHLEEN ALLEN
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Thursday, January 19, 2023

TIME: 6:00 PM

ADDRESS: Bayshore Fire Department Station 131, 17350 Nalle Road, North Fort Myers, FL 33917

In accordance with the North Olga Planning Community Requirements of the Lee County Land Development Code, the Applicant, Neal Communities of Southwest Florida, Inc, will be presenting information to the public on the following request:

The request is to rezone the 78B+/- acre Property from Agriculture (AG-2) to Residential Planned Development (RPD) to allow for a maximum of 1,099 single-family dwelling units, private on-site recreational uses, and supportive infrastructure. The maximum building height is 35 feet. The site will connect to centralized water and sewer services. A companion Comprehensive Plan Amendment will include the subject Property in the Lee County Future Water Services Area Map (Map 4A) and the Future Sewer Service Area Map (Map 4B).

The purpose of the meeting is to educate community members and nearby landowners about the proposed development and to address any questions.

For questions, please contact:

Jeremy Frantz, AICP
RVi Planning + Landscape Architecture
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135

(239) 357-9580 or jfrantz@rviplanning.com
AD#5548561 1/9/2023

0005615754 / FNP-0000002582

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:
RVI PLANNING, INC
28100 BONITA GRANDE DR
BONITA SPRINGS, FL 34135

State of Wisconsin, County of Brown:
Before the undersigned authority personally appeared D. Roberts, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated or by publication on the newspaper's website, if authorized, on:

03/04/2023

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 7th of April 2023, by legal clerk who is personally known to me.

D. Roberts
Affiant

Kathleen Allen
Notary State of Wisconsin, County of Brown

1-7-26
My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

# of Affidavits: 1

This is not an invoice

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Tuesday, March 14, 2023

TIME: 7:00 PM

ADDRESS: Alva Community Center, 21471 N. River Rd., Alva, FL 33920

In accordance with the Northeast Lee County Community Plan Requirements of the Lee County Land Development Code and Lee Plan, the Applicant, Neal Communities of Southwest Florida, Inc, will be presenting information to the public on the following request:

The request is to rezone the 788+/- acre Property from Agriculture (AG-2) to Residential Planned Development (RPD) to allow for a maximum of 1,099 single-family dwelling units, private on-site recreational uses, and supportive infrastructure. The maximum building height is 35 feet. The site will connect to centralized water and sewer services. A companion Comprehensive Plan Amendment will include the subject Property in the Lee County Future Water Services Area Map (Map 4A) and the Future Sewer Service Area Map (Map 4B).

The purpose of the meeting is to educate community members and nearby landowners about the proposed development and to address any questions.

For questions, please contact:

Jeremy Frantz, AICP
RVi Planning + Landscape Architecture
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135
(239) 357-9580 or jfrantz@rviplanning.com
AD # 5615754 March 4, 2023

0005728700 / FNP-000000258

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:
RVI PLANNING, INC
28100 BONITA GRANDE DR STE 305
BONITA SPRINGS, FL 34135

State of Wisconsin, County of Brown:
Before the undersigned authority personally appeared A Kokott, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated or by publication on the newspaper's website, if authorized, on:

06/10/2023

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 13th of June 2023, by legal clerk who is personally known to me.

Amy Kokott
Affiant

Notary State of Wisconsin, County of Brown

10-25-26
My commission expires

RYAN SPELLER
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE: Tuesday, June 20, 2023

TIME: 11:00 AM

ADDRESS: Cracker Shack Cafe, 18672 SR 31, Alva, FL 33917

In accordance with the North Olga Planning Community Requirements of the Lee County Land Development Code, the Applicant, Neal Communities of Southwest Florida, Inc, will be presenting information to the public on the following request:

The request is to rezone the 788+/- acre Property from Agriculture (AG-2) to Residential Planned Development (RPD) to allow for a maximum of 1,099 single-family dwelling units, private on-site recreational uses, and supportive infrastructure. The maximum building height is 35 feet. The site will connect to centralized water and sewer services. A companion Comprehensive Plan Amendment will include the subject Property in the Lee County Future Water Services Area Map (Map 4A) and the Future Sewer Service Area Map (Map 4B).

The purpose of the meeting is to educate community members and nearby landowners about the proposed development and to address any questions.

For questions, please contact:

Jeremy Frantz, AICP
RVi Planning + Landscape Architecture
28100 Bonita Grande Drive, Suite 305, Bonita Springs, FL 34135
(239) 357-9580 or jfrantz@rviplanning.com
AD # 5728700 June 10, 2023

# of Affidavits: 1

This is not an invoice

Exhibit B
Sign-in Sheets

Sign-in

#	Name	Address	E-mail	Phone #
	Debbie McEwen	2997 Bateman Rd Alva	debmcl229@aol.com	239-851-6872
	Lynne Ritchell	14350 Duke Hwy	KLRTRIT@GMAIL	239-233-[illegible]
	Dennis & Deb Woods	14120 Duke Hwy	dwoodsgoblue@msn.com	269-240
	Denise Eberle	23091 Tuckahoe Rd Alva FL	SEMSOCH@AOL.COM	305-394-[illegible]
	Ken DeWalt	7 Jute St Alva FL (On The River)	Please leap me on email list KenDewaltI@GMAIL.COM	610 22[illegible]
	Connie			941-226
	Jack Weber	5800 Lakewood Ranch Blvd Sarasota	jweber@neal communities.com	239-27
	Joe Broughton	2920 Hickey Creek Rd	JBROUGHTON@BURGESSBRANT.COM	
	Clark Cary	18331 Serena Court	CDCARY88@GMAIL.COM	
	Katie Rhyne	5800 Lakewood Ranch Blvd N	krhyne@neal communities.com	941-328
	Walter McKee	18331 Telegraph Creek Ln Alva FL	wemckee@embarqmail.com	

#	Name	Sign-in Address	E-mail	Ph
	Christi Pritchett	14350 DUKE HWY	CPRITCHETT@ LSICOMPANIES.COM	239-
	Cindy Seligman	N Olga	Cranmag@tampabay.rr.com	
	Chris Ozimek	18231 Lyndhurst Ln	chris.oz@sbcglobal.net	
	Ryan Gillons	14160 Duke Hwy	RyanGillons11@gmail	
	JOHN BRODERICK	Bayshock Property Holdings	jbroderick@bayshockpartners.com	
	Todd Feeley	13778 Duke Hwy	jtftodd@gmail.com	
	Bill & Linda Redfern	14651 Duke Hwy	williamredfern1776@gmail	23
	MARY POVIA			
	MICHAEL HIPP	14500 HIPP CT		
	RONI HIPP	14500 HIPP CT		
	SUZANNE ARMEDA	19440 ARMEDA RD		

Sign-in

#	Name	Address	E-mail	Phone #
	BRANDON FREY		BRANDON@JDREEN6.COM	239-654-6600
	Frank Musco	18110 N. OLGA DR.	fsmusco@HOTMAIL.COM	239 693 8722
	Debra VanRockel			
	Matt Adams	15020 N Olga Rd	matthew.adams@[illegible]	352-802-365[illegible]
	Richard Darling	14300 Duke Highway	rdarling@marvin-homes.com	239-410-175[illegible]
	Carl Arnold			

March 14, 2023

Sign In

Date	Printed Name	Address	Contact Number	e-mail	Signature
3/14	Janice Klingensmith	18121 Traverse Dr. ALVA		jklring2004@gmail	[illegible]
3/14	KATHY SHEPARD	18140 ALVA. TRAVERSE DR.	239-225-5514		[illegible]
3/14	ALAN KLINGENSMITH	18121 TRAVERSE DR	239-693-6697	alanlk924@gmail.com	[illegible]
3/14	Ken DeCaff	You have			[illegible]
3/14	Debbie McEwen			on file	
3/14	Amy Fichter	PO Box 1002 Alva, FL.	872-2971	amyf50@gmail.com	[illegible]
3/14	Henry Fichter	PO Box 1002 Alva, FL 33920	872-~~2971~~ 2625	grantfichter@gmail.com	[illegible]
3/14	Chris Ozimek	18231 Lyndhurst			[illegible]
3/14	Darius Cochran	17610 Taylor Rd.	872-7653	Darius L Cochran@gmail.com	[illegible]
3/14	Amanda Cochran	17610 Taylor Rd	980-3572	redstorm911@aol.com	[illegible]
3/14	Kathryn Snider	3130 Styles Rd	707-4475	snider5@earthlinkmail.com	[illegible]
3/14	Nick Snider	3130 Styles Rd	823-3026	Nicholas.s.06@icloud.com	Nick Snider

We, the undersigned affix our signatures to oppose the Caloosa 80 amendment to the Lee Plan for the Alva Community.

MARCH 14, 2023 SIGN-IN SHEET

Date	Printed Name	Address	Contact Number	e-mail	Signature
3/14/23	Paul & Maria Muslar				
3/14	Jeff + Paula GISH		239-693-2801		
3/14	Denise Eberle	File	File	File	
3/14	Beverly Craft		615 351-1359		
3/14	LONNIE & JENNIFER BRIGGS	FILE	"	"	
3/14	Glenn & Ella Dyess				
3/14	Derek Felder				
3/14	Aaron Renfroe				
3/14	Nicola deFaut		305 896 1293		
3/14	Cris + Annette Goodman				
3/14	Jaubree Randall	15880 River Creek Ct	239-690-7892	randall tanbree@	
3/14	Craig Randall	"	"		

~~We, the undersigned affix our signatures to oppose the Caloosa 80 amendment to the Lee Plan for the Alva Community~~

3/14 Richard Durling DURLING

3/14 Stacy Broadhurst Boyshaw (HOLLY)

Sign In Sheet

Date	Printed Name	Address	Contact Number	e-mail	Signature
3/14	Chris Gibbs	21160 Capt Nelson Ct	530 826 4685	wylie3tc@garlic.com	
3/14	Jack Snider	3130 Styles Rd	239-707-4476	Sniderjm@AIMRCFL.com	
3/14	Joseph Maguire	2991 Bateman Rd	239 206 5006	JPM09576@gmail.com	
3/14	Susanne Bisplinghoff	18031 Riverchase Ct	239-980-2470	seb623@hotmail.com	
3/14	Glenn Fichter	18050 Lynchburg Dr Alva FL 33920	239-633-8912	GlennSouthern@Aol.com	
3/14	Larry + Beth Murphy	17770 Cypress Creek Rd	239 850 1467	mlau5fn@aol.com	
3/14	Ernie Merari	21850 N. River Rd.	239-470-2877	erniemerari@msn.com	
3/14	Kevin + Quinn Wyman	17370 Oak Crk	714-794-7193	KCOFAB@Yahoo.com	
3/14	Larry Diamond	19190 Parkinson Alva			
	Olivia + Armand Regnier	2020 Mitchell Ave, Alva	239-357-2767		ORR

We, the undersigned affix our signatures to oppose the Caloosa 80 amendment to the Lee Plan for the Alva Community.

March 14, 2023 Sign-On

Date	Printed Name	Address	Contact Number	e-mail	Signature
3/14/23	Sabrina Thompson	18751 River Estates Ln			Sabrina Thompson
3/14/23	Ed Thompson	"			Ed Thompson
3/14/23	Mike Musho	17350 Wells Rd		WTIF@comcast.net	[illegible]
3/14/23	Patricia Picco	18181 Riverchase Ct	469-400-0622	pat.picco@hotmail.com	[illegible]
3/14/23	Armand Regnacq	2074 Mitchell Ave, Alva			

We, the undersigned affix our signatures to oppose the Caloosa 80 amendment to the Lee Plan for the Alva Community.

June 20, 2023
Sign-in Sheets

Name	Address	Email
Kyle Wade	130 Wayandotte Ave Alva, FL 33920	Kwade46.KW@gmail.com
Rosa-Mary McCoy	3160 Packinghouse Road Alva, Fl 33920	opposed otjob@aol.com
Jo Kennedy	23491 N. River Rd Alva, Fl. 33920	oppose.
Aldo Ibarra (Apposed)	18470 Telegraph Creek Ln Alva, FL. 33920	Aldoallaboutcars.@yahoo.net
Mercedes Ibarra (Apposed)	18470 Telegraph Creek Ln Alva, FL. 33920	Ibarracessio@aol.com
Tyson & Kim Stempel	16300 Forest Mist Ct Alva, FL 33920	stempel0919@gmail.com
William Redfern	14651 Duke Hwy Alva	William redfern 1776@gmail.com
Teresa O'Connell	18811 Serenoa Ct Alva, Fl. 33920	DTOconnell@embarqmail.com
DALE + THERESA DANIELS	2120 HICKORYS CREEK DR ALVA, FL 33920	ddaniels361@comcast.net

Name	Address	Email
Michael Vitch		RWCHOAMikeV@gmail.com
John F Dyer		
Charles & Melissa Turner	17891 & 18001 Owl Creek	turner3e mc.com
Terrilynn Dunford	12190 Old Rodeo Dr.	Ternip@aol.com
John Acher		
CHRISSY METTAUER	19741 N River Rd Alva	CHRISSY@MC-FL.COM
Patty Walker Opposse	12928 Palm Beach Blvd.	PattyWalkerRemax@gmail.com
Jolena Esperto	WINK	~~ejolena@gi~~ jolena.esperto@winknews.com
Jamie Goldman	WINK	JAMIEGOLDMAN@UFL.EDU

Name	Address	Email
Steven Brodkin opposed	17720 Durrance Rd. N. Ft. Myers, FL 33917	Steve B 239 @ aol.com
Sheri Lewellyn opposed	19321 Turkey Run Ln Alva FL 33920	sheri.lewellyn @ gmail.com
Bonnie Fury opposed	19321 Turkey Run Ln Alva, Fl. 33920	bandgFury @ AOL.COM
Mike Spencer Opposed	2510 Hickey Creek Rd Alva FL 33920	Chery3457 @ gmail.com
Darius L Cochran opposed	17610 Taylor Rd. Alva Florida 33920	Darius.l cochran@gmail.com
SANDEE OGDEN	18090 N. OLGA DR ALVA, FL 33920	SANDEEogden@GMAIL.com
James Whitney	17721 N. River Rd Alva FL 33920	
Rich Allen	22 CARRIAGE CN. N. FORT MYERS 33917	
Aubrey Whitney	17721 N River Rd Alva, Fl 33920	

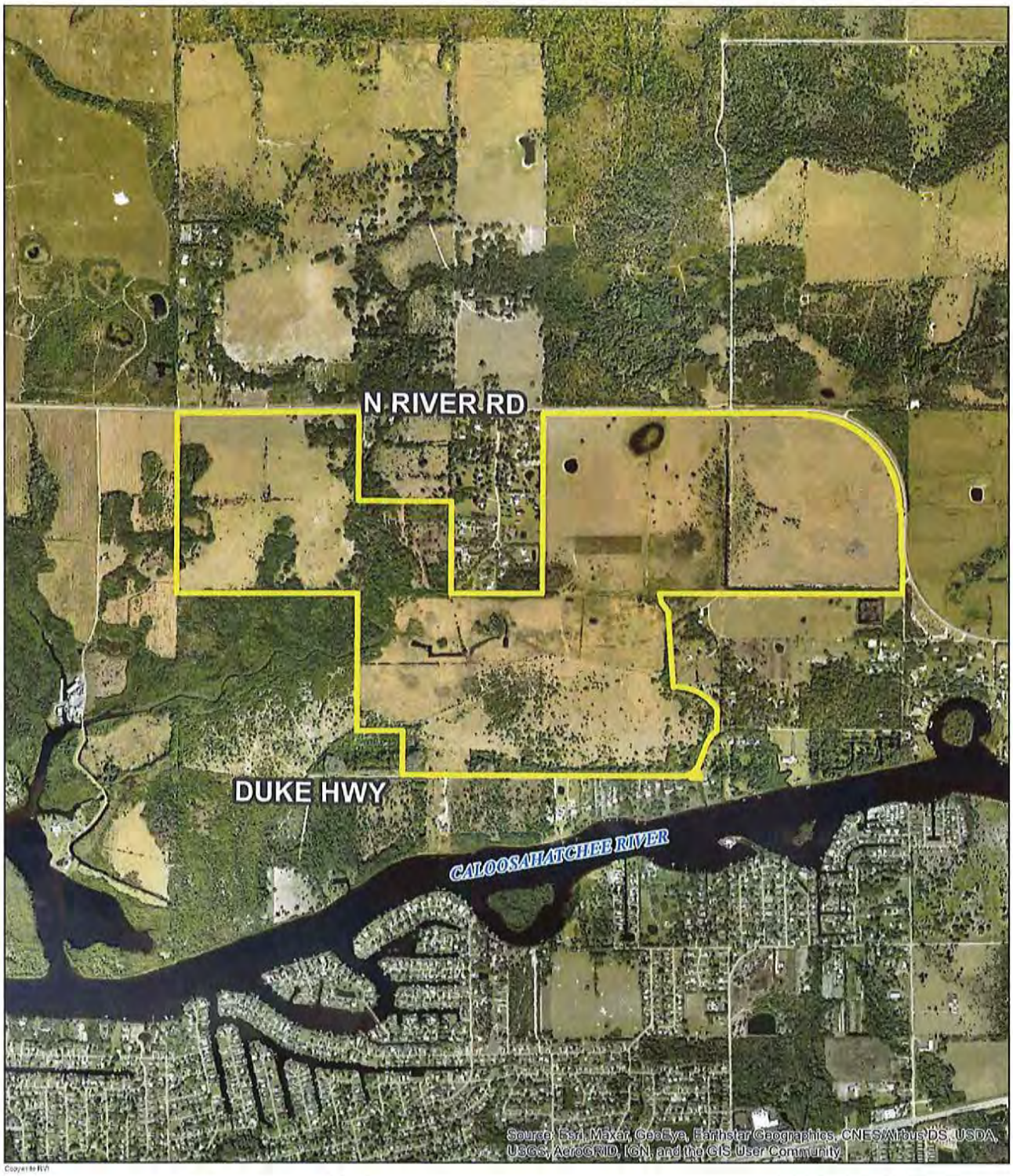
Name	Address	Email
Connie Dennis OPPOSE	19041 Fox Run Rd Alva FL	conniedennis1128@gmail.com
Roxanne Gause (oppose)	1921 Goodeva Rd Alva	Gause.RL@yahoo.com
Richard Durling	14300 Duke Highway Alva	rdurling@marvin-Homes.com
Paul + Jaya Gish	18830 River Est Ln	
Guy MAHAN	18110 TRAVERSE DR	GUYMAHAN@GMAIL
SUSAN MAHAN	18110 TRAVERSE DR	MAHAN.SUSAN@GMAIL.com
Haley Zarcone		haley.zarcone@winknews.com
Sebastian Valencia		
Tom / Cheri Mulling		

Name	Address	Email
Carla Ronco (OPPOSE)	14600 Duke Hwy Alva, FL 33920	CarlaRoncoRemax@gmail.com
Larry Ronco (oppose)	14600 Duke Hwy Alva FL, 33920	RoncoREMAX@gmail.com
DONALYN MOON (oppose)	14640 DUKE HWY ALVA FL 33920	DMOONFL@GMail.com
Tyler Ronco (Oppose)	17461 Frank rd Alva, FL, 33920	TylerRoncoRemax@gmail.com
Debbie Billings-Morrison (oppose?)	18060 Otter Water Way	billings.deb@gmail.com
Bruce Morrison - OPPOSE!	18060 Otter Water Way	bruce_morrison@Rocketmail.com
Tom Brookman oppose!	18051 Otter Water Way	tombrookman@icloud.com
Andrea Francis OPPOSE!	19300 Turkey Run Lane	rafrancis@embarqmail.com
Anjelique Otey	2119 Davis Blvd FM 05	JANLIQUE@ELITEPARAMEDICAL.COM

Name	Address	Email
Glenn Fichter opposed	19050 Lyndhurst Ln PO Box 575 Alva FL 33920	Glennsouthern@aol.com
Amy Fichter opposed	17281 N. River Rd Alva FL. 33920 P.O. Box 1002 Alva FL. 33920	Amyf50@gmail.com
John + Helen Wilson opposed	18140 N Olga Dr Alva FL 33920	HWilson@hfwilson.com
Charles Morris opposed	17830 Oak Cr. Rd ALVA FL 33920	csmorris1123@embarqmail.com
Beth Murphy oppose	17770 Cypress Creek Rd Alva FL 33920	mLAW97@aol.com
Jeanne Dunbar oppose	22631 Tuckahoe Rd. Alva FL 33920	rabnud62@aol.com
Larry Bauer oppose	18010 Villa DeLiRio Dr Alva FL	LARRYINALVA@HOTMAIL.COM
Cristiane Fernandes	ALVA	AGAINST ALL

Name	Address	Email
Kathy Barnes	10471 Deal Rd N Flm	barnKat64@gmail.com
Kelli + Tom	Babcock Ranch	—

Exhibit C
Presentation Materials



Document Path: \\FLBON\Projects\2022\22001300 - Cary Duke CPA & PD (Neal Communities)\04 BASE INFORMATION\02 GIS\MXDs\Final MXDs\Cary Duke - Aerial Map.mxd

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RVi
10401 Highland Manor Dr.
Suite 220
Tampa, FL 33610
Tel: 813.443.8282
www.rviplanning.com

CARY + DUKE + POVIA CPA/PD • AERIAL MAP

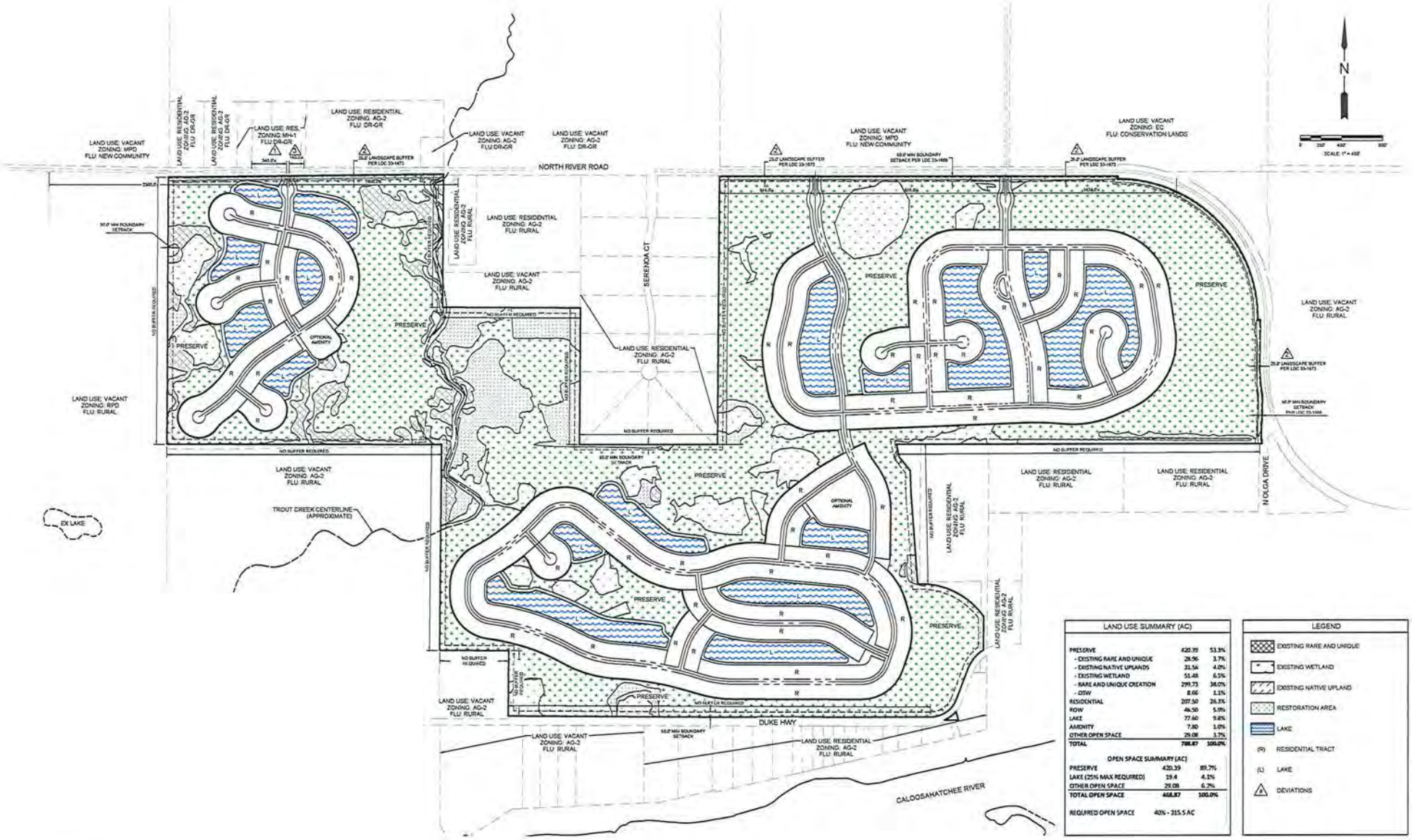
- Lee County, FL
- Subject Boundary
- Date: 12/1/2022
- # 22001300
- Neal Communites SW FL Inc.

0 550 1,100 2,200 Feet

Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

NEALCOMMUNITIES
Where You Live Matters

Exhibit D
January 26, 2023 – Master Concept Plan



LAND USE SUMMARY (AC)		
PRESERVE	420.39	53.3%
- EXISTING RARE AND UNIQUE	28.96	3.7%
- EXISTING NATIVE UPLANDS	31.56	4.0%
- EXISTING WETLAND	51.48	6.5%
- RARE AND UNIQUE CREATION	299.73	38.0%
- OSW	8.66	1.1%
RESIDENTIAL	207.50	26.3%
ROW	46.50	5.9%
LAKE	77.60	9.8%
AMENITY	7.80	1.0%
OTHER OPEN SPACE	29.08	3.7%
TOTAL	788.87	100.0%

OPEN SPACE SUMMARY (AC)		
PRESERVE	420.39	89.7%
LAKE (25% MAX REQUIRED)	19.4	4.1%
OTHER OPEN SPACE	29.08	6.2%
TOTAL OPEN SPACE	468.87	100.0%
REQUIRED OPEN SPACE	40% - 315.5 AC	

LEGEND

- EXISTING RARE AND UNIQUE
- EXISTING WETLAND
- EXISTING NATIVE UPLAND
- RESTORATION AREA
- LAKE
- (R) RESIDENTIAL TRACT
- (L) LAKE
- DEVIATIONS

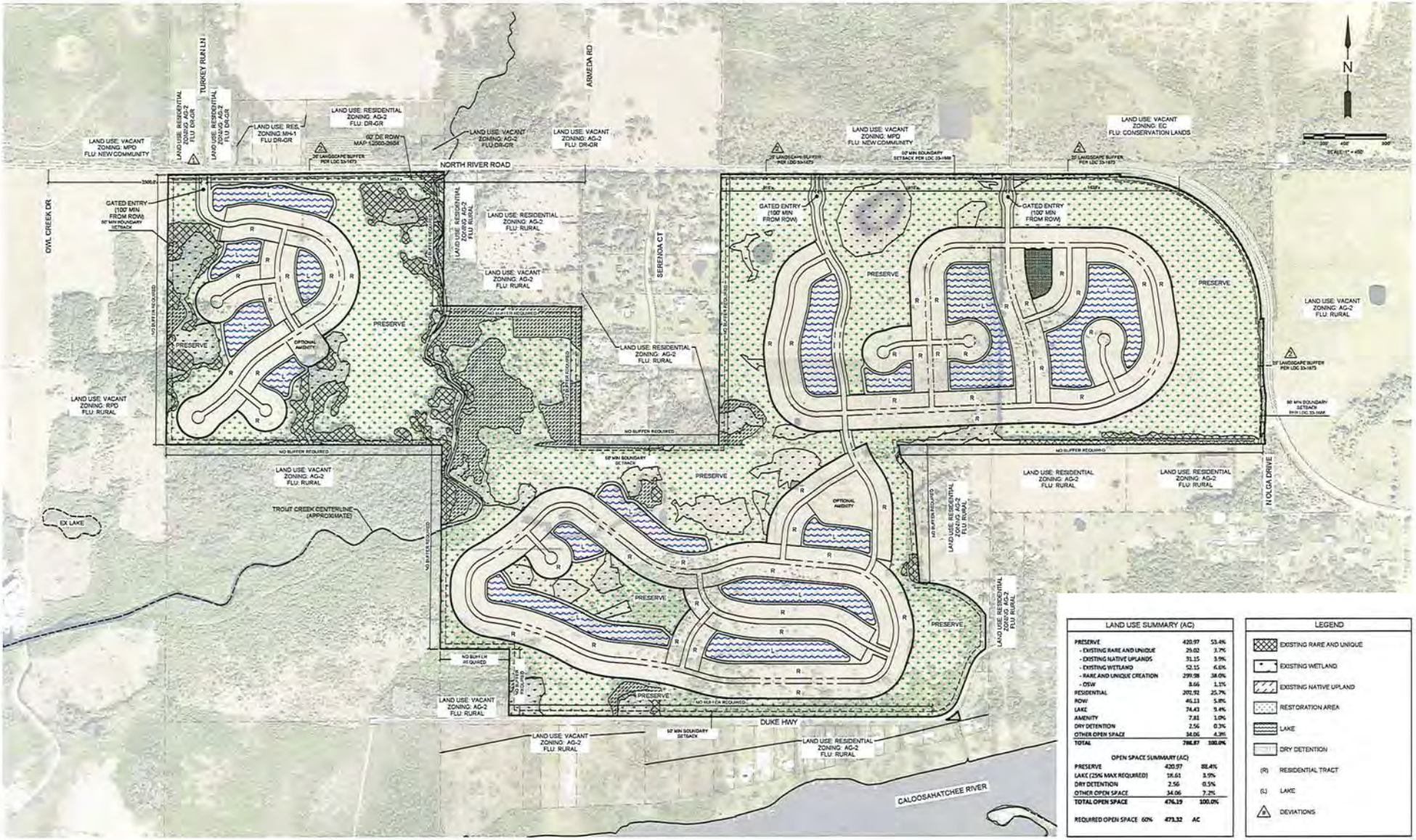
J.R. EVANS ENGINEERING

CARY+DUKE+POVIA RPD

MASTER CONCEPT PLAN

00911-00 E0506 - OA MCP DWG
January 17, 2023

Exhibit E
March 14 & June 20, 2023 – Master Concept Plan



LAND USE SUMMARY (AC)		
PRESERVE	420.97	53.4%
- EXISTING RARE AND UNIQUE	29.02	3.7%
- EXISTING NATIVE UPLANDS	31.15	3.9%
- EXISTING WETLAND	52.15	6.6%
- RARE AND UNIQUE CREATION	299.98	38.0%
- OSW	8.66	1.1%
RESIDENTIAL	202.92	25.7%
ROW	46.11	5.8%
LAKE	74.43	9.4%
AMENITY	7.81	1.0%
DRY DETENTION	2.56	0.3%
OTHER OPEN SPACE	34.06	4.3%
TOTAL	788.87	100.0%

OPEN SPACE SUMMARY (AC)		
PRESERVE	420.97	88.4%
LAKE (25% MAX REQUIRED)	18.61	3.9%
DRY DETENTION	2.56	0.5%
OTHER OPEN SPACE	34.06	7.2%
TOTAL OPEN SPACE	476.19	100.0%
REQUIRED OPEN SPACE 60%	473.32	AC

LEGEND	
	EXISTING RARE AND UNIQUE
	EXISTING WETLAND
	EXISTING NATIVE UPLAND
	RESTORATION AREA
	LAKE
	DRY DETENTION
(R)	RESIDENTIAL TRACT
(L)	LAKE
△	DEVIATIONS

J.R. EVANS ENGINEERING

CARY+DUKE+POVIA RPD

MASTER CONCEPT PLAN

00911-00 E0507 - OA MCP.DWG
February 17, 2023

ATTACHMENT K

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

VIA EMAIL ONLY

DATE: May 21, 2018

TO: Eileen Gabrick
Minutes Office Manager

FROM: Michael D. Jacob
Deputy County Attorney

RE: **Babcock Mixed Use Planned Development DCI2016-00022**
Zoning Resolution Z-17-026, Adopted February 7, 2018
Scrivener's Error

Lee County Resolution Z-17-026, adopted on February 7, 2018 contains scrivener's errors on pages 6 and 16 and failed to include Exhibit E, Site Development Regulations. The errors consist of the following:

PAGE 6, should read:

b. **Property Development Regulations**

See Exhibit ~~C~~E.

PAGE 16, should read:

SECTION C. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Bona Fide Agricultural Uses
Exhibit E: Property Development Regulations

Consequently, we respectfully request that you replace pages 6 and 16 in Resolution Z-17-026 with the attached pages and attach the 6 pages identified as Exhibit E so that it correctly reflects the text adopted by the County.

Should you have any questions concerning the above, please do not hesitate to contact me.

MDJ:lac
Attachments

cc via email only: John J. Fredyma, Assistant County Attorney
Audra Ennis, Manager, Zoning, DCD
Jamie Baker, Administrative Assistant, DCD
Eileen Gabrick, Minutes Office Manager, Lee County Clerk of Courts
Russell Schropp, Esquire, Counsel for Applicant

ATTACHMENT K

RESOLUTION NUMBER Z-17-026

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, Babcock Property Holdings, LLC, to rezone a 4,157.2± acre parcel from Agriculture (AG-2) to Mixed Use Planned Development (MPD), in reference to Babcock Mixed Use Planned Development; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on November 2, 2017. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before November 17, 2017; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2016-00022 and recommended approval of the Request; and

WHEREAS, a second public hearing was advertised and held on February 7, 2018, before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 4,157.2± acre parcel from AG-2 to MPD, to allow development of a maximum of 1,630 dwelling units, 1,170,000 square feet of commercial uses and 600 hotel rooms. Maximum building heights will be 65 feet.

The property is located in the Density Reduction/Groundwater Resource (DR/GR) and Wetlands Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan/Development Parameters

Development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Babcock MPD," stamped received June 22, 2017, last revised June 21, 2017, and attached hereto as Exhibit C, except as modified by the conditions below.

Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned

development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

Approved development parameters: *(*Subject to Condition 12*)

1,630 residential dwelling units,
600 hotel rooms, and
1,170,000 square feet of commercial office and retail uses.

2. Uses and Site Development Regulations

a. Schedule of Uses

Mixed-Use/Residential (MU-1/R) & Mixed-Use (MU-1 & MU-2)

Accessory uses and structures
Accessory apartment
Administrative offices
Agricultural uses
Animals, clinic or kennel
Assisted living facilities
ATM
Auto parts stare
Automobile repair and service
Automobile service station
Bait and tackle shop
Banks and financial establishments, Group I
Bar or cocktail lounge
Bed and breakfast, *included in 1,630 residential dwelling units*
Boat parts store
Building material sales
Business services, Group I
Caretaker's residence
Car wash
Cleaning and maintenance services
Clothing stores, general
Clubs:
- Commercial
- Fraternal, membership organization
- Private

Community gardens
Computers, data processing
Consumption on premises
Convenience food and beverage store with fuel pumps, limited to 4 stores, each with up to 24 fuel pumps.
Cultural facilities
Day Care, child and adult
Department store
Dormitory
Drive-through facility for any permitted use
Drugstore, pharmacy

Dwelling units:
- Live work
- Single-family
- Two-family attached
- Townhouse
- Multiple-family building
- Zero lot line

EMS, fire, or sheriff's station
Essential Services
Essential Service Facilities, Groups I and II
Entrance gates and gatehouses
Excavation, water retention
Farm equipment, sales, storage, rental or service
Fences, walls
Flea market, open and indoor
Food and beverage services, limited
Food stores, Group I
Forestry tower
Gift and souvenir shop
Golf driving range
Hardware store
Healthcare facilities, Groups I, II & III
Hobby, toy and game shops
Home occupation
Hospice
Hotel/motel - limited to 600 rooms
Household and office furnishings, Group I
Insurance Companies
Laundry and dry cleaning, Group I
Lawn & garden supply store
Library
Manufacturing, food and kindred products, Group II (limited to malt beverages, wine, brandy, and brandy sprits)
Medical office
Model homes, model display center
Night Clubs
Non-store retailers, Group I
Package store
Paint, glass and wallpaper stores
Parks, Groups I, II
Parking Lot,
- Accessory
- Commercial
- Park-and-ride
- Temporary

Personal Services, Groups I, II (excluding massage parlors and steam or Turkish bath)
Pet services
Pet shop
Photofinishing laboratory
Place of worship

Post Office
Printing and publishing
Real estate sales office
Recreation facilities, commercial, Groups I - IV
Recreational facilities, personal, private on-site, private off-site
Religious facilities
Rental or leasing establishments, Groups I, II, III
Repair shops, all groups
Research and development laboratories, Groups I, II
Residential accessory uses
Restaurant, fast food
Restaurants, all groups
Schools, commercial and non-commercial
Self-service fuel pumps
Signs
Social services, all groups
Specialty retail shops, all groups
Stable:
    Boarding
    Commercial
    Private
Storage, Indoor
Studios
Temporary uses, limited to seasonal farmers' market, Christmas tree sales, and temporary contractor's office and equipment storage shed
Theater, indoor and outdoor
Timeshare units
Transportation services, Groups II, III
Used merchandise store, Group I
Variety store
Vehicle and equipment dealers, Groups II, III
Warehouse:
    Public
    Private
    Mini

RESIDENTIAL TOWN CENTER (R-1)

Accessory uses and structures
Administrative office
Agricultural uses
Clubs, private
Community gardens
Consumption on Premises in conjunction with recreational facilities
Dwelling units:
    Single-family detached
    Two-family attached
    Townhome
    Multi-family buildings
    Zero lot line
EMS, Fire, or Sheriff's Station

Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation - water retention
Fences, walls
Home occupation
Models, model home, display center, sales center
Parking lot:
    Accessory
    Temporary
Real estate sales office
Recreational facilities, personal & private, on-site and off-site
Residential accessory uses and structures
Signs
Stable:
    Boarding
    Commercial
    Private
Temporary Uses, limited to temporary contractor's office and equipment storage shed

RESIDENTIAL NEIGHBORHOOD (R-2):

Accessory uses and structures
Administrative office
Agricultural uses
Clubs, private
Community gardens
Consumption on Premises in conjunction with recreational facilities
Dwelling units:
    Single-family detached
    Two-family attached
    Townhouse
    Zero lot line
Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation – water retention
Fences, walls
Home occupation
Models, model home, display center, sales center
Parking lot:
    Accessory
    Temporary
Real estate sales office
Recreational facilities, personal & private, on-site and off-site
Residential accessory uses and structures
Signs
Stable:
    Boarding
    Commercial

Private
Temporary Uses, limited to temporary contractor's office and equipment storage shed

RESIDENTIAL ESTATES (R-3):

Accessory uses and structures
Agricultural uses
Clubs, private
Community administrative office
Community gardens
Consumption on Premises in conjunction with recreational facilities
Dwelling units:
Single-family detached only
Entrance gates and gatehouses
Essential services
Essential service facilities, Group I
Excavation - water retention
Fences, walls
Home occupation
Models, model home, display center, sales center
Parking lot:
Accessory
Temporary
Real estate sales office
Recreational facilities, personal & private, on-site and off-site
Residential accessory uses and structures
Signs
Stable:
Boarding
Commercial
Private
Temporary Uses, limited to temporary contractor's office and equipment storage shed

b. **Property Development Regulations**

~~See Exhibit C.~~ See Exhibit E. (See County Attorney Memo dated 5/21/2018)

3. Environmental Conditions

a. Human-Wildlife Coexistence and Protected Species Management Plans. The local development order approval must include a Human-Wildlife Coexistence Plan and Protected Species Management Plan. These plans must include the following items:

i. Lighting. The developer and future property owners must ensure lighting from developed areas does not directly illuminate indigenous preserve and restoration areas by shielding fixtures and eliminating up lighting. The developer must include these lighting standards in the indigenous management plan, deed restrictions, and on development order plans.

ii. Prescribed Burning. Prior to prescribed burn management activities on adjacent public preserve lands, if notified by park staff, the Homeowner's Association must notify all residents of the prescribed burn activities. The developer must include in the deed restrictions information on prescribed burning land management techniques for the subject property as well as the Conservation 20/20 Lands.

iii. Internal Trail System. Provide documentation from Lee County Conservation 20/20 regarding proposed recreational connections to adjacent public conservation lands and show connections on development order plans.

iv. Wildlife Crossings. The development order plans must illustrate wildlife crossings within the Lee County portion of the Babcock Ranch Community to promote wildlife movement.

v. Panther and Black Bear. The developer must submit a Florida Panther and Florida Black Bear Management plan for approval. This management plan must require the developer to provide the residents with educational brochures that details how the preserve will be maintained as panther and bear habitat and also require bear-proof dumpsters and bear-proof individual trash receptacles for residential units. The developer must include these requirements in the deed restrictions.

vi. American Alligator/Wading Birds. The developer must submit management plans for the American alligator and listed wading bird species in compliance with the LDC for review and approval by Lee County Division of Environmental Sciences. The management plans must include informational brochures for residents on living with alligators and wading birds as well as the importance of the littoral areas and adjacent preserves that provide for nesting and foraging habitat.

vii. Informational Signs. The development order plans must include the location and details of the signs installed between the lake, preserve, and residential buildings warning residents and members of the public that alligators may be present and that it is dangerous and illegal to feed or harass alligators. The developer must also include these warnings in the deed restrictions.

b. Vegetation Removal Permit. The developer must submit updated species surveys identifying the location of protected species nests and clearing limit protection zones prior to the approval of Vegetation Removal Permits for each phase of development.

c. Open Space. Prior to development order approval, development order plans must demonstrate 60% open space; 50% of the property as indigenous preserve area; and 10% open space per development area.

d. Native Landscaping. Prior to each development order approval, all required landscaping proposed in common open space areas must 100% native species.

e. Compliance with Management Plans. Prior to development order approval, development order plans must be in substantial compliance with the following:

i. Protected Species Management Plan stamped received June 1, 2017;

ii. Indigenous Management Plan and Mitigation Plans stamped received June 1, 2017; and

iii. Supplemental Planting Plan and Success Criteria stamped received June 1, 2017.

f. Conservation Easement Phasing Schedule. Prior to each development order approval, the phasing schedule must provide the following Conservation Easement ratios and indigenous management plan to be equal to or greater than the area of land approved for development on a cumulative basis:

i. 125% of Mixed Use/Residential (MU-1/R) proposed:
ii. 150% of Mixed Use 1 (MU-1) proposed;
iii. 200% of Mixed Use 2 (MU-2) proposed;
iv. 125% of Residential 1 (R-1);
v. 50% of Residential 2 (R-2);
vi. 15% of Residential 3 (R-3); and
vii. Preserve restoration must be completed within five years of development order approval.

g. Platting and Maintenance of Open Space. Prior to each development order approval, the developer must plat open space areas in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. The developer must create a Community Development District (CDD), Independent Special District (ISD), or a master property owners' association to accept responsibility for perpetual maintenance of project open space areas.

h. State Road 31 Buffer. Prior to development order approval, the developer must provide an enhanced, 50-foot wide Type D buffer adjacent to State Road 31 (SR-31) containing the following:

i. Ten trees per 100 linear feet installed at 14 feet, 4-inch caliper, and 8-foot canopy spread;

ii. Twenty-five shrubs per 100 linear feet installed at 48 inches in height,

iii. Height of plant material must be measured from grade of SR-31;

iv. Plant material must be 100% native and provided with an automatic irrigation system with rain sensor; and

v. The use of existing native vegetation to meet buffer requirements is permissible at a 1:1 ratio as long as the existing vegetation is healthy and meets code-mandated heights.

i. Prior to development order approval, an enhanced 100-foot wide buffer must be provided adjacent to North River Road consisting of the following:

   i. Ten trees per 100 linear feet installed at 14 feet, 4-inch caliper, and 8-foot canopy spread;

   ii. Twenty-five shrubs per 100 linear feet installed at 48 inches in height;

   iii. Height of plant material must be measured from the grade of North River Road;

   iv. Plant material must be 100% native and provided with an automatic irrigation system with rain sensor; and

   v. The developer may use existing native vegetation to satisfy buffer conditions at a 1:1 ratio as long as the vegetation meets the height requirement and is healthy.

j. Buffering Adjacent Property. Prior to development order approval, a tree survey must be provided to demonstrate that the existing vegetation along the north and eastern boundary adjacent to the residential use meet the LDC buffer requirements. If this area cannot meet the LDC, the landscape plan must illustrate buffer plantings to meet code.

k. Enhanced Buffering of Adjacent Property. Prior to development order approval, the boundary adjacent to Turkey Run Lane (residential use) must provide a Type F buffer to meet the LDC. The developer may use the existing native vegetation to meet this buffer requirement at 1:1 ratio, as long as the vegetation meets the height requirement and is healthy.

l. Indigenous Preserves. Prior to local development order approval for portions of the project that include indigenous preserves, the developer must:

   i. Submit a detailed site plan depicting the location of pedestrian trails, kiosks, shelters, and offsite connections, and

   ii. Submit an indigenous management plan with a long-term plan for maintenance of pedestrian trail systems.

4. Natural Resources

a. Surface Water and Groundwater Monitoring Plan. The developer must submit a Water Quality and Quantity Monitoring Plan for review and approval by County staff prior to the first development order approval. The design of the storm water management system must demonstrate through construction, monitoring or other means that water leaving the development meets state and federal water quality standards. The Water Quality Monitoring Plan must, at a minimum, address issues related to quality of reclaimed water used for landscape irrigation, annual assessment of water quality data, trend analysis, identification of potential problems, and recommended corrective actions.

The developer must start annual monitoring of groundwater levels and water quality in the Sandstone Aquifer at least one year prior to developing that aquifer as a supplemental irrigation source. The developer must provide all monitoring data to the Division of Natural Resources (DNR), in an approved Electronic Data Deliverable (EDD) format upon request.

b. Storm Water Management System. The storm water management system must demonstrate at the time of development order approval that water leaving the development will meet or exceed the requirements set forth in South Florida Water Management District Permit No. 08-00004-S-05.

c. Function of Water Management Systems. The developer must design the water management system to reduce existing flow rates prior to leaving the property to move the system towards the function of a natural system.

d. Pre-Treatment of Storm Water. The project will use the South Florida Water Management District standard for water quality treatment volume equal to the greater of 1 inch of runoff from the entire drainage area or 2.5 time the percent impervious. Development order plans must demonstrate the improvements will provide an additional 50% treatment beyond the required treatment for individual control basins.

e. Discharge Rates. The developer must design the project to reduce the peak allowable discharge across the developed Lee County lands to 82.2CMS from the existing 194.9CSM allowable discharge rate.

f. Central Water and Sewer Service. The project must connect to centralized potable water and sewer service, with the exception of interim facilities used on a temporary basis during construction and unmanned essential services on a temporary basis until water and sewer is extended to the development. The project must connect to reclaimed water, if available at the time of development order approval.

g. Water Quality Monitoring Plan. The developer must demonstrate that the design of the water management system ensures water leaving the project meets state and federal water quality standards. Outfall monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the South Florida Water Management District. The County will re-evaluate the frequency of monitoring after 5 years if the water quality standards are met. The local development order submittal for the first phase of development must include a Water Quality Monitoring Plan. Approval of the Water Quality Monitoring Plan by Lee County Division of Natural Resource is required prior to discharging project storm water in the County's MS4 system.

h. Lake Management Plan.

i. The developer must submit a Lake Management Plan for review and approval by the County DNR staff prior to the first development order approval. The Lake Management Plan must incorporate the Lake

Maintenance Plan and the Water Quality Monitoring Plan. The developer or its successors must review the Lake Management Plan annually and take remedial actions, if necessary. Changes to the Lake Management Plan are subject to the approval of County DNR staff.

ii. The developer must submit a Lake Management Plan at the time of local development order application that:

(1) Applies best management practices (BMPs) fertilizers and pesticides:

(2) Provides erosion control and bank stabilization: and

(3) Establishes lake maintenance requirements and deep lake management for lakes exceeding 12 feet below lake surface (BLS).

i. Landscape Management Plan. The developer must submit a Landscape Management Plan for review and approval by the County DNR staff prior to the first development order approval. Homeowners Association documents including Declarations and Covenants must allow only licensed landscape or other professionals authorized by Lee County to perform activities including application of fertilizers, pesticides, insecticides, herbicides, nematicides, or other chemicals on the property. The Landscape Management Plan must include a list of BMP's to address potential degradation of surface or groundwater due to use of regulated substances on site.

j. Ecological and Hydrological Plan. The developer must submit a site-specific Ecological and Hydrological Plan that includes the following: preliminary excavation and grading plans, exotic removal and maintenance plan, supplemental planting plan, and success criteria for meeting established goals.

k. Irrigation. The developer and its successors must first utilize reuse and then surface water generated by the project to meet the irrigation demands of the recreation and development areas, if reuse is available. Until reuse is available, the developer must meet the requirements of the Water Conservation Ordinance (Ord. # 17-04).

5. Vehicular/Pedestrian Impacts

a. The access points shown on the MCP are conceptual and subject to change/shift based upon final approval by the Florida Department of Transportation.

b. The access from North River Road/County Road 78 (CR-78) is limited to emergency access.

c. Entrance gates and gatehouses are limited to internal sub-neighborhoods. The developer may not gate the access to the MPD from SR-31. Access to the MPD from SR-31 must be open to the public. The developer must install a gate at the emergency only access from North River Road, but must facilitate ingress/egress for Fire, Sheriff, and EMS.

d. The project must provide public access to internal trail systems. The developer must coordinate external connections to Lee County conservation lands with Lee County Parks and Recreation and Conservation 20/20.

e. The project must provide sufficient right-of-way to accommodate an 8-foot wide multi-purpose pathway along the SR-31 and CR-78 roadway frontages.

f. Zoning approval does not address mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

6. Lee Plan Consistency

Zoning approval does not guarantee local development order approval. Future development orders must comply with the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well the remainder of the Lee Plan.

7. Concurrency

Zoning approval does not constitute a finding that the proposed project meets the concurrency requirements of the Lee Plan or LDC. The developer must demonstrate compliance with concurrency requirements prior to issuance of a local development order.

8. Agricultural Uses

Agricultural Uses: Existing bona fide agricultural uses may continue as follows:

a. Bona fide agricultural uses consisting of grazing, sod farming, and row cropping in existence at the time the zoning application, may continue in areas depicted on Exhibit D until local development order approval for the area containing the agricultural uses.

b. Clearing or injury of native trees or other native vegetation, including understory, in agricultural areas is prohibited. Areas of bona fide agricultural use that include existing grass pasture(s) may be mowed, but may not be cleared or expanded. Violations of this condition will require restoration in accordance with the LDC. The prohibition on clearing or expansion of agricultural use does not preclude County approved requests for removal of invasive exotic vegetation.

c. Prior to issuance of a local development order over land areas with agricultural uses, for the portion that contains the agricultural use, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

i. Termination of agricultural uses on the property included in the development order application/approval. Proof must include a sworn affidavit from the property titleholder specifically providing:

(1) The date agricultural use ceased;

(2) The legal description of the property subject to the development order approval;

(3) An affirmative statement by the owner acknowledging and agreeing that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the County not to allow agricultural uses until the property is rezoned to permit agricultural uses; and

(4) That the affidavit constitutes a covenant between the owner and the County that is binding on the owner, their assignees and successors in interest.

The affidavit must be properly recorded in the public records of Lee County at the owner's expense.

ii. Proof of termination of the agricultural tax exemption for the portion of the property included in the development order application/approval. Proof of termination must include a copy of the owner's request to terminate the tax exemption provided to the Property Appraiser.

9. Development Permits

Issuance of a county development permit does not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the County if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

10. EMS

Prior the first development order approval for vertical development, the developer must enter into a development agreement with the County to ensure that Emergency Medical Services will be available to serve the project within adopted response times. If site work commences before finalizing the development agreement, the developer must communicate the site access and access limitations to the Lee County Department of Public Safety.

11. Blasting

Prior to the issuance of a blasting permit, the developer must provide soils boring reports to Lee County, during the development order process, identifying the blasting area and the presence of hard limestone, or other supportive geotechnical data, to demonstrate blasting is required. The report must also include details on the mitigation of negative impacts.

12. Development limits

a. Commercial Use. The commercial uses permitted within this MPD may not exceed 1,170,000 square feet and 600 hotel rooms. Further, when combined with commercial development in the Charlotte County Babcock Ranch DRI, commercial

development within the MPD may not exceed the total commercial use approved in the Babcock Ranch Community Master Development of Regional Impact (DRI) Development Order (4,900,000 square feet, as may be modified by the DRI's adopted conversion matrix).

The developer must submit the following monitoring reports to Lee County to demonstrate compliance with this condition until project build out:

i. With every Lee County development order application for commercial use, the developer must submit a report itemizing the square footage of commercial use permitted to date in Charlotte and Lee Counties.

iii. The developer must submit a biennial tabulation documenting the cumulative total of commercial development permitted in Lee and Charlotte Counties.

Based upon the above documentation, the County may require additional assurances the developer will not exceed these limitations before permitting further commercial development. Assurances may include: (1) a binding development agreement between the developer and Lee County further limiting commercial development within the MPD; or (2) an administrative reduction of the commercial development parameters approved by this MPD. The County may discontinue further commercial development permitting until the developer provides these assurances.

b. Residential Use. The residential unit count may not exceed 1,630 dwelling units using the LDC density equivalents for dormitories, timeshare units, assisted living facilities, independent living facilities, accessory apartments and caretaker residences.

13. Waterbody setback

A maximum of 20% of individual lake shorelines may have a 0-foot setback for private on-site recreational facilities and other amenities. See, Deviation 7.

DEVIATIONS:

1. Buffering Adjacent Property. Deviation (1) seeks relief from the LDC §10-416(d)(1) requirement to provide a buffer along the entire perimeter of the development whenever the development abuts a different use, to allow no perimeter buffer where the proposed development abuts future development within the Town of Babcock Ranch in Charlotte County. This deviation will allow necessary surface water connections from the north to the south when the restoration and preserve management is proposed. This deviation is APPROVED.

2. Buffering Adjacent Property. Deviation (2) seeks relief from the LDC §10-416(d)(1) requirement to provide internal buffers within the MPD boundary, to allow for no internal perimeter buffers around different use areas within the Mixed Use areas (MU-1 & MU-2), and the western-most Residential Town Center (R-1). The deviation will allow for a cohesive and unified development. This deviation is APPROVED.

3. Buffering Adjacent Property. Deviation (3) seeks relief from the LDC §10-416(d) requirement to provide a 30-foot wide Type "F" buffer where development abuts public preserve lands, to allow retention of existing, native vegetation along the southern and eastern MPD boundaries where proposed preserve areas abuts 20/20 conservation lands. The deviation encourages habitat connectivity. This deviation is APPROVED.

4. North River Road Plantings. Deviation (4) seeks relief from the LDC §33-1673 requirement to provide new developments with frontage on North River Road to provide a 25-foot wide right-of-way buffer, planted with native canopy trees, such as Live Oaks and Laurel Oaks, to allow retention of the existing native vegetation along the North River Road frontage where proposed preserve areas abut right-of-way. This deviation is APPROVED SUBJECT TO condition 3i.

5. Setbacks of Structures/Buildings from Development Perimeter Boundaries. Deviation (5) seeks relief from the LDC §34-935(b)(1) requirement to provide a minimum of 25-foot setbacks for all structures and buildings from the planned development boundary, to allow no perimeter setback where the development abuts future development areas within the Town of Babcock Ranch in Charlotte County. This deviation is APPROVED.

6. Building Height. Deviation (6) seeks relief from the LDC §34-935(f) requirement which limits maximum building height in Suburban, Outlying Suburban, and Rural land use categories, and in other land use categories to 45 feet/three stories above minimum flood elevation, to allow maximum building heights of 65 feet/five stories in Mixed Use areas (MU-1 & MU-2). The requested building height applies to two mixed-use development pods that are set back a large distance from external roadways and private properties outside the project. This deviation is APPROVED.

7. Waterbody Setbacks. Deviation (7) seeks relief from the LDC §34-2194(b) requirement to provide a minimum 25-foot setback between buildings and structures and bodies of water, to allow a 0-foot setback between private on-site and off-site recreational facilities and internal artificial bodies of water. This deviation will allow recreational facilities and other amenities to be closer to the edge of water and take advantage of the view and allow for recreational activities such as fishing, boating, etc. This deviation is APPROVED SUBJECT TO Condition 13.

8. Required Street Access. Deviation (8) seeks relief from the LDC §10-291 (3) requirement to provide residential developments of more than five acres to provide more than one means of ingress or egress for the development, to allow one (1) access point from Charlotte County for Tracts R-1, R-2 and R-3. The deviation applies to four individual development pods that are components of larger development pods in Charlotte County with multiple access points. Preserve areas surrounding the four pods makes it impossible to access those pods from Lee County. This deviation is APPROVED.

9. Buffering Adjacent Property. Deviation (9) seeks relief from the LDC §10-416(d) requirement to provide 30-foot wide Type "F" buffer where proposed commercial and mixed use development areas abut single-family residential dwelling units, to allow retention of existing, native vegetation along the eastern and southern MPD boundaries where proposed preserve areas abut existing single-family residential uses on Turkey Run Lane. This deviation is APPROVED for north and eastern cutout subject to Conditions 3.j and 3.k. If at the time of development order application, the developer demonstrates existing native vegetation along the western boundary meets the Type F 30-foot buffer

standards, then the deviation is also approved along that boundary in lieu of installing the code-required buffer.

SECTION C. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Bona Fide Agricultural Uses
Exhibit E: Property Development Regulations (See County Attorney Memo dated 5/21/2018)

SECTION D. FINDINGS AND CONCLUSIONS:

1. The requested MPD zoning is consistent with the Lee Plan. *See*, Lee Plan Vision Statement – Paragraphs 24 and 25 (Northeast Lee County and North Olga Planning Communities), Goals 2, 5, 6, 34, 35, 60, 61, 107, 114; Objectives 1.5, 1.6, 2.2, 4.1, 11.1, 34.5, 35.4, 35.7, 35.8, 35.10, 35.11 and Policies 1.1.11, 34.3.1, 35.2.1, 35.3.4, 114.1.1; Lee Plan Map 16 and Table 1(a).

2. As conditioned, the MPD zoning designation:

   a. is consistent with County regulations or qualifies for deviations. LDC §§ 33-1484, 33-1665, 34-341(a), 34-411, 34-612(2) and 34-373(a)(9);

   b. is compatible with existing or planned uses in the surrounding area. Lee Plan Objectives 2.2, 35.1, 35.2 and Policies 2.1.1, 5.1.5, 5.2.4, 6.1.4, 35.3.4, 135.9.5, 158.1.7; LDC §34-413, and

   c. will not adversely affect environmentally sensitive areas or natural resources. *See*, Lee Plan Goals 60, 61, 107, 115, Objectives 34.3, 35.7, 35.8, 60.5, 61.2, 61.3, 114.1, Policies 1.5.1, 1.6.1, 6.1.6, 34.3.2, 34.4.3, 35.8.2, 35.11.3, 60.5.1, 60.5.2, 60.5.3, 61.3.6, 61.3.8, 61.3.11, 107.2.4, 115.1.2, 158.1.7, and Standard 4.1.3.

3. There is sufficient road access to support the proposed development intensity.

4. Impacts on transportation facilities will be addressed by County regulations and conditions of approval. *See,* Lee Plan Objective 35.5, Policies 6.1.5, 36.3.3, 38.1.1, 38.1.5, 39.1.1; *See also*, LDC 2-261 *et seq.*, §§ 34-411(d) and (e).

5. Urban services will be available to serve the development. *See,* Standards 4.1.1, 4.1.2; Objectives 2.2, 4.1.

6. The proposed uses are appropriate at the subject location. *See,* Lee Plan Goals 5, 6; Policies 1.1.1, 2.1.1.

7. The County regulations and recommended conditions of approval provide sufficient safeguards to protect the public interest. *See*, Lee Plan Policies 5.1.5, 5.2.2, 6.1.3, 6.1.6, 35.1.1, 35.2.2, 35.3.3, 115.1.3, 135.9.6; LDC §§ 34-377(a)(3), and 34-411(c).

8. The recommended conditions reasonably relate to the impacts expected from the proposed development. Lee Plan Policies 5.1.5, 6.1.3, 34.4.3, 35.11.3, 135.9.5, 158.1.7; LDC §§ 34-145(d)(4)a.2.(b), 34-411, and 34-932(c).

9. The deviations recommended for approval herein enhance the planned development and preserve the intent of the LDC to protect the public health, safety and welfare. LDC §§ 34-373(a)(9), 34-377(a)(4).

SECTION E. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Kiker. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Absent
Frank Mann	Nay

DULY PASSED AND ADOPTED this 7th day of February, 2018.

ATTEST:
LINDA DOGGETT, CLERK

BY: Chris Dr
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Larry Kiker
Cecil Pendergrass, Chair Vice Chairman

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Michael D. Jacob
Deputy County Attorney
County Attorney's Office

2018 FEB 21 PM 2:36
MINUTES OFFICE

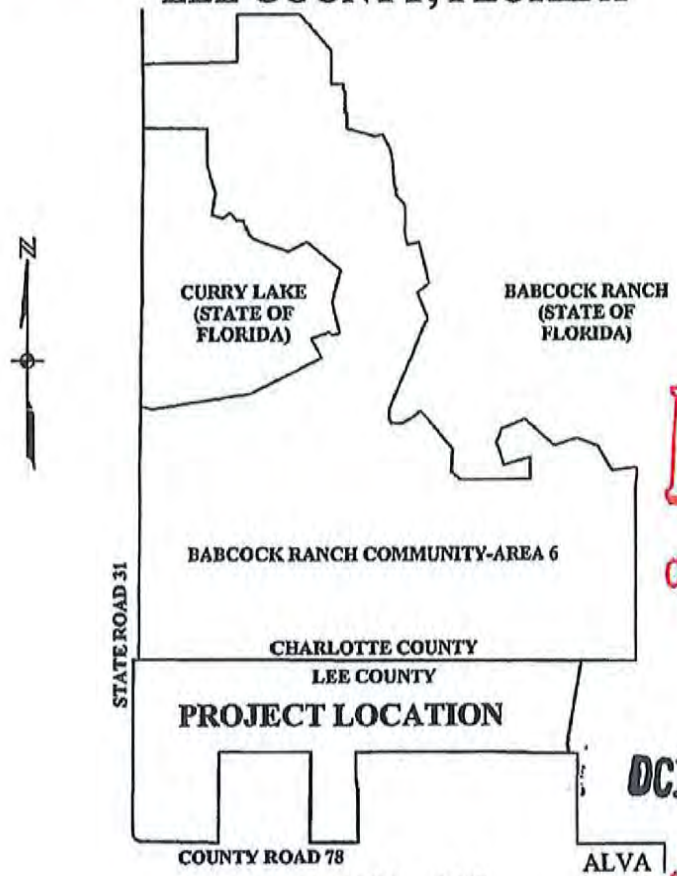
Case No. DCI2016-00022

SKETCH AND DESCRIPTION

LEE COUNTY BABCOCK RANCH COMMUNITY

SECTIONS 1-7 & 9, TOWNSHIP 43 SOUTH, RANGE 26 EAST

LEE COUNTY, FLORIDA



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NOV 17 2016
COMMUNITY DEVELOPMENT

DCI 2016-00022

Applicant's Legal Checked
by ES 11/28/16

0 5,000 10,000
SCALE IN FEET

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER & NOTES
2	DESCRIPTION
3-5	SKETCH

NOTES:

1. Sketch of Description, prepared as requested by Kitson and Partners.
2. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
3. Bearing Reference: State Plane Coordinate, Florida West Zone, NAD 83(99). Bearing of S89°41'45"E on the north line of Section 6, Township 43 South, Range 26 East.
4. This Sketch of Description is subject to easements, restrictions, reservations and rights-of-way of record.
5. This Sketch of Description is not a determination of the limits of ownership.
6. Description on sheet 2.
7. Not valid unless accompanied by all sheets in set.
8. Dimensions are grid values.

NOT A SURVEY

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE LEGAL DESCRIPTION AND ATTACHED SKETCH WERE PREPARED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472, FLORIDA STATUTES.

MATTHEW M. HOWARD (FOR THE FIRM L.B. 642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4912

DATE SIGNED: 11-8-16

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

C:\2016\20160204-000\Surveying\Sketch\LEE COUNTY AREA 6 SKETCH.dwg (1 COVER) MMH Aug 09, 2016 - 10:55am

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	20160204-001	1-43-26	As Shown	1 OF 5

EXHIBIT A

DESCRIPTION:

LEE COUNTY PARCEL:
A parcel of land lying within Sections 1 through 7 and Section 9, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Section 6, Township 43 South, Range 26 East and run S89°41'45"E, along the North line of said Section 6, a distance of 50.00 feet to a point on the East right-of-way line of State Road No. 31, said point also being the Point of Beginning of the parcel of land herein described; Thence continue S89°41'45"E a distance of 5189.75 feet to the Northeast corner of Section 6, Township 43 South, Range 26 East; Thence S89°41'45"E a distance of 5306.08 feet to the Northeast corner of Section 5, Township 43 South, Range 26 East; Thence S89°37'16"E a distance of 5289.11 feet to the Northeast corner of Section 4, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5294.60 feet to the Northeast corner of Section 3, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5294.60 feet to the Northeast corner of Section 2, Township 43 South, Range 26 East; Thence S89°35'44"E, along the North line of Section 1, Township 43 South, Range 26 East, a distance of 155.76 feet; Thence S09°58'52"W a distance of 4667.96 feet; Thence S04°10'14"W a distance of 283.52 feet; Thence S03°53'19"E a distance of 515.32 feet to a point on the South line of Section 2, Township 43 South, Range 26 East (said point being 558.41 feet West of the Southeast corner of said Section 2); Thence N88°38'22"W a distance of 2084.07 feet to the South one-quarter corner of said Section 2; Thence N88°38'42"W a distance of 2642.06 feet to the Southwest corner of said Section 2; Thence N89°51'49"W a distance of 5300.09 feet to the Southwest corner of Section 3, Township 43 South, Range 26 East; Thence N89°51'54"W a distance of 2650.09 feet to the South one-quarter corner of Section 4, Township 43 South, Range 26 East; Thence S00°23'25"W a distance of 1330.65 feet to the Southwest corner of the North one-half of the Northeast one-quarter of Section 9, Township 43 South, Range 26 East; Thence S06°02'41"E a distance of 1338.36 feet to a point on the North line of the Southeast one-quarter of said Section 9 (said point being 150.00 feet East of the Northwest corner of the Southeast one-quarter of said Section 9); Thence S00°22'58"W, parallel with and 150.00 feet East of the West line of the Southeast one-quarter of said Section 9, a distance of 2611.56 feet to a point on the North right-of-way line of County Road No. 78; Thence along said right-of-way line the following courses and distances, N89°54'54"W a distance of 150.26 feet and N89°54'44"W a distance of 2648.95 feet to a point on the West line of said Section 9; Thence N00°22'31"E a distance of 2612.02 feet to the West one-quarter corner of said Section 9; Thence N00°21'56"E a distance of 2663.13 feet to the Southeast corner of Section 5, Township 43 South, Range 26 East; Thence N89°52'00"W a distance of 2666.70 feet to the South one-quarter corner of said Section 5; Thence N89°50'47"W a distance of 2667.42 feet to the Southwest corner of said Section 5; Thence S00°23'16"W, along the East line of Section 7, Township 43 South, Range 26 East, a distance of 5294.00 feet to a point on the North right-of-way line of County Road No. 78; Thence Westerly along the curved right-of-way line, (said curve being curved concave to the North, having a delta angle of 00°53'52" and a radius of 11339.17 feet, with a chord bearing of N89°19'12"W and a chord length of 177.69 feet) a distance of 177.69 feet to the end of the curve; Thence N88°52'16"W, along said North right-of-way line, a distance of 4406.31 feet to the beginning of a curve to the right; Thence along the arc of the curved right-of-way line, (said curve being curved concave to the Northeast, having a delta angle of 89°12'05" and a radius of 522.94 feet, with a chord bearing of N44°16'14"W and a chord length of 734.38 feet) a distance of 814.14 feet to a point on the East right-of-way line of State Road No. 31; Thence along the East right-of-way line for State Road No. 31, the following courses and distances, N00°19'49"E a distance of 4776.07 feet, N00°18'54"E a distance of 5313.41 feet and N00°36'46"E a distance of 0.14 feet to the Point of Beginning.
Containing 4,157.2 acres, more or less.

Bearings hereinabove mentioned are based on the North line of Section 6, Township 43 South, Range 26 East to bear S89°41'45"E.

DCI 2016-00022

O:\2016\20160204-000\Surveying\Sketch\LEE COUNTY AREA 6 SKETCH.dwg (2 DESCRIPTION) MMH Aug 09, 2016 - 10:55am

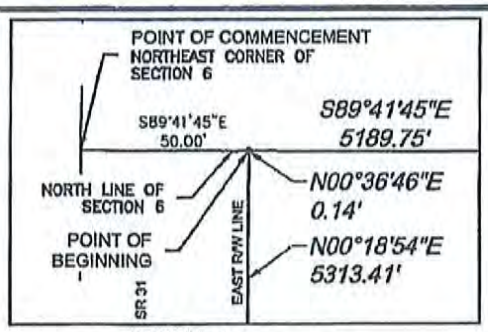
JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

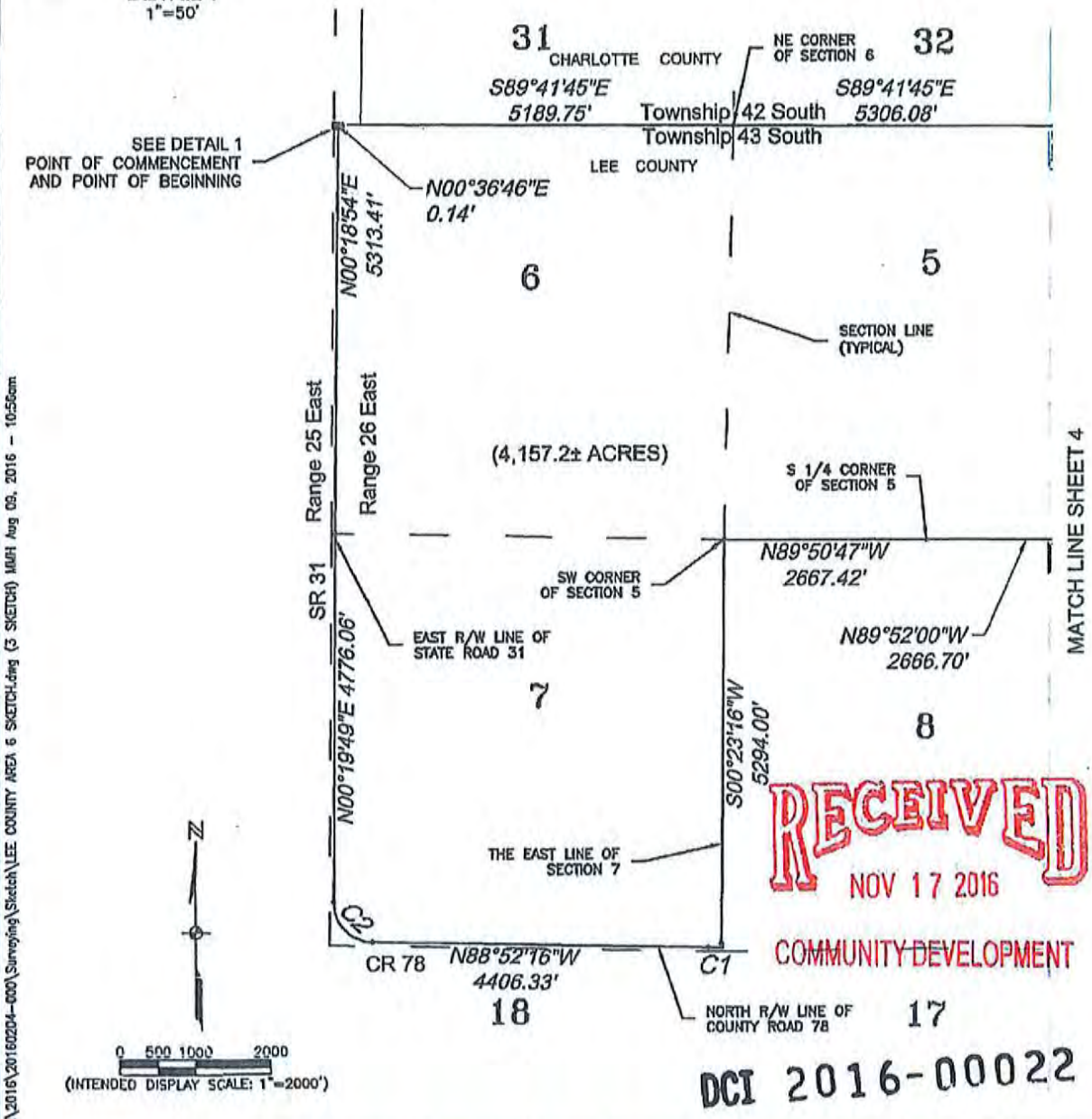
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	20160204-001	1-43-26	As Shown	2 OF 5

RECEIVED
NOV 17 2016
COMMUNITY DEVELOPMENT



DETAIL 1
1"=50'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	11339.17'	0°53'52"	N89°19'12"W	177.69'	177.69'
C2	522.94'	89°12'05"	N44°16'14"W	734.38'	814.14'



RECEIVED
NOV 17 2016
COMMUNITY DEVELOPMENT

DCI 2016-00022

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P.O. BOX 1550
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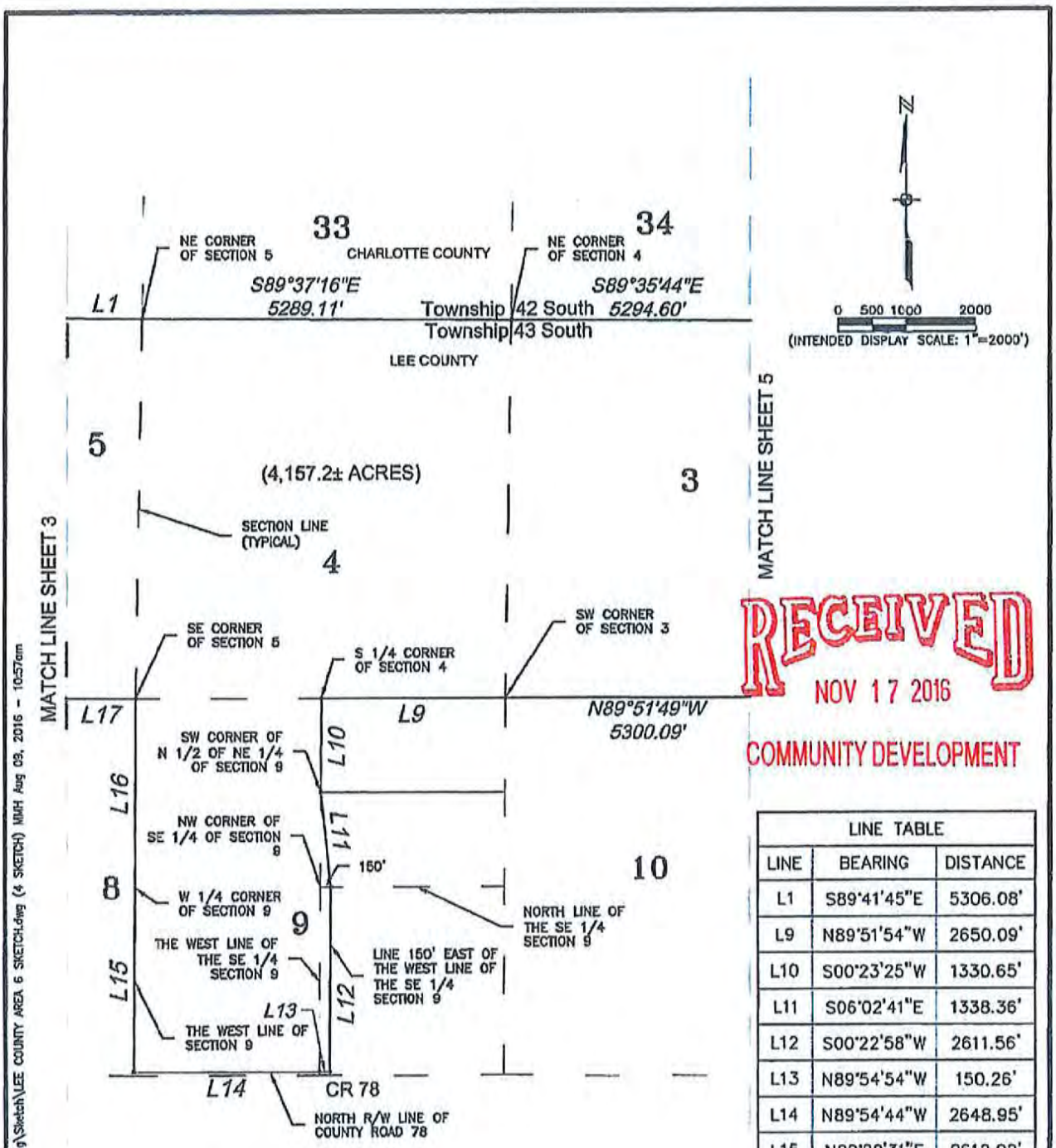
SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	20160204-001	1-43-26	As Shown	3 OF 5



RECEIVED
NOV 17 2016
COMMUNITY DEVELOPMENT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°41'45"E	5306.08'
L9	N89°51'54"W	2650.09'
L10	S00°23'25"W	1330.65'
L11	S06°02'41"E	1338.36'
L12	S00°22'58"W	2611.56'
L13	N89°54'54"W	150.26'
L14	N89°54'44"W	2648.95'
L15	N00°22'31"E	2612.02'
L16	N00°21'56"E	2663.13'
L17	N89°52'00"W	2666.70'

DCI 2016-00022

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SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

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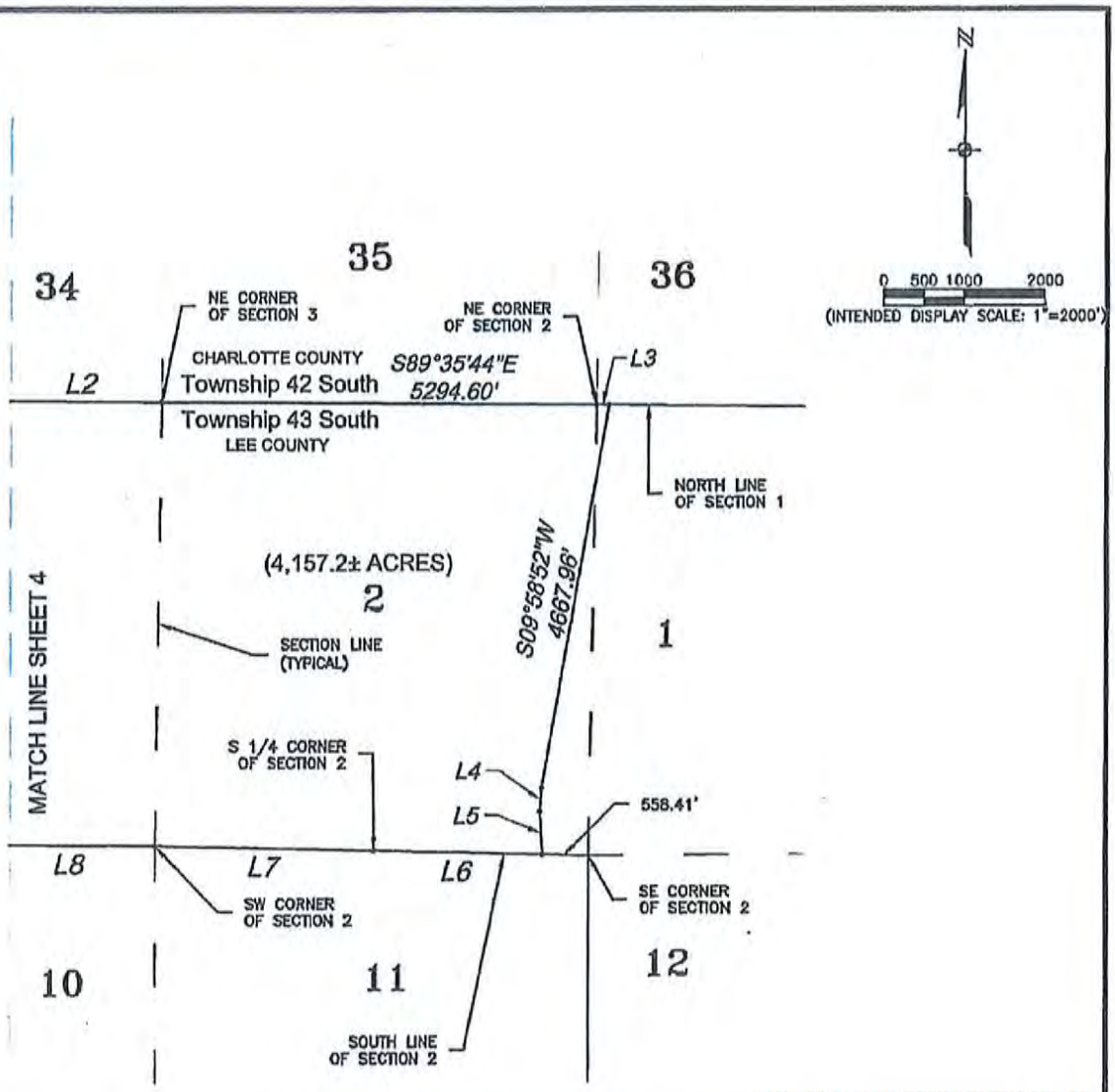
AUG. 2016	20160204-001	1-43-26	As Shown	4 OF 5



LINE TABLE		
LINE	BEARING	DISTANCE
L2	S89°35'44"E	5294.60'
L3	S89°35'44"E	155.76'
L4	S04°10'14"W	283.52'
L5	S03°53'19"E	515.32'
L6	N88°38'22"W	2084.07'
L7	N88°38'42"W	2642.06'
L8	N89°51'49"W	5300.09'

RECEIVED
NOV 17 2016
COMMUNITY DEVELOPMENT

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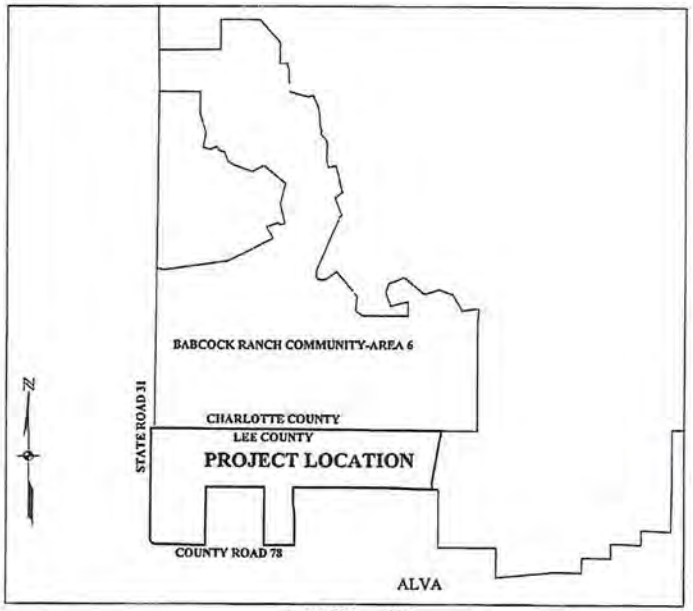
SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	20160204-001	1-43-26	As Shown	5 OF 5

BOUNDARY SURVEY
FOR
LEE COUNTY PORTION OF BABCOCK RANCH COMMUNITY
SECTIONS 1-7 & 9, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER, NOTES, & DESCRIPTION
2	BOUNDARY SURVEY
3	BOUNDARY SURVEY



DESCRIPTION:

LEE COUNTY PARCEL:

A parcel of land being within Sections 1 through 7 and Section 9, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Section 6, Township 43 South, Range 26 East and run S89°41'45"E, along the North line of said Section 6, a distance of 50.00 feet to a point on the East right-of-way line of State Road No. 31, said point also being the Point of Beginning of the parcel of land herein described; Thence continue S89°41'45"E a distance of 5188.70 feet to the Northeast corner of Section 6, Township 43 South, Range 26 East; Thence S89°41'45"E a distance of 5304.00 feet to the Northwest corner of Section 5, Township 43 South, Range 26 East; Thence S89°37'18"E a distance of 5289.11 feet to the Northeast corner of Section 4, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5294.60 feet to the Northwest corner of Section 3, Township 43 South, Range 26 East; Thence S88°32'44"E a distance of 5294.80 feet to the Northwest corner of Section 2, Township 43 South, Range 26 East; Thence S89°35'44"E, along the North line of Section 1, Township 43 South, Range 26 East, a distance of 155.76 feet; Thence S00°16'52"W a distance of 4467.06 feet; Thence S04°10'14"W a distance of 383.52 feet; Thence S00°53'11"E a distance of 315.32 feet to a point on the South line of Section 2, Township 43 South, Range 26 East (also point being 558.41 feet West of the Southeast corner of said Section 2); Thence N88°38'22"W a distance of 3054.07 feet to the South one-quarter corner of said Section 2; Thence N88°38'42"W a distance of 2612.06 feet to the Southeast corner of said Section 3; Thence N00°31'49"W a distance of 5300.09 feet to the Southeast corner of Section 3, Township 43 South, Range 26 East; Thence N00°31'34"W a distance of 2630.08 feet to the South one-quarter corner of Section 4, Township 43 South, Range 26 East; Thence S00°23'23"W a distance of 3300.85 feet to the Southwest corner of the North one-half of the Northwest one-quarter of Section 9, Township 43 South, Range 26 East; Thence S00°02'41"E a distance of 1338.26 feet to a point on the North line of the Southwest one-quarter of said Section 9 (said point being 150.00 feet East of the Northwest corner of the Southwest one-quarter of said Section 9); Thence S00°02'36"E, parallel with and 150.00 feet East of the West line of the Southwest one-quarter of said Section 9, a distance of 2611.56 feet to a point on the North right-of-way line of County Road No. 78; Thence along said right-of-way line the following courses and distances, N89°54'51"E a distance of 150.26 feet and N89°54'44"E a distance of 2646.60 feet to a point on the West line of said Section 8; Thence N00°22'31"E a distance of 2612.02 feet to the West one-quarter corner of said Section 8; Thence S00°21'54"E a distance of 2651.12 feet to the Southwest corner of Section 5, Township 43 South, Range 26 East; Thence N89°30'00"W a distance of 2666.70 feet to the South one-quarter corner of said Section 5; Thence N89°50'47"W a distance of 2667.42 feet to the Southwest corner of said Section 5; Thence S00°12'18"W, along the East line of Section 7, Township 43 South, Range 26 East, a distance of 5294.00 feet to a point on the North right-of-way line of County Road No. 78; Thence Westerly along the curved right-of-way line, (said curve being curved concave to the North, having a delta angle of 00°13'32" and a radius of 11339.17 feet, with a chord bearing of N87°19'13"W and a chord length of 177.59 feet) a distance of 177.59 feet to the end of the curve; Thence N88°32'16"W, along said North right-of-way line, a distance of 4436.31 feet to the beginning of a curve to the right; Thence along the arc of the curved right-of-way line, (said curve being curved concave to the Northeast, having a delta angle of 90°12'05" and a radius of 322.94 feet, with a chord bearing of N44°16'14"W and a chord length of 734.26 feet) a distance of 814.14 feet to a point on the East right-of-way line of State Road No. 31; Thence along the East right-of-way line of State Road No. 31, the following courses and distances, N00°19'45"E a distance of 4778.07 feet, N00°18'54"E a distance of 5313.41 feet and N00°26'48"E a distance of 6.44 feet to the Point of Beginning.

Containing 4,157.2 acres, more or less.

Bearings hereinabove mentioned are based on the North line of Section 6, Township 43 South, Range 26 East to bear S89°41'45"E.

NOTES:

1. Date of last field work August 15, 2016.
2. Survey for boundary and description.
3. Survey performed as requested by Kizen & Partners.
4. Improvements and utilities (above ground or underground) are not located or shown on this survey.
5. Fences are located at boundary corners only, unless otherwise shown.
6. Only overhead electric lines that cross the boundary line are shown on this survey, unless otherwise noted.
7. Access breaklines located during field survey, along the boundary, are shown.
8. All references to Official Records refer to the Public Records of Lee County, Florida.
9. Ownership data is from the 2016 Lee County, Florida, Geographic Information Systems website.
10. Bearing Reference: Florida State Plane Coordinate System, West Zone, NAD 83(90), with a bearing of S89°41'45"E on the North line of Section 6, Township 43 South, Range 26 East.
11. Dimensions and acreage shown on survey map are grid values.
12. Survey made with the review of a "Public Records Search" prepared by Chicago Title Insurance Company, Order No. 3954861, Customer Reference: 23640/32-Babcock/Lee CPL Gov & Ind, effective date: August 19, 2016 at 12:00 am.

\\TNSRV\Drawings\2016\20160204-001\Jensen\Survey\20160204-001.dwg (1 COVER) rpd Nov 21, 2016 - 10:28am

Approved by LEGAL CS

THIS SURVEY IS ONLY FOR THE BENEFIT OF:

BABCOCK PROPERTY HOLDINGS, L.L.C.
LEE COUNTY
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

NO OTHER PERSON OR ENTITY MAY RELY ON THIS SURVEY.

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472, FLORIDA STATUTES.

DCI2016-00022

MATTHEW M. HOWARD (FOR THE FIRM P.S. 642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5791

RECEIVED JAN 03 2017

DATE
SIGNED:
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED OR EMBOSSED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS CERTIFICATION IS TO THE DATE OF LAST FIELD WORK AS SHOWN IN NOTE 1 AND NOT THE SIGNATURE DATE.

FIELD BOOK 2969, PAGE 66 & FIELD BOOK 2720, PAGE 75

JOHNSON ENGINEERING
JOHNSON ENGINEERING, INC
2122 JOHNSON STREET
P.O. BOX 1648
FORT MYERS, FLORIDA 33902-1648
PHONE: (239) 334-0046
FAX: (239) 334-3661
C.A. #642 & L.B. #642

BABCOCK PROPERTY HOLDINGS, LLC

LEE COUNTY PORTION OF BABCOCK RANCH COMMUNITY

SECTIONS 1-7 & 9, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA, FLORIDA

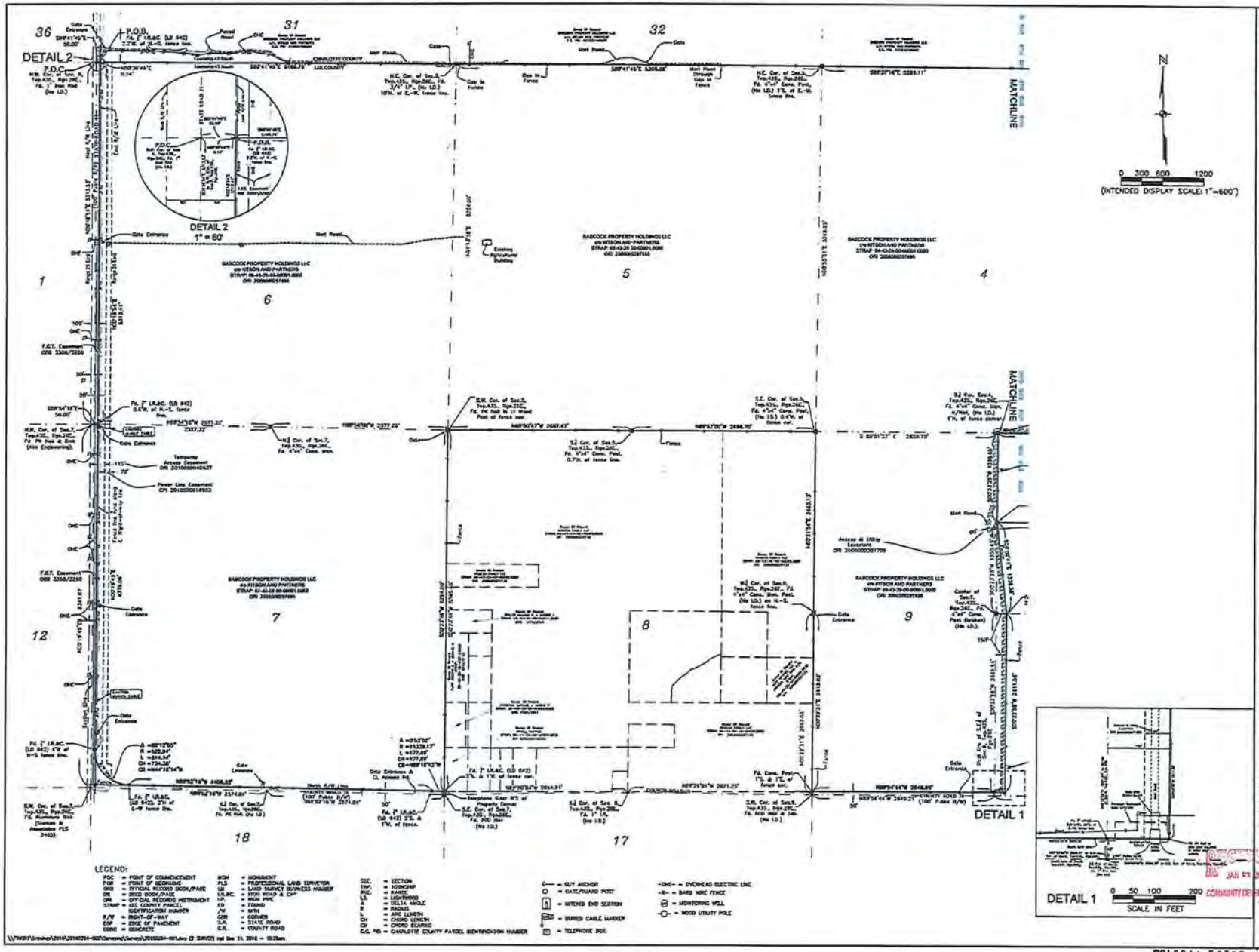
REVISIONS

DATE	DESCRIPTION
12/21/16	PROVIDE CERTIFICATION

DATE: AUG 2016
PROJECT NO. 20160204-001
FILE NO. 1-43-26
SCALE: 1"=5000'

BOUNDARY SURVEY

SHEET NUMBER
1 OF 3



JOHNSON ENGINEERING

BABCOCK PROPERTY HOLDINGS, LLC

LEE COUNTY PORTION OF BABCOCK RANCH COMMUNITY

SECTIONS 1-7 & 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA, FLORIDA

REVISIONS

DATE	DESCRIPTION

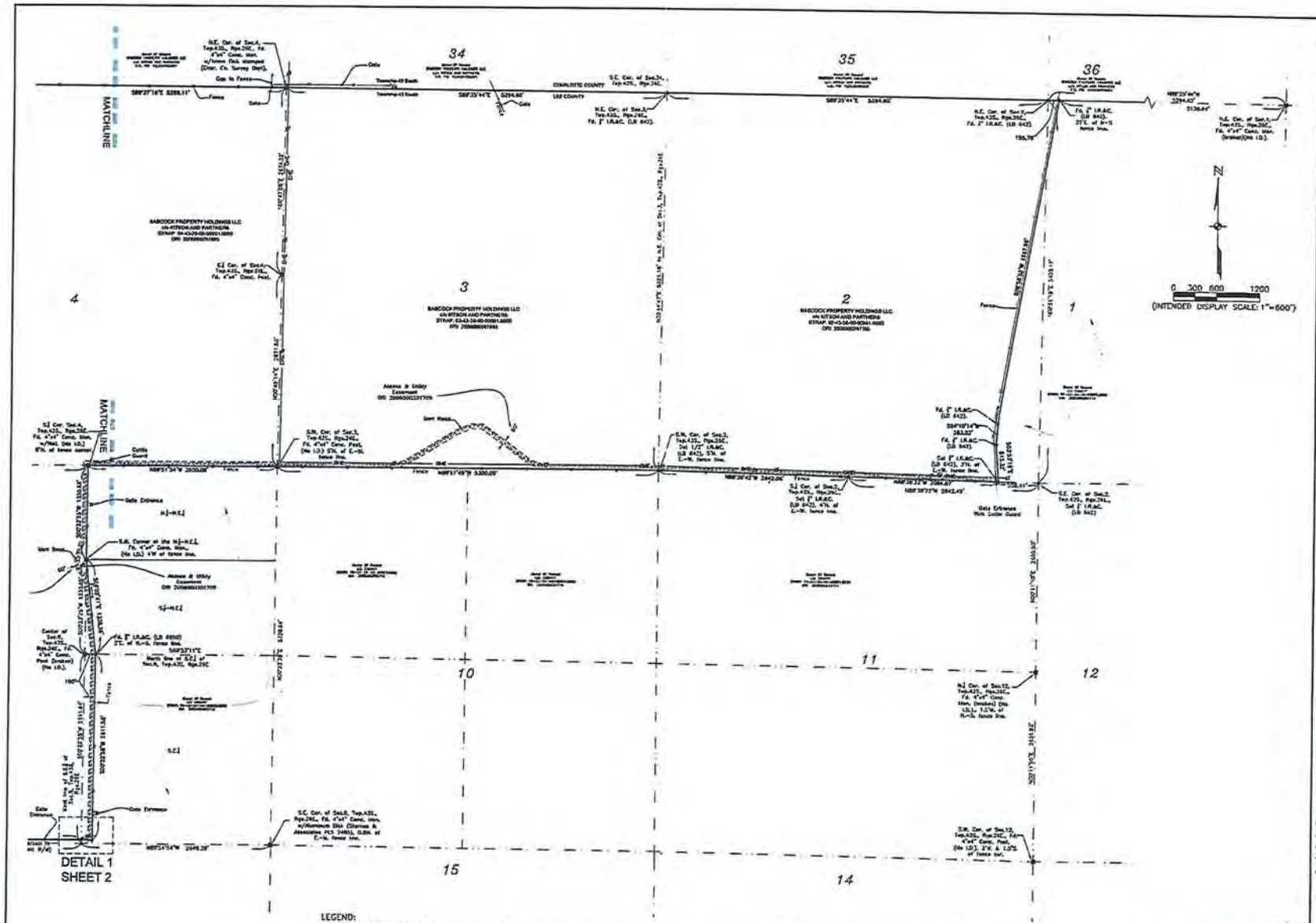
DATE	AUG. 2016
PROJECT NO.	20160204-001
FILE NO	1-43-26
SCALE	1"=600'

BOUNDARY SURVEY

RECEIVED BY JAN 27 2017 COMMUNITY DEVELOPMENT

SHEET NUMBER
2 OF 3

DCI2016-00022



LEGEND:

POC	= POINT OF COMMENCEMENT	MON	= MONUMENT	SEC.	= SECTION
POB	= POINT OF BEGINNING	PLS	= PROFESSIONAL LAND SURVEYOR	TWP.	= TOWNSHIP
OR/S	= OFFICIAL RECORD BOOK/PAGE	LB	= LAND SURVEY BUSINESS NUMBER	RNG.	= RANGE
D/P	= DEED BOOK/PAGE	I.R.&C.	= IRON ROAD & CAP	LT.	= LIGHTWOOD
ORI	= OFFICIAL RECORDS INSTRUMENT	I.P.	= IRON PIPE	Δ	= DELTA ANGLE
STRAP	= LEE COUNTY PARCEL IDENTIFICATION NUMBER	FD	= FOUND	P	= RADIUS
R/W	= RIGHT-OF-WAY	/W	= WITH	L	= ARC LENGTH
EOP	= EDGE OF PAVEMENT	COR	= CORNER	CH	= CHORD LENGTH
CONC	= CONCRETE	S.R.	= STATE ROAD	CB	= CHORD BEARING
		C.R.	= COUNTY ROAD	C.C. PID	= CHARLOTTE COUNTY PARCEL IDENTIFICATION NUMBER

= GUY ANCHOR
= GATE/GUARD POST
= MITERED END SECTION
= BURIED CABLE MARKER
= TELEPHONE BOX
-OHE- = OVERHEAD ELECTRIC LINE
-X- = BARB WIRE FENCE
= MONITORING WELL
= WOOD UTILITY POLE

DC12016-00022

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JAN 31 2017
COMMUNITY DEVELOPMENT

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1546
FORT MYERS, FLORIDA 33902-1546
PHONE: (239) 334-0046
FAX: (239) 334-3161
E.B. #642 & L.B. #642

BABCOCK PROPERTY HOLDINGS, LLC

LEE COUNTY PORTION OF BABCOCK RANCH COMMUNITY

SECTIONS 1-7 & 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

REVISIONS

DATE	DESCRIPTION
12/21/16	REVISE CERTIFICATE

DATE:	AUG. 2016
PROJECT NO.	20160204-001
FILE NO.	1-43-26
SCALE:	1"=600'

BOUNDARY SURVEY

SHEET NUMBER
3 OF 3

EXHIBIT B

DCI2016-00022
Zoning

Legend

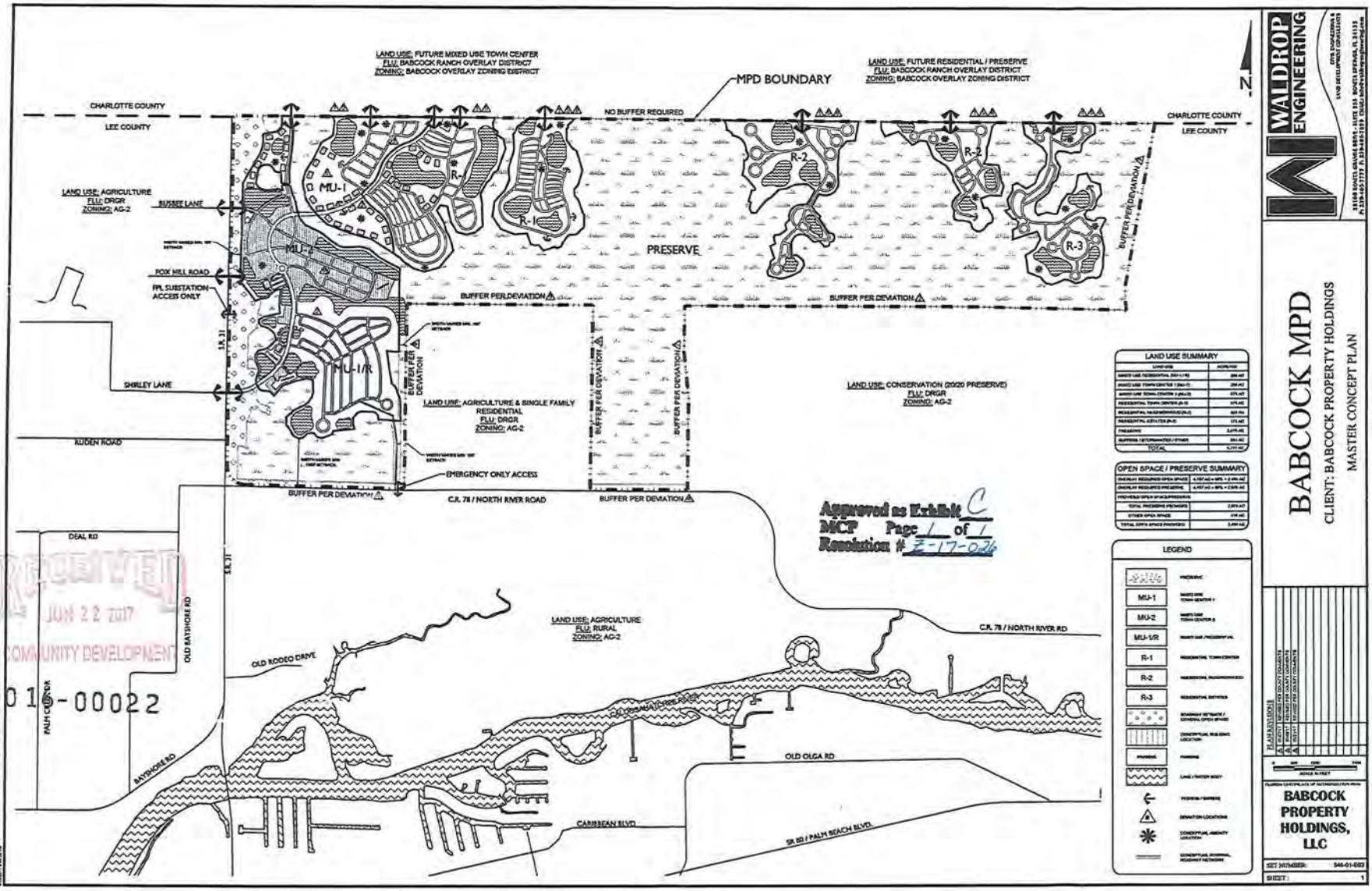
Parcel Boundary

Subject Parcel

0 1,250 2,500 5,000
Feet

N

Lee County
Southwest Florida


LAND USE: FUTURE MIXED USE TOWN CENTER
FLU: BABCOCK RANCH OVERLAY DISTRICT
ZONING: BABCOCK OVERLAY ZONING DISTRICT
MPD BOUNDARY
LAND USE: FUTURE RESIDENTIAL / PRESERVE
FLU: BABCOCK RANCH OVERLAY DISTRICT
ZONING: BABCOCK OVERLAY ZONING DISTRICT
CHARLOTTE COUNTY
LEE COUNTY
NO BUFFER REQUIRED
LAND USE: AGRICULTURE
FLU: DRGR
ZONING: AG-2
BUSBEE LANE
FOX HILL ROAD
FPL SUBSTATION ACCESS ONLY
SHIRLEY LANE
RUDEN ROAD
DEAL RD
MU-1
MU-2
MU-1/R
R-1
R-2
R-3
PRESERVE
BUFFER PER DEVIATION
LAND USE: AGRICULTURE & SINGLE FAMILY RESIDENTIAL
FLU: DRGR
ZONING: AG-2
EMERGENCY ONLY ACCESS
C.R. 78 / NORTH RIVER ROAD
LAND USE: CONSERVATION (20/20 PRESERVE)
FLU: DRGR
ZONING: AG-2
LAND USE: AGRICULTURE
FLU: RURAL
ZONING: AG-2
OLD RODEO DRIVE
OLD BAYSHORE RD
PALM CANOE
BAYSHORE RD
CALOOSAHATCHEE RIVER
OLD OLGA RD
CARIBBEAN BLVD
SR 80 / PALM BEACH BLVD.
S.R. 31
N
LAND USE SUMMARY
OPEN SPACE / PRESERVE SUMMARY
LEGEND
Approved as Exhibit C
MCP Page 1 of 1
Resolution # Z-17-026
RECEIVED
JUN 22 2017
COMMUNITY DEVELOPMENT
DCI 2016-00022
WALDROP ENGINEERING
BABCOCK MPD
CLIENT: BABCOCK PROPERTY HOLDINGS
MASTER CONCEPT PLAN
BABCOCK PROPERTY HOLDINGS, LLC
SET NUMBER: 546-01-000
SHEET: 1

AGRICULTURAL USE AFFIDAVIT

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EXHIBIT D

AGRICULTURAL USES AT TIME OF ZONING APPLICATION
AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME. the undersigned authority, on this 6th day of Sept, 2016, personally appeared Erica S. Woods, who is personally known to me or who produced _____ as identification and who did take an oath, who deposes and says as follows:

1. That I am the Authorized Representative of the following described property, to wit:

   See attached Exhibit "A"

2. That the above described property was used for bona fide agricultural purposes, to wit pasture/cattle grazing, sod farming, and row crops, at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described in the attached Exhibit "A".

3. The agricultural use of the property is an existing bona fide agricultural use.

4. The agricultural use is being conducted on the entire 4,157+/- acres. The entire property described on the attached Exhibit "A" is being used for the pasture/cattle grazing, sod farming and row crops.

5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard and read to him, the full facts of this affidavit and understands its meaning and context.

DC12016-00022

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COMMUNITY DEVELOPMENT

FURTHER AFFIANT SAYETH NAUGHT.

ESWoods

Vice President of Babcock Property Holdings, LLC

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

Kathleen Ellen Valentine
Signature of Notary Public

Commission No.

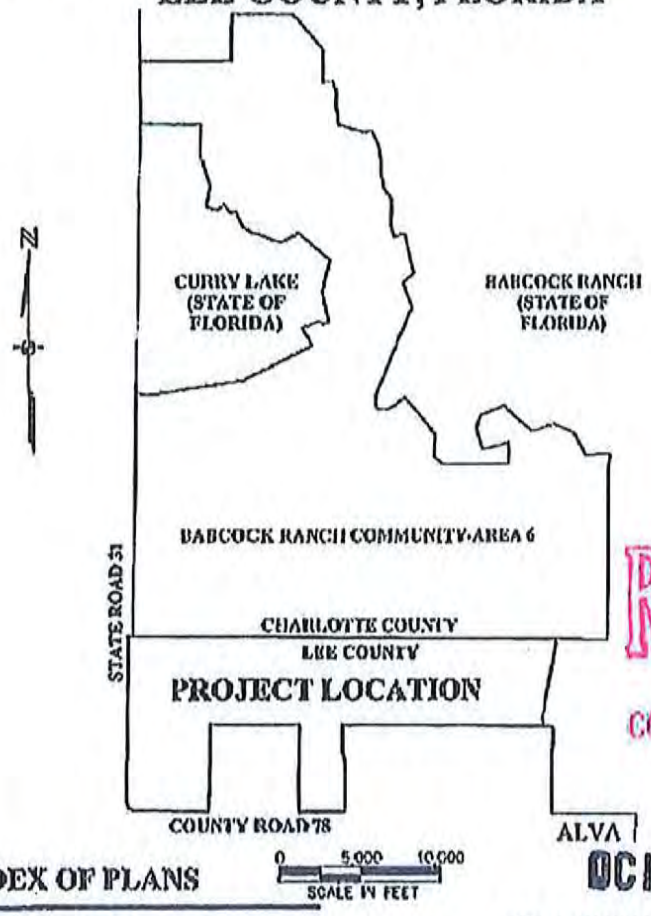
KATHLEEN ELLEN VALENTINE
MY COMMISSION # EE 222919
EXPIRES: September 26, 2018
Bonded Thru Notary Public Underwriters

Kathleen Ellen Valentine
(Print, type or stamp commissioned name of Notary Public)

EXHIBIT "A"

SKETCH AND DESCRIPTION

LEE COUNTY BABCOCK RANCH COMMUNITY
SECTIONS 1-7 & 9, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



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COMMUNITY DEVELOPMENT

DCI 2016-00022

INDEX OF PLANS

SHEET NO.	DESCRIPTION
1	COVER & NOTES
2	DESCRIPTION
3-5	SKETCH

NOTES:
1. Sketch of Description, prepared as requested by Kitson and Partners.
2. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
3. Bearing Reference: State Plane Coordinate, Florida West Zone, NAD 83(99). Bearing of S89°41'45"E on the north line of Section 8, Township 43 South, Range 26 East.
4. This Sketch of Description is subject to easements, restrictions, reservations and rights-of-way of record.
5. This Sketch of Description is not a determination of the limits of ownership.
6. Description on sheet 2.
7. Not valid unless accompanied by all sheets in set.
8. Dimensions are grid values.

NOT A SURVEY

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE LEGAL DESCRIPTION AND ATTACHED SKETCH WERE PREPARED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472, FLORIDA STATUTES.

MATTHEW M. HOWARD (FOR THE FIRM L.B. 642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4912

DATE SIGNED: 8-2-16

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

JOHNSON ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	20160201-001	1-43-26	As Shown	1 OF 5

04\2016\20160204-001\Surveying\Sketch\LEE COUNTY AREA 6 SKETCH.dwg [1 COVER] Last: Aug 02, 2016 - 10:55am

DESCRIPTION:

LEE COUNTY PARCEL:
A parcel of land lying within Sections 1 through 7 and Section 9, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Section 6, Township 43 South, Range 26 East and run S89°41'45"E, along the North line of said Section 6, a distance of 50.00 feet to a point on the East right-of-way line of State Road No. 31, said point also being the Point of Beginning of the parcel of land herein described; Thence continue S89°41'45"E a distance of 5189.75 feet to the Northeast corner of Section 6, Township 43 South, Range 26 East; Thence S89°41'45"E a distance of 5306.08 feet to the Northeast corner of Section 5, Township 43 South, Range 26 East; Thence S89°37'16"E a distance of 5289.11 feet to the Northeast corner of Section 4, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5294.60 feet to the Northeast corner of Section 3, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5294.60 feet to the Northeast corner of Section 2, Township 43 South, Range 26 East; Thence S89°35'44"E, along the North line of Section 1, Township 43 South, Range 26 East, a distance of 155.76 feet; Thence S09°58'52"W a distance of 4667.95 feet; Thence S04°10'14"W a distance of 283.52 feet; Thence S03°53'19"E a distance of 515.32 feet to a point on the South line of Section 2, Township 43 South, Range 26 East (said point being 558.41 feet West of the Southeast corner of said Section 2); Thence N88°38'22"W a distance of 2084.07 feet to the South one-quarter corner of said Section 2; Thence N88°38'42"W a distance of 2642.06 feet to the Southwest corner of said Section 2; Thence N89°51'49"W a distance of 5300.09 feet to the Southwest corner of Section 3, Township 43 South, Range 26 East; Thence N89°51'54"W a distance of 2650.09 feet to the South one-quarter corner of Section 4, Township 43 South, Range 26 East; Thence S00°23'25"W a distance of 1330.65 feet to the Southwest corner of the North one-half of the Northeast one-quarter of Section 9, Township 43 South, Range 26 East; Thence S06°02'41"E a distance of 1338.36 feet to a point on the North line of the Southeast one-quarter of said Section 9 (said point being 150.00 feet East of the Northwest corner of the Southeast one-quarter of said Section 9); Thence S00°22'58"W, parallel with and 150.00 feet East of the West line of the Southeast one-quarter of said Section 9, a distance of 2611.56 feet to a point on the North right-of-way line of County Road No. 78; Thence along said right-of-way line the following courses and distances, N89°54'54"W a distance of 150.26 feet and N89°54'44"W a distance of 2548.95 feet to a point on the West line of said Section 9; Thence N00°22'31"E a distance of 2612.02 feet to the West one-quarter corner of said Section 9; Thence N00°21'56"E a distance of 2663.13 feet to the Southeast corner of Section 5, Township 43 South, Range 26 East; Thence N89°52'00"W a distance of 2656.70 feet to the South one-quarter corner of said Section 5; Thence N89°50'47"W a distance of 2667.42 feet to the Southwest corner of said Section 5; Thence S00°23'16"W, along the East line of Section 7, Township 43 South, Range 26 East, a distance of 5294.00 feet to a point on the North right-of-way line of County Road No. 78; Thence Westerly along the curved right-of-way line, (said curve being curved concave to the North, having a delta angle of 00°53'52" and a radius of 11339.17 feet, with a chord bearing of N89°19'12"W and a chord length of 177.69 feet) a distance of 177.69 feet to the end of the curve; Thence N88°52'16"W, along said North right-of-way line, a distance of 4406.31 feet to the beginning of a curve to the right; Thence along the arc of the curved right-of-way line, (said curve being curved concave to the Northeast, having a delta angle of 89°12'05" and a radius of 522.94 feet, with a chord bearing of N44°16'14"W and a chord length of 734.38 feet) a distance of 814.14 feet to a point on the East right-of-way line of State Road No. 31; Thence along the East right-of-way line for State Road No. 31, the following courses and distances, N00°19'49"E a distance of 4776.07 feet, N00°18'54"E a distance of 5313.41 feet and N00°36'46"E a distance of 0.14 feet to the Point of Beginning.
Containing 4,157.2 acres, more or less.

Bearings hereinabove mentioned are based on the North line of Section 6, Township 43 South, Range 26 East to bear S89°41'45"E.

RECEIVED
NOV 17 2016

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FORT MYERS, FLORIDA 33902-1550
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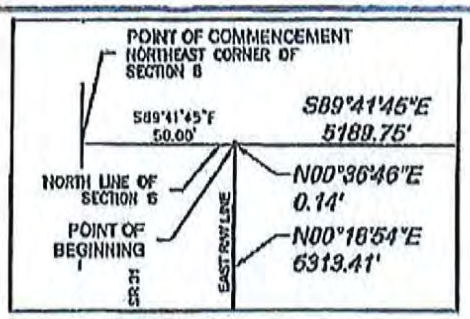
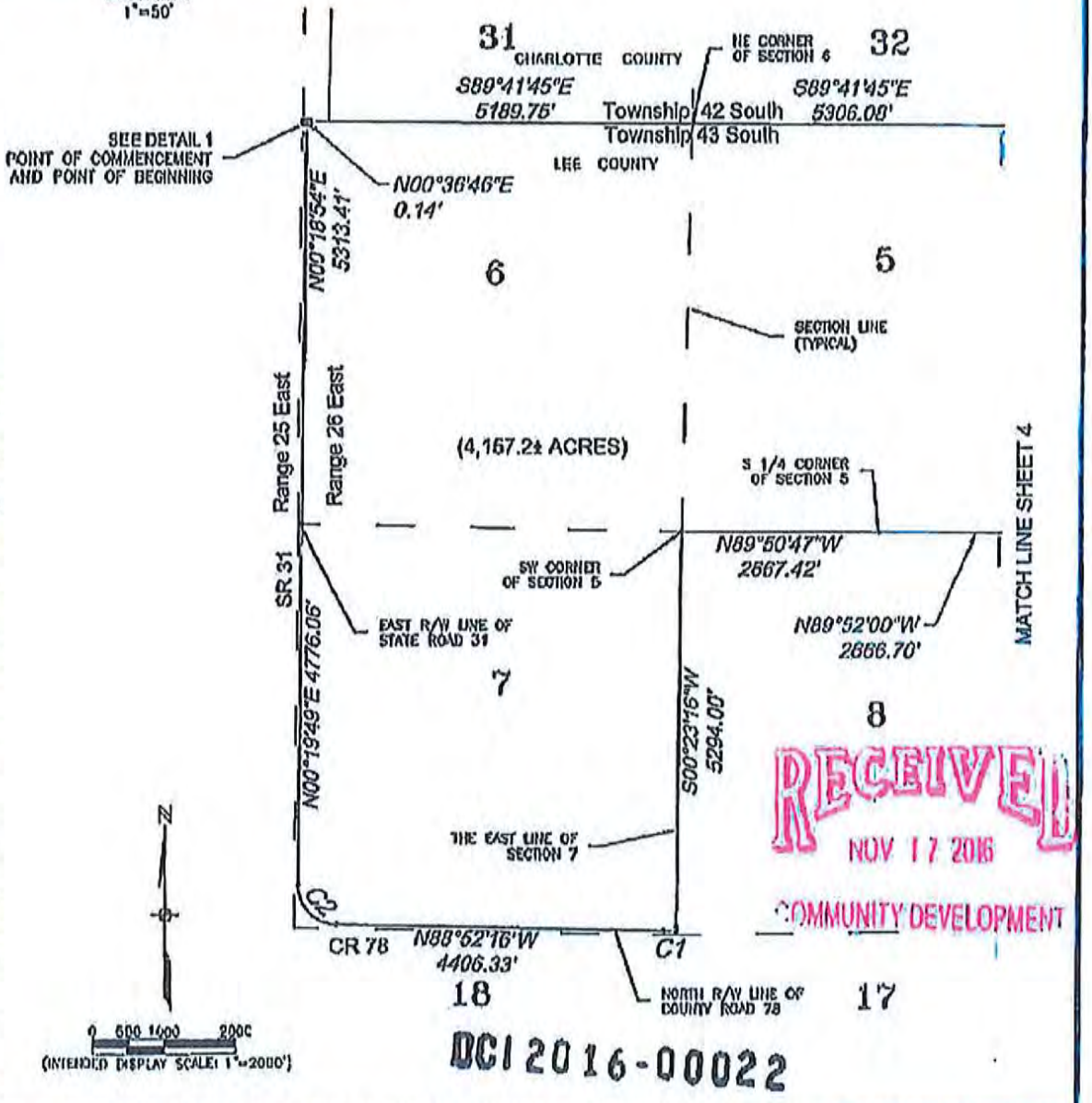
SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	20160204-001	1-43-26	As Shown	2 OF 6



DETAIL 1
1"=50'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	11339.17'	0°53'52"	N89°19'12"W	177.69'	177.69'
C2	522.94'	89°12'05"	N44°16'14"W	734.38'	814.14'



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COMMUNITY DEVELOPMENT

DCI 2016-00022

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FORT MYERS, FLORIDA 33902-1550
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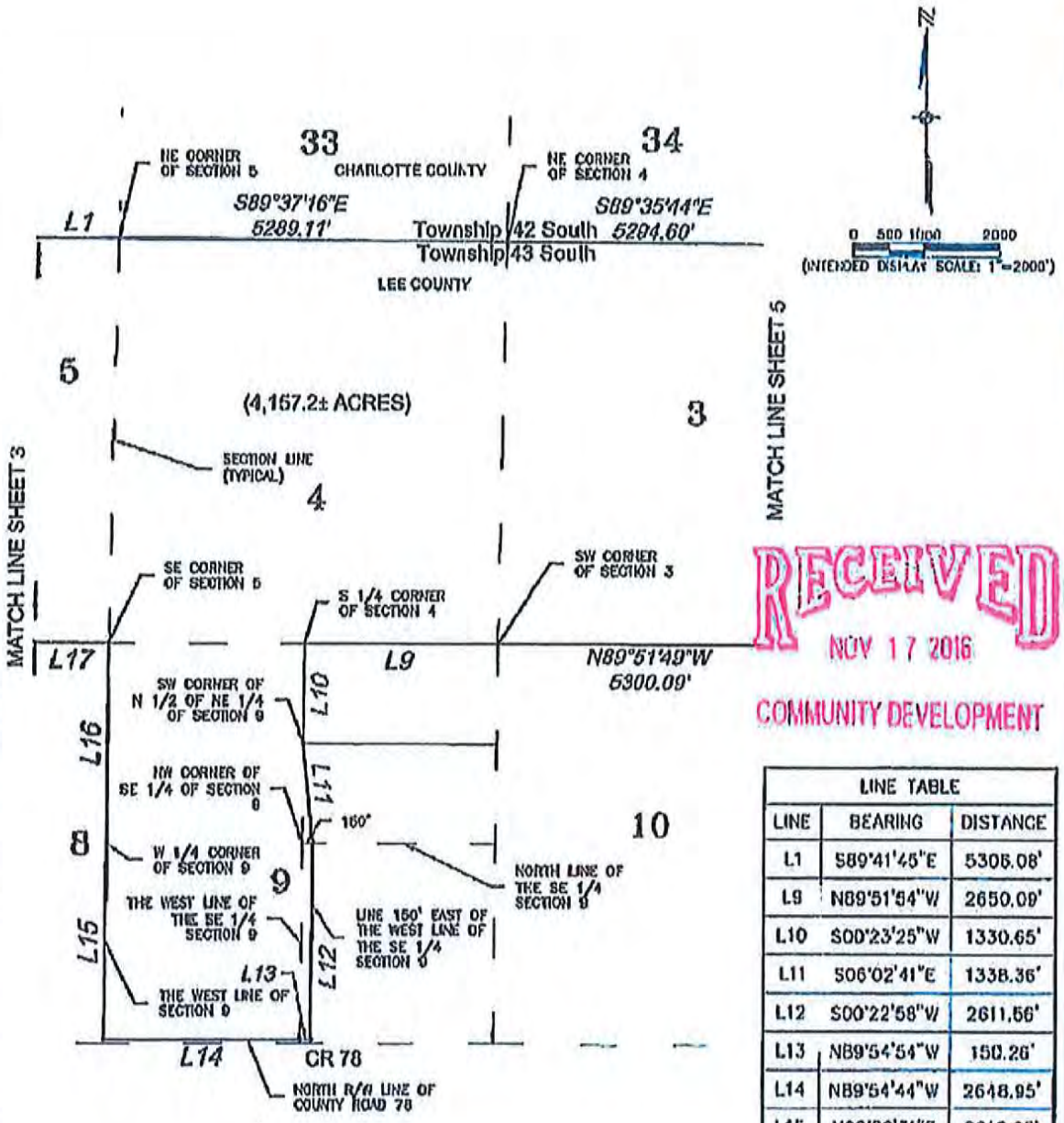
L.B. #642 & L.B. #642

SKETCH AND DESCRIPTION
LEE COUNTY BABCOCK RANCH COMMUNITY

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
AUG. 2016	2016C201-001	1-43-26	As Shown	3 OF 5



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COMMUNITY DEVELOPMENT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°41'45"E	5305.08'
L9	N89°51'54"W	2650.09'
L10	S00°23'25"W	1330.65'
L11	S06°02'41"E	1338.36'
L12	S00°22'58"W	2611.56'
L13	N89°54'54"W	150.26'
L14	N89°54'44"W	2648.95'
L15	N00°22'31"E	2612.02'
L16	N00°21'56"E	2663.13'
L17	N89°52'00"W	2666.70'

OCI 2016-00022

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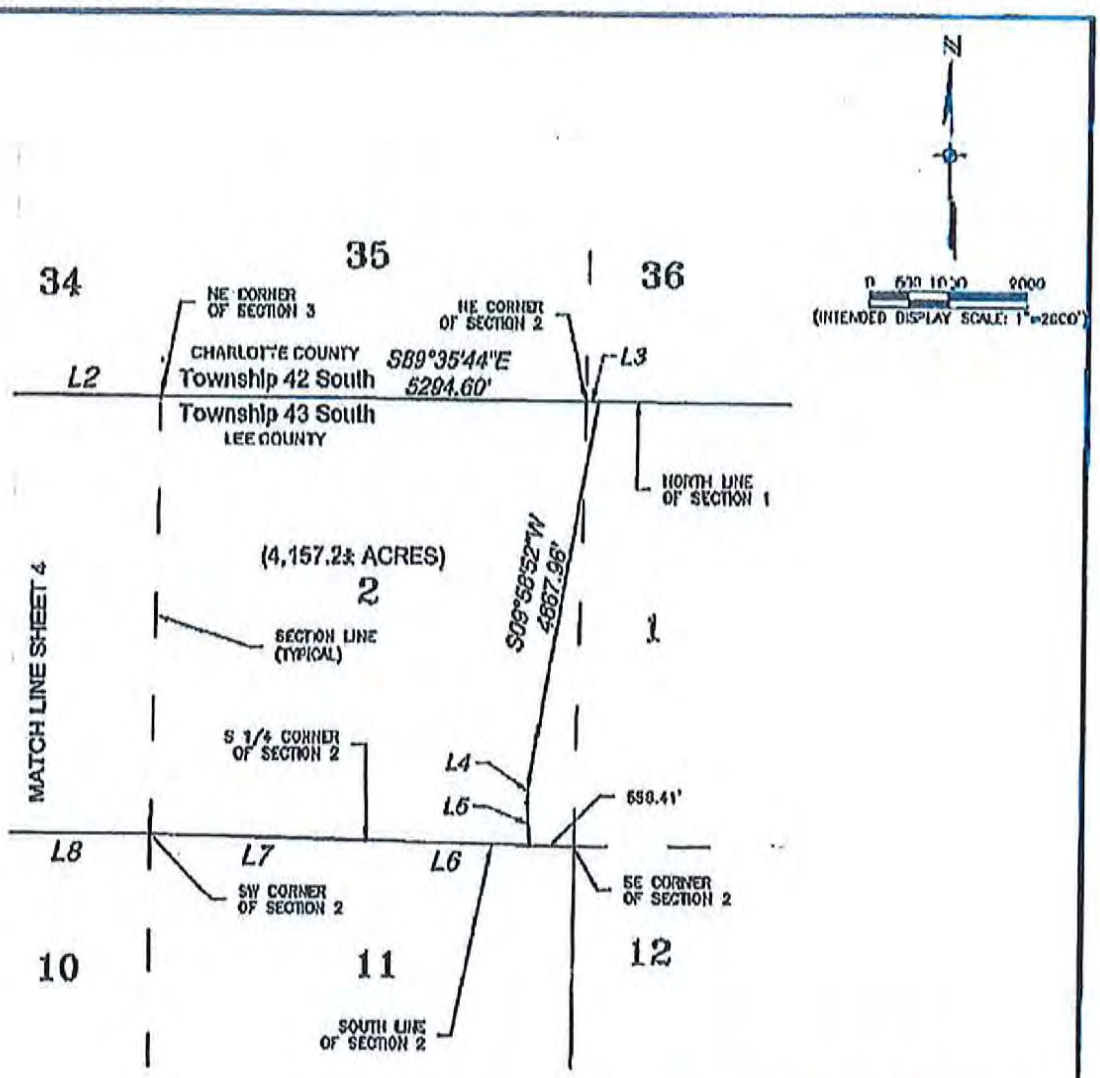

LINE TABLE		
LINE	BEARING	DISTANCE
L2	S89°35'44"E	5294.60'
L3	S89°35'44"E	155.76'
L4	S04°10'14"W	283.52'
L5	S03°53'19"E	515.32'
L6	N88°38'22"W	2084.07'
L7	N88°38'42"W	2642.06'
L8	N89°51'49"W	5300.09'

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COMMUNITY DEVELOPMENT

DCI2016-00022

G:\2016\20160204-001\Surveying\Sketch\LEE COUNTY AREA 6 SKETCH.dwg (5 SKETCH) MAH Aug 09, 2016 - 10:57am

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Babcock MPD

Site Development Regulations

MPD PERIMETER SETBACKS [1]	
State Road 31 [2]	100'
North River Road/County Road 78	1,000'
Conservation 20/20 Lands	750'
Other (All Other PD boundaries) [3][4]	50'

(1) Excludes accessory structures, signage, essential services, and essential service facilities
(2) Setback measured from future SR 31 right-of-way after conveyance of additional right-of-way for roadway widening
(3) No setback required from northern boundary (Lee/Charlotte county line) where development abuts Town of Babcock Ranch development areas. See Deviation 2.

EXHIBIT E

RESIDENTIAL TOWN CENTER - RESIDENTIAL (R-1)											
Dwelling Type	Min. Lot Size	Min. Lot Width	Min. Lot Depth	Min. Front Setback [1]	Side Setback	Rear Setback	Accessory Setback [2]	Max. Bldg. Height	Min. Bldg. Separation	Max. Lot Coverage	Waterbody [4]
Single-Family Detached	3,500 SF	35'	100'	20'/15'/10'	5'	10'/0' [5]	5'/0'	35'	10'	55%	20'/0'
Zero Lot Line	3,500 SF	35'	100'	20'/15'/10'	10'/0'	10'	5'/0'	35'	10'	60%	20'/0'
Two-Family Attached	3,000 SF	30'	100'	20'/10'	5'/0'	10'	5'/0'	35'	10'	60%	20'/0'
Townhouse	1,800 SF	18'	100'	20'/10'	7.5'/0'	10'	5'/0'	45'	15' [3]	65%	20'/0'
Multi-Family Building	7,500 SF	75'	100'	20'	N/A	10'	5'/0'	65'	15' [3]	50%	20'/0'
Recreation Buildings/ Clubhouse	N/A	N/A	N/A	20'	10'	10'	5'/0'	45'	10'	50%	20'/0'

(1) 20' min. front setback for front-loaded garages. 15' min. front setback for side loaded garages. 10' min. front setback for rear-loaded/alley lots and secondary front setback on corner lots
(2) 0' accessory setback where rear lot line abuts platted lake maintenance easement or landscape buffer easement
(3) 15' minimum building separation for structures 35' in height or less. For structures greater than 35' in height, the minimum building separation will be ½ of the building height.
(4) 0' waterbody setback for recreational/amenity structures at the lake control elevation for non-sea walled artificial bodies of water. See Deviation 7.
(5) 0' rear yard setback only for rear-loaded/alley accessible lots.

RESIDENTIAL NEIGHBORHOOD - RESIDENTIAL (R-2)											
Dwelling Type	Min. Lot Size	Min. Lot Width	Min. Lot Depth	Min. Front Setback (1)	Side Setback	Rear Setback	Accessory Setback (2)	Max. Bldg. Height	Min. Bldg. Separation	Max. Lot Coverage	Waterbody (4)
Single-Family Detached	4,000 SF	40'	100'	20'/15'/10'	5'	10'	5'/0'	35'	10'	55%	20'/0'
Zero Lot Line	3,500 SF	30'	100'	20'/10'	10'/0'	10'	5'/0'	35'	10'	60%	20'/0'
Two-Family Attached	3,000 SF	30'	100'	20'/10'	5'/0'	10'	5'/0'	35'	10'	60%	20'/0'
Townhouse	1,800 SF	18'	100'	20'/10'	7.5'/0'	10'	5'	45'	15' (3)	65%	20'/0'
Recreation Buildings/ Clubhouse	N/A	N/A	N/A	20'	10'	10'	5'/0'	45'	10'	50%	20'/0'

(1) 20' min. front setback for front-loaded garages. 15' min. front setback for side loaded garages. 10' min. front setback for rear-loaded/alley lots and secondary front setback on corner lots

(2) 0' accessory setback where rear lot line abuts platted lake maintenance easement or landscape buffer easement

(3) 15' minimum building separation for structures 35' in height or less. For structures greater than 35' in height, the minimum building separation will be ½ of the building height.

(4) 0' waterbody setback for recreational/amenity structures at the lake control elevation for non-sea walled artificial bodies of water. See Deviation 7.

RESIDENTIAL ESTATES - RESIDENTIAL (R-3)											
Dwelling Type	Min. Lot Size	Min. Lot Width	Min. Lot Depth	Min. Front Setback	Side Setback	Rear Setback	Accessory Setback	Max. Bldg. Height	Min. Bldg. Separation	Max. Lot Coverage	Waterbody (2)
Single-Family Detached	1 acre	100'	100'	20'	10'	20'	10'	35'	N/A	30%	20'/0'
Recreation Buildings/ Clubhouse	N/A	N/A	N/A	20'	10'	10'	5'/0' (1)	35'	10'	50%	20'/0'

(1) 0' accessory setback where rear lot line abuts platted lake maintenance easement or landscape buffer easement
(2) 0' waterbody setback for recreational/amenity structures at the lake control elevation for non-sea walled artificial bodies of water. See Deviation 7.

RESIDENTIAL – MIXED USE TOWN CENTERS (MU-1 & MU-2) AND MIXED USE RESIDENTIAL (MU-1/R)											
Dwelling Type	Min. Lot Size	Min. Lot Width	Min. Lot Depth	Min. Front Setback [1]	Side Setback	Rear Setback	Accessory Setback [2]	Max. Bldg. Height	Min. Bldg. Separation	Max. Lot Coverage	Waterbody [4]
Single-Family Detached	3,500 SF	35'	100'	20'/15'/10'	5'	10'/0' [5]	5'/0'	35'	10'	55%	20'/0'
Zero Lot Line	3,500 SF	35'	100'	20'/15'/10'	10'/0'	10'	5'/0'	35'	10'	60%	20'/0'
Two-Family Attached	3,000 SF	30'	100'	20'/10'	5'/0'	10'	5'/0'	35'	10'	60%	20'/0'
Townhouse	1,800 SF	18'	100'	20'/10'	7.5'/0'	10'	5'/0'	45'	15' [3]	65%	20'/0'
Multi-Family Building	7,500 SF	75'	100'	20'	N/A	10'	5'/0'	65'	15' [3]	50%	20'/0'
Recreation Buildings/ Clubhouse	N/A	N/A	N/A	20'	10'	10'	5'/0'	45'	10'	50%	20'/0'

(1) 20' min. front setback for front-loaded garages. 15' min. front setback for side loaded garages. 10' min. front setback for rear-loaded/alley lots and secondary front setback on corner lots
(2) 0' accessory setback where rear lot line abuts platted lake maintenance easement or landscape buffer easement
(3) 15' minimum building separation for structures 35' in height or less. For structures greater than 35' in height, the minimum building separation will be ½ of the building height.
(4) 0' waterbody setback for recreational/amenity structures at the lake control elevation for non-sea walled artificial bodies of water. See Deviation 7.
(5) 0' rear yard setback only for rear-loaded/alley accessible lots.

NON-RESIDENTIAL – MIXED USE TOWN CENTERS (MU-1 & MU-2) AND MIXED USE RESIDENTIAL (MU-1/R)										
Land Use	Min. Lot Size	Min. Street Setback (SR 31) (1)	Min. Street Setback (CR 78) (1)	Min. Street Setback (Private/ Internal)	Side Setback	Rear Setback	Accessory Setback	Max. Building Height (2)	Max. Lot Coverage	Waterbody (3)
Recreation	N/A	100'	1,000	0'	0'	0'	0'	65'	50%	20'/0'
Retail	N/A	100'	1,000'	0'	0'	0'	0'	65'	50%	20'/0'
Office	N/A	100'	1,000'	0'	0'	0'	0'	65'	50%	20'/0'
Hotel	N/A	100'	1,000'	0'	0'	0'	0'	65'	50%	20'/0'
Mixed Use Buildings	N/A	100'	1,000'	0'	0'	0'	0'	65'	50%	20'/0'

(1) Excludes accessory structures, essential services, essential service facilities, and signage
(2) Minimum setback from future SR 31 is 100' for structures 35' in height or less. For structures exceeding 35' in height, the minimum setback will be increased 2 feet for every foot in excess of 35'.
(3) 0' waterbody setback for recreational/amenity structures at the lake control elevation for non-sea walled artificial bodies of water. See Deviation 7.

ATTACHMENT L

RESOLUTION NUMBER Z-22-022

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, D.R. Horton, Inc. filed an application on behalf of the property owner, Talon Ventures, LLC, to rezone a 342.68± acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD) in reference to Owl Creek Reserve Minor RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on June 23, 2022; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2021-00011 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised for August 17, 2022, before the Lee County Board of Commissioners. Prior to commencing the hearing, at the request of staff and the applicant, the Board of County Commissioners continued the hearing until September 7, 2022. On September 7, 2022, the second public hearing was held; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 342.68± acre parcel from AG-2 to RPD, to allow development of a clustered residential community containing up to 380 dwelling units with single-family and two-family attached dwellings, a 96 multi-slip docking facility and amenities. Maximum building height is 35 feet.

The property is located in the Rural and Wetlands Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan (MCP). Development project must be consistent with the three-page MCP entitled "Owl Creek Reserve Minor RPD," prepared by Banks Engineering, Inc., dated June 23, 2022, except where modified by conditions below.

   Consistency with Lee Plan and LDC. Development must comply with Lee Plan and Lee County LDC at the time of local development order, except where deviations have been granted to the planned development. Subsequent changes to the MCP may require further development approvals.

Approved Development Parameters. Development limited to up to 380 dwelling units, accessory uses, a boat ramp for paddle craft, and 96 private boat slips within a multi-slip docking facility.

2. Permitted Uses and Site Development Regulations.

a. Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Boat dockage
Boat ramp, limited to paddle craft
Clubs, private
Community Gardens
Community Residential Home
Consumption on Premises, clubhouse (indoor and outdoor)
Dwelling Unit -
    Single-Family
    Two-Family Attached (limited to Tract 1)
Entrance Gate and Gatehouse
Essential Services
Essential Service Facilities, Group I only
Excavation, Water Retention
Fences, Walls
Home care facility
Home occupation
Models: Display center, display group, model home
Multi-slip docking facility (Private on-site recreation facility only)
Parks, Group I
Parking Lot: Accessory
Real Estate Sales Office
Recreational Facilities: Personal, Private-on-site
Residential accessory uses
Signs
Stable: Boarding, Private, limited to lots 40,000 SF or greater in area
Temporary Uses, temporary construction trailers and equipment storage sheds

b. Site Development Regulations

Development Perimeter Setback: 50 feet

Minimum Open Space:	60%, of which 50% must be indigenous

Single Family

Minimum lot size:	6,500 square feet
Minimum lot width:	40 feet
Minimum lot depth:	100 feet

Minimum Setbacks:

Private Street:	20 feet (15 feet for side-loading garage)
Public Street:	20 feet

Side:	5 feet
Rear:	20 feet (5 feet for accessory structure)
Waterbody:	25 feet
Preserve:	20 feet (10 feet for accessory structure), 30 feet for communities subject to fire
Maximum building height:	35 feet
Maximum lot coverage:	55 percent

Setback from Owl Creek Boat Works Property Boundary: 100 feet to internal residential lot lines

Two-Family Attached

Minimum lot size:	3,750 square feet
Minimum lot width:	32 feet
Minimum lot depth:	100 feet

Minimum Setbacks:

Private Street:	20 feet (15 feet for side-loading garage)
Public Street:	20 feet
Side:	5 feet (0 feet for common wall unit)
Rear:	20 feet (5 feet for accessory structure)
Waterbody:	25 feet
Preserve:	20 feet (10 feet for accessory structure), 30 feet for communities subject to fire
Maximum building height:	35 feet
Maximum lot coverage:	55 percent

Setback from Owl Creek Boat Works Property Boundary: 100 feet to internal residential lot lines

Recreation Area

Minimum lot size:	N/A
Minimum lot width:	N/A
Minimum lot depth:	N/A

Minimum Setbacks:

Private Street:	20 feet
Public Street:	20 feet
Side:	5 feet
Rear:	20 feet (5 feet for accessory structure)
Waterbody:	25 feet
Preserve:	20 feet (10 feet for accessory structure), 30 feet for communities subject to fire
Maximum building height:	35 feet
Maximum lot coverage:	55 percent

Parking for Private Multi-Slip Docking Facility: 1 parking space for every 3.5 slips

3. Density Derived from Rare and Unique Habitat

Developer may plat up to 339 residential lots upon recording a conservation easement over a minimum of 106.36 acres of preserved wetlands and 15.16 acres of Rare & Unique upland areas consistent with MCP Sheet 2 Density Exhibit.

Plat approval for the remaining 41 dwelling units may not be issued until:

a. Restoration Complete. Preservation and restoration of 41.28 acres of Rare & Unique upland restoration shown on MCP Sheet 2 Density Exhibit is complete and Lee County issues a Certificate of Completion;

b. Conservation Easement. Developer records a conservation easement over 41.28 acres of Rare & Unique upland restoration areas; and

c. Optional Bond. In the alternative, developer may bond the cost of restoration work on the 41.28 ac. restoration area to permit plat approval of the additional 41 dwelling units.

4. Owl Creek Drive Access

a. Access Easement. Prior to development order approval, developer must provide an access easement subject to approval by the County Attorney's Office. The easement must provide access for existing development currently utilizing Owl Creek Road. Prior to development order approval, the easement must be recorded in the public records of Lee County at Developer's expense.

b. Owl Creek Drive Entrance. The project entrance gate on North River Road at Owl Creek Drive must remain open to allow public access during daylight hours. The entrance gate must allow access to Owl Creek Boatworks and the existing single-family residence 24 hours a day.

5. Secondary Access Signage

As part of the local development order approval proposing the second access from North River Road, the developer must provide signage stating the secondary access on North River Road is limited to resident use and direct all other traffic to the main entrance to the west.

6. FEMA Floodway

At the time of local development order approval, areas located in FEMA Regulatory floodways must provide a FEMA No Rise analysis, or the site plan must be revised to avoid the floodway.

7. Open Space

Development order plans must depict 168.41 acres of indigenous open space and 1.62 acres of upland restoration consistent with the MCP and consistent with the following:

a. Rare and Unique Upland Preservation 15.16 acres;

b. Rare and Unique Upland Restoration 41.28 acres;

c. Upland Restoration 1.62 acres;

d. Wetland Preservation 23.56 acres;

e. Wetland Restoration 82.80 acres; and

f. Surface Waters 5.61 acres.

8. Open Space Phasing

Development order plans must depict 60% open space consistent with Condition 7 and provide a phasing schedule demonstrating how the open space requirement will be met to support the proposed dwelling units.

9. Recording of Conservation Easement

Developer must record a conservation easement over all areas used to achieve the density incentive. Conservation easements must be dedicated to an appropriate maintenance entity that provides third party enforcement rights to Lee County or other public agency acceptable to Lee County. Conservation easements must be recorded within five years of the first development order approval.

10. Wetland Impacts

Developer must submit a copy of the mitigation receipt of payment or mitigation plans for wetland impacts to the County Department of Community Development prior to approval of a development order that proposes wetland impacts (up to 13.95 acres).

11. Indigenous Habitat Management Plan

a. Development order plans must substantially comply with the Indigenous Habitat Management Plan received March 15, 2022.

b. Development order plans must include a schedule for the indigenous preservation and restoration to be completed within five consecutive years.

c. Development order plans must include a map depicting the location of mechanical and hand-removal methods of exotic vegetation.

d. Developer must submit survey point maps depicting preservation and restoration areas and mechanical clearing limits with the vegetation removal permit.

e. Developer must submit a surveyed point map depicting the flushing canal and littoral marsh clearing limits with the vegetation removal permit application.

12. Northern Buffer Planting Material

Development order plans must depict a 25-foot-wide buffer within the restoration area that includes 14-foot-in-height native canopy trees, spaced approximately 25-feet-on-center to comply with LDC §33-1673.

13. Surface and Ground Water Monitoring

Prior to local development order approval, developer must provide the Surface Water and Groundwater Monitoring Plan on file with this zoning case subject to the following modifications:

a. The Surface Water and Groundwater Monitoring Plan submitted for review and approval by the Lee County Division of Natural Resources must establish the following:

i. Goals and objectives of the Plan;

ii. Outfall monitoring schedule during "wet" season of June through September and "dry" season of October through May, for Total Kjeldahl Nitrogen, Ammonia, Total Nitrogen, Nitrite, Nitrate, Chlorophyll A, Total Phosphorus, Chloride, Total Dissolved Solids, Florida PRO, Arsenic, Copper, Mercury, Lead, E. coli, Total Hardness, Field Temperature, Specific Conductance, pH, Dissolved Oxygen, Lake Stage, Water Table Aquifer Elevation, and Sandstone Aquifer Elevation Turbidity and Stage.

iii. Baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction.

iv. Identify monitoring point locations

v. Water quality monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years and must include a report with a comparison of State water quality standards, plots of parameters, and recommendations. After five years of meeting or exceeding state water quality monitoring standards, Developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.

vi. A contingency plan to be implemented following discovery of an exceedance of State Water Quality Standards. The contingency plan must include notification to impacted residents and applicable authorities.

14. Utility Connection

Development plans must demonstrate connection to public water and wastewater utility service.

15. Drainage and Access Easement

Developer must submit a draft drainage and access easement in favor of Lee County with the first development order application. The drainage and access easement must permit Lee County access to the floodway to allow the right, but not the obligation, to maintain the floodway per LDC §10-328. The draft easement will be subject to review by the County Attorney's Office. Developer must execute a County approved easement prior to issuance of a certificate of completion for the project.

16. Maximum Boat Slips

The proposed multi-slip docking facility is limited to 96 boat slips. Developer may not convert the remaining 234 boat slips permitted under the Manatee Protection Plan into slip credits.

17. Manatee Protection Plan

Developer must demonstrate the following prior to issuance of a development order for the multi-slip docking facility:

a. Compliance with standard manatee construction conditions;

b. Provide a manatee education program; and

c. Prior to issuance of a dock and shore permit, Developer must pay $546 per slip for enhanced marine law enforcement.

18. Indigenous Habitat Management Plan

Developer must update the littoral marsh plant list in the Indigenous Habitat Management Plan received March 15, 2022, to include red mangroves installed at 1 gallon 8-foot on center around the perimeter of the tidal lagoon prior to issuance of a local development order for the multi-slip docking facility.

19. Great Calusa Blueway Designation

Developer must demonstrate that the boat ramp, limited to kayak and canoe launch, has been included on The Great Calusa Blueway Map prior to issuance of a certificate of completion for the boat ramp. Developer must install signs within the project and along North River Road (if permitted by Lee Department of Transportation) to assist public access to the boat ramp. The kayak and canoe launch boat ramp must remain open to the public during daylight hours.

SECTION C. DEVIATIONS:

1. Entrance Gate and Gatehouses.

Deviation (1) seeks relief from the LDC §34-1748(5), which requires a paved turn-around, having a turning radius sufficient to accommodate a U-turn for a single unit truck vehicle as specified in the AASHTO Green Book current addition to be provided on the ingress side of the gate or gatehouse, to allow a paved turn-around, having a

turning radius sufficient to accommodate a passenger car as specified in the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) current edition at the eastern resident only gate on North River Road."

This deviation is APPROVED, SUBJECT TO the following conditions:

a. As part of development order approval, developer must provide signage stating the eastern access point is a resident only access.

b. Prior to development order approval that includes the resident only access gate, developer must submit a letter of no objection from the Bayshore Fire Protection and Rescue Service District.

2. Street Design and Construction Standards – Cul-de-Sac.

Deviation (2) seeks relief from the LDC §10-296(k)(1), which requires dead-end streets to provide a circular turnaround, to allow a dead-end street with a T-intersection in Tract 1 shown on the MCP.

This deviation is APPROVED.

3. Landscape Standards – Development Abutting Natural Waterway.

Deviation (3) seeks relief from the LDC §10-416(d)(9), which requires a 50-foot-wide vegetative buffer landward of non-seawalled natural waterways, to allow the following encroachments shown on the MCP:

3A – Tributary to Owl Creek: Tract 3 access road crossing and necessary improvements on North River Road;

3B – Trout Creek: Tract 7 access bridge crossing and existing bridge;

3C – Natural basin of Caloosahatchee River: Flushing connection; and

3D – Trout Creek: Flushing connection.

This deviation is APPROVED, SUBJECT TO the following conditions:

a. 3A - Prior to approval of a development order that includes impacts to the Owl Creek natural waterway and its tributaries, the development order plans must provide detail drawings (including cross sections) of the impacts, limited to 140 feet on the east side and 145 feet on the west side of the Owl Creek tributary accessing Tract 3 and impacts of 25 feet to the east and west of the Owl Creek tributary along North River Road in substantial compliance with MCP sheet 2 and sheet 3.

b. 3B - Prior to approval of a development order that includes impacts to Trout Creek natural waterway, development order plans must provide detail drawings of the proposed bridge and existing bridge (including cross sections) in substantial compliance with MCP sheet 2 and 3. The impacts for the new bridge

are limited to 190-feet on the north side and 170 feet along the south side of Trout Creek.

c. 3C - Prior to approval of a development order that includes impacts to Trout Creek and/or the Caloosahatchee River, the development order plans must be in substantial compliance with the Private Multi-Slip Docking Facility Tidal Lagoon attached as Exhibit D.

d. 3D - Prior to approval of a development order that includes impacts to Trout Creek and/or the Caloosahatchee River, development order plans must be in substantial compliance with the Private Multi-Slip Docking Facility Tidal Lagoon attached as Exhibit D.

4. Landscape Standards – Development Abutting Project Drives.

Deviation (4) seeks relief from the LDC §10-416(d)(6), which requires where proposed roads, drives, or parking areas are located less than 125 feet from existing single-family residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet or a 30-foot wide Type F buffer with the hedge planted a minimum of 20 feet from the abutting property; to allow no buffer where the proposed internal road will be constructed within 125' of the adjacent single family lot as shown on the MCP.

This deviation is APPROVED.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Private Multi-Slip Docking Facility Tidal Lagoon

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The requested Owl Creek RPD zoning is consistent with the Lee Plan. Lee Plan Goals 2, 4, 5, 27, 29, 59, 60, 61, 79, 82, 124; Objectives 1.5, 1.6, 2.2, 4.1, 27.1, 27.3, 27.5, 29.1, 29.2, 29.4, 29.5, 29.7, 29.8, 29.10, 29.11, 79.1, 158.1, and Policies 1.1.11, 1.5.1, 5.1.6, 27.1.1, 27.1.2, 27.3.1, 29.2.1, 29.2.4, 29.3.4, 79.1.2, 123.7.3, 123.7.5, 124.1.1, 128.4.12, 128.5.15; Lee Plan Maps 1-B, 4-A, 4-E and Table 1(a).

2. As conditioned, the RPD zoning designation:

a. Is consistent with the Land Development Code or qualifies for deviations. LDC §§ 33-1661 *et seq.*, 34-341(a), 34-373(a)(9), 34-411, 34-413, 34-491, 34-612(2);

b. Is compatible with existing or planned uses in the surrounding area. Lee Plan Objectives 27.1, 27.3, 29.1, 29.2, 29.5, 29.9, 158.1, and Policies, 5.1.5, 5.2.4, 29.1.1, 29.9.1, 29.9.3, 29.11.3, 135.9.5, 158.1.7; LDC §34-413, and

c. Will not adversely affect environmentally sensitive areas or natural resources. Lee Plan Goals 59, 60, 61, 123, 125, Objectives 27.3, 29.7, 29.8, 60.4, 60.5, 61.2, 61.3, 123.1, 123.2, 124.1, 126.2, Policies 1.5.1, 1.6.1, 27.4.3, 27.7.2, 29.8.2, 29.11.3, 59.1.6, 60.4.1, 60.4.3, 60.4.5, 60.5.1, 60.5.2, 60.5.3, 61.2.4, 61.3.3, 61.3.6, 61.3.8, 61.3.11, 61.3.12, 123.2.4, 123.2.8, 123.2.9, 123.2.11, 123.2.15, 123.3.1, 123.3.3, 125.1.1, 125.1.2, 125.1.3, 126.2.1, 143.2.2, 158.1.7, and Standard 4.1.4.

3. There is sufficient road access to support the proposed development intensity.

4. The expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. Lee Plan Objectives 27.4, 29.5, 39.1, Policies 27.4.1, 38.1.1, 38.1.5, 39.1.1; LDC §§ 2-261 *et seq.*, 34-411(d) and (e).

5. Public services and infrastructure will be available to serve the development, notwithstanding its Rural designation. Goals 4, 151, Objective 4.1, Policy 1.4.1, Standards 4.1.1, 4.1.2.

6. The proposed uses are appropriate at the subject location. Lee Plan Goals 2, 5, 27, 29; Objective 29.2, Policies 1.4.1, 27.1.1, 29.1.1, 29.2.1, 124.1.1.

7. The County regulations and recommended conditions of approval provide sufficient safeguards to protect the public interest. Lee Plan Policies 5.1.1, 5.1.2, 5.1.5, 5.2.2, 29.1.1, 29.2.2, 61.3.8, 123.7.5, 135.9.6; LDC §§ 34-377(a)(3), and 34-411.

8. The recommended conditions reasonably relate to the impacts expected from the proposed development. Lee Plan Goals 79, 82, Objectives 29.6, 79.1, Policies 5.1.5, 29.6.2, 29.6.3, 61.3.3, 79.1.2, 82.1.2, 123.2.9, 135.9.5, 158.1.7; LDC §§ 34-145(d)(4)a.2.(b), 34-411, and 34-932(c).

9. Deviations recommended for approval enhance the planned development and preserve the intent of the LDC to protect the public health, safety and welfare. LDC §§ 34-373(a)(9), 34-377(a)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Hamman made a motion to adopt the foregoing resolution, seconded by Commissioner Ruane. The vote was as follows:

Adopted by unanimous consent.

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Abstain
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED this 7th day of September 2022.

ATTEST:
KEVIN C. KARNES, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
~~Cecil L. Pendergrass~~, Chair
Vice

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
Amanda L. Swindle
Assistant County Attorney, Senior
County Attorney's Office

RECEIVED
MINUTES OFFICE
2022 SEP 15 PM 3:52

BBLS SURVEYORS, INC.
8860 TERRENE COURT,
BONITA SPRINGS, FLORIDA 34135
TELEPHONE: (239) 597-1315
FAX: (239) 597-5207

LEGAL DESCRIPTION

OWL CREEK

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.00°16'39"W., ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, FOR A DISTANCE OF 50.01 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF NORTH RIVER ROAD (STATE ROAD 78), A 100 FOOT WIDE RIGHT OF WAY, THE SAME BEING THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE RUN S.88°52'22"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 2,392.11 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE RUN EASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 11,509.16 FEET THROUGH A CENTRAL ANGLE OF 00°53'50", SUBTENDED BY A CHORD OF 180.24 FEET, AT A BEARING OF S.89°19'16"E., FOR A DISTANCE OF 180.24 FEET TO THE END OF SAID CURVE, THE SAME BEING A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE RUN S.00°23'24"W., ALONG SAID EAST LINE, FOR A DISTANCE OF 2,608.43 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE RUN S.00°20'37"W., ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, FOR A DISTANCE OF 1,447.29 FEET TO A POINT HEREINAFTER REFERED TO AS **POINT "A"** , THE SAME BEING A POINT ON THE MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN S.63°09'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.12 FEET; THENCE RUN S.66°53'17"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.33 FEET; THENCE RUN S.70°27'15"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.63 FEET; THENCE RUN S.64°37'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.06 FEET; THENCE RUN S.77°10'24"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.94 FEET; THENCE RUN S.67°19'24"W., ALONG

EXHIBIT A.

SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 49.00 FEET; THENCE RUN S.66°42'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.31 FEET; THENCE RUN S.80°37'35"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.70 FEET; THENCE RUN S.49°00'39"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 25.62 FEET; THENCE RUN S.65°48'12"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.16 FEET; THENCE RUN S.74°36'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 79.06 FEET; THENCE RUN S.73°49'33"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 76.39 FEET; THENCE RUN S.77°28'30"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 81.85 FEET; THENCE RUN S.82°44'45"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 86.96 FEET; THENCE RUN S.69°49'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.53 FEET; THENCE RUN S.83°38'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 84.05 FEET; THENCE RUN N.64°43'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 10.65 FEET; THENCE RUN N.10°04'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.28 FEET; THENCE RUN N.67°36'56"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 63.76 FEET; THENCE RUN N.75°31'42"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 84.91 FEET; THENCE RUN N.67°43'57"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.46 FEET; THENCE RUN N.48°46'12"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 15.77 FEET; THENCE RUN N.22°03'58"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.88 FEET; THENCE RUN N.67°46'02"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 56.48 FEET; THENCE RUN N.53°42'12"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 56.78 FEET; THENCE RUN N.09°10'30"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 71.37 FEET; THENCE RUN N.18°38'24"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.27 FEET; THENCE RUN N.36°09'14"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 54.90 FEET; THENCE RUN N.35°53'09"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 55.09 FEET; THENCE RUN N.01°19'19"E. ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.41 FEET; THENCE RUN N.32°33'04"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.20 FEET; THENCE RUN N.07°39'06"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 57.91 FEET; THENCE RUN N.06°39'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 79.50 FEET; THENCE RUN N.36°15'06"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 133.80 FEET; THENCE RUN N.13°17'04"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 69.67 FEET; THENCE RUN N.51°38'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 56.94 FEET; THENCE RUN N.09°17'06"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 57.33 FEET; THENCE RUN S.47°33'50"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.48 FEET; THENCE RUN

S.52°35'15"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 71.39 FEET; THENCE RUN S.26°00'04"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 44.07 FEET; THENCE RUN S.05°32'36"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 123.25 FEET; THENCE RUN S.35°01'53"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 91.33 FEET; THENCE RUN S.50°35'34"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 85.61 FEET; THENCE RUN S.10°34'53"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.93 FEET; THENCE RUN S.21°26'11"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 36.72 FEET; THENCE RUN S.40°17'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.23 FEET; THENCE RUN S.35°18'25"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.17 FEET; THENCE RUN S.42°33'03"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.18 FEET; THENCE RUN S.41°13'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.71 FEET; THENCE RUN S.18°57'53"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.71 FEET; THENCE RUN S.02°39'27"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 43.57 FEET; THENCE RUN S.18°07'05"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.46 FEET; THENCE RUN S.67°10'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 48.51 FEET; THENCE RUN S.75°56'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.05 FEET; THENCE RUN S.56°00'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.96 FEET; THENCE RUN S.04°07'53"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 15.13 FEET; THENCE RUN S.02°20'53"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.76 FEET; THENCE RUN S.83°41'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.10 FEET; THENCE RUN N.81°54'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 32.46 FEET; THENCE RUN S.72°46'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.87 FEET; THENCE RUN N.79°37'03"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 77.30 FEET; THENCE RUN S.43°53'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.96 FEET; THENCE RUN S.64°51'44"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.22 FEET; THENCE RUN S.67°25'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.97 FEET; THENCE RUN S.63°29'01"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 21.10 FEET; THENCE RUN S.63°09'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 50.02 FEET; THENCE RUN S.55°16'21"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 81.31 FEET; THENCE RUN S.61°20'10"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 66.81 FEET; THENCE RUN S.67°49'59"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 48.47 FEET; THENCE RUN S.72°10'03"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 58.79 FEET; THENCE RUN S.78°14'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 49.72 FEET; THENCE

RUN S.64°42'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.28 FEET; THENCE RUN S.38°23'32"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 10.59 FEET; THENCE RUN N.89°16'27"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 20.26 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE, RUN N.00°43'09"E., FOR A DISTANCE OF 121.86 FEET; THENCE RUN N.07°03'43"E., FOR A DISTANCE OF 300.00 FEET; THENCE RUN N.02°16'53"E., FOR A DISTANCE OF 100.00 FEET; THENCE RUN N.07°27'32"W., FOR A DISTANCE OF 299.99 FEET; THENCE RUN N.01°23'52"W., FOR A DISTANCE OF 100.00 FEET; THENCE RUN N.13°23'08"E., FOR A DISTANCE OF 100.00 FEET; THENCE RUN N.23°42'08"E., FOR A DISTANCE OF 99.22 FEET; THENCE RUN N.88°52'07"W., FOR A DISTANCE OF 500.00 FEET; THENCE RUN S.01°07'53"W., FOR A DISTANCE OF 1,252.34 FEET TO SAID MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN S.59°33'49"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 66.58 FEET; THENCE RUN S.19°55'43"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.96 FEET; THENCE RUN S.53°18'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.47 FEET; THENCE RUN S.26°06'00"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 82.56 FEET; THENCE RUN S.05°34'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.70 FEET; THENCE RUN S.07°11'04"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.90 FEET; THENCE RUN S.07°54'16"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 11.85 FEET; THENCE RUN S.12°21'57"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 78.12 FEET; THENCE RUN S.10°40'48"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.89 FEET; THENCE RUN S.21°15'12"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 20.19 FEET; THENCE RUN S.10°05'07"W. ALONG SAID MEAN HIGH WATER LINE,, FOR A DISTANCE OF 34.32 FEET; THENCE RUN S.16°26'09"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.67 FEET; THENCE RUN S.20°15'30"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 28.82 FEET; THENCE RUN S.18°57'28"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 36.38 FEET; THENCE RUN S.15°47'44"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 34.13 FEET; THENCE RUN S.16°28'26"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 59.42 FEET; THENCE RUN S.12°32'34"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.60 FEET; THENCE RUN S.23°08'17"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 62.09 FEET; THENCE RUN S.15°16'02"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 33.53 FEET; THENCE RUN S.18°12'29"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 115.02 FEET; THENCE RUN S.03°19'16"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 4.78 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE, RUN N.47°23'44"W., FOR A DISTANCE OF 78.47 FEET; THENCE RUN N.24°12'11"W., FOR A DISTANCE OF 91.43 FEET; THENCE RUN

N.03°48'12"W., FOR A DISTANCE OF 29.62 FEET; THENCE RUN N.06°50'11"W., FOR A DISTANCE OF 34.61 FEET; THENCE RUN N.08°54'45"W., FOR A DISTANCE OF 28.95 FEET; THENCE RUN N.12°43'52"W., FOR A DISTANCE OF 39.18 FEET; THENCE RUN N.28°20'46"W. ,FOR A DISTANCE OF 39.90 FEET; THENCE RUN N.32°06'08"W., FOR A DISTANCE OF 30.67 FEET; THENCE RUN N.45°59'51"W., FOR A DISTANCE OF 43.84 FEET; THENCE RUN N.40°53'39"W., FOR A DISTANCE OF 33.01 FEET; THENCE RUN N.53°48'26"W., FOR A DISTANCE OF 60.20 FEET; THENCE RUN N.75°05'44"W., FOR A DISTANCE OF 54.64 FEET; THENCE RUN N.71°07'07"W., FOR A DISTANCE OF 40.46 FEET; THENCE RUN N.62°42'59"W., FOR A DISTANCE OF 34.22 FEET; THENCE RUN N.66°57'30"W., FOR A DISTANCE OF 51.84 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE RUN N.00°16'39"E., ALONG SAID WEST LINE, AND THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 5,052.72 FEET TO THE **POINT OF BEGINNING**. CONTAINING 11,154,906 SQUARE FEET OR 256.083 ACRES, MORE OR LESS.

AND

COMMENCE AT THE AFOREMENTIONED **POINT "A"**; THENCE RUN S.00°20'37"W., ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18, FOR A DISTANCE OF 77.70 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL OF LAND HEREIN DESCRIBED, THE SAME BEING A POINT ON THE MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988) ;THENCE LEAVING SAID MEAN HIGH WATER LINE RUN S.00°20'37"W., FOR A DISTANCE OF 1,134.17 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE RUN S.00°18'34"W., ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19, FOR A DISTANCE OF 2,480.58 FEET TO THE NORTHERLY LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT CANAL 43 RIGHT OF WAY (A 800.00 FOOT WIDE RIGHT OF WAY); THENCE RUN S.71°02'37"W., ALONG SAID NORTHERLY LINE, FOR A DISTANCE OF 384.61 FEET TO THE MEAN HIGH WATER LINE OF THE CALOOSAHATCHEE RIVER (ELEVATION 0.23 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN N.52°44'09"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 86.87 FEET; THENCE RUN N.23°50'54"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.13 FEET; THENCE RUN N.10°38'48"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.58 FEET; THENCE RUN N.09°06'55"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.95 FEET; THENCE RUN N.32°14'07"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.88 FEET; THENCE RUN N.43°39'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.79 FEET; THENCE RUN N.34°08'38"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 41.08 FEET; THENCE RUN N.54°52'16"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 60.65 FEET;

THENCE RUN N.87°04'33"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 55.75 FEET; THENCE RUN N.49°55'04"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.69 FEET; THENCE RUN N.28°07'43"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 46.00 FEET; THENCE RUN N.56°19'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 17.93 FEET; THENCE RUN S.36°51'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.99 FEET; THENCE RUN S.71°55'20"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.45 FEET; THENCE RUN S.89°48'27"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 25.16 FEET; THENCE RUN N.63°29'40"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.19 FEET; THENCE RUN S.77°12'19"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 81.07 FEET; THENCE RUN S.87°13'04"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 71.51 FEET; THENCE RUN S.86°14'38"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 51.39 FEET; THENCE RUN N.32°39'35"W. ALONG SAID MEAN HIGH WATER LINE,, FOR A DISTANCE OF 39.89 FEET; THENCE RUN N.46°07'12"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 55.49 FEET; THENCE RUN N.48°12'13"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 67.15 FEET; THENCE RUN N.30°38'49"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.85 FEET; THENCE RUN N.25°28'33"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 64.46 FEET; THENCE RUN N.28°26'17"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 48.85 FEET; THENCE RUN N.24°27'43"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 67.21 FEET; THENCE RUN N.23°43'59"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 68.49 FEET; THENCE RUN N.44°29'30"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.93 FEET; THENCE RUN N.32°47'22"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 39.03 FEET; THENCE RUN N.37°30'31"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 53.12 FEET; THENCE RUN N.72°02'02"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 37.99 FEET; THENCE RUN N.66°54'09"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 50.25 FEET; THENCE RUN N.76°40'16"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.57 FEET; THENCE RUN N.62°41'50"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.07 FEET; THENCE RUN N.57°22'45"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.85 FEET; THENCE RUN S.81°19'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 24.79 FEET; THENCE RUN S.86°10'29"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 20.72 FEET; THENCE RUN N.68°13'44"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 70.32 FEET; THENCE RUN N.62°52'25"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 25.24 FEET; THENCE RUN N.76°26'43"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 42.82 FEET; THENCE RUN N.86°37'33"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE

OF 23.07 FEET; THENCE RUN N.66°30'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.15 FEET; THENCE RUN N.59°53'05"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.24 FEET; THENCE RUN N.63°30'36"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 30.41 FEET; THENCE RUN N.56°41'32"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 40.31 FEET; THENCE RUN N.61°46'56"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 24.48 FEET; THENCE RUN N.71°57'11"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.15 FEET; THENCE RUN N.60°34'35"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 28.45 FEET; THENCE RUN N.52°43'10"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.94 FEET; THENCE RUN N.40°26'58"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 13.97 FEET; THENCE RUN N.69°12'09"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 50.97 FEET; THENCE RUN N.75°09'23"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.53 FEET; THENCE RUN N.71°05'34"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 29.39 FEET; THENCE RUN N.50°55'57"W., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 7.35 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE, RUN N.48°06'50"E., FOR A DISTANCE OF 270.43 FEET; THENCE RUN N.42°11'10"W., FOR A DISTANCE OF 184.68 FEET; THENCE RUN N.03°40'10"W., FOR A DISTANCE OF 86.00 FEET; THENCE RUN N.44°50'41"E., FOR A DISTANCE OF 140.43 FEET; THENCE RUN N.48°53'50"E., FOR A DISTANCE OF 266.81 FEET; THENCE RUN N.37°56'50"E., FOR A DISTANCE OF 235.27 FEET; THENCE RUN N.28°49'50"E., FOR A DISTANCE OF 219.46 FEET; THENCE RUN N.15°00'10"W., FOR A DISTANCE OF 137.17 FEET; THENCE RUN S.74°59'50"W., FOR A DISTANCE OF 18.55 FEET; THENCE RUN N.15°00'10"W., FOR A DISTANCE OF 53.03 FEET; THENCE RUN N.44°37'10"W., FOR A DISTANCE OF 466.55 FEET; THENCE RUN N.29°52'10"W., FOR A DISTANCE OF 128.59 FEET; THENCE RUN N.24°50'50"E., FOR A DISTANCE OF 318.05 FEET; THENCE RUN N.13°28'44"W., FOR A DISTANCE OF 177.41 FEET TO SAID MEAN HIGH WATER LINE OF TROUT CREEK (ELEVATION 0.03 FEET-NORTH AMERICAN VERTICAL DATUM OF 1988); THENCE RUN N.68°36'37"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 118.44 FEET; THENCE RUN N.64°26'22"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 31.89 FEET; THENCE RUN N.64°03'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 59.04 FEET; THENCE RUN N.75°59'50"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 70.51 FEET; THENCE RUN N.73°52'12"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 36.64 FEET; THENCE RUN N.81°37'22"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 38.71 FEET; THENCE RUN N.76°10'56"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 61.09 FEET; THENCE RUN N.81°10'49"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 43.63 FEET; THENCE RUN N.79°19'30"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.70 FEET; THENCE RUN N.76°16'15"E., ALONG SAID MEAN

HIGH WATER LINE, FOR A DISTANCE OF 54.20 FEET; THENCE RUN N.78°48'20"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 120.20 FEET; THENCE RUN N.79°41'31"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 52.54 FEET; THENCE RUN N.75°23'35"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 99.29 FEET; THENCE RUN N.71°46'47"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 45.73 FEET; THENCE RUN N.77°14'48"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 27.77 FEET; THENCE RUN N.73°38'17"E. ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 131.49 FEET; THENCE RUN N.64°38'32"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 113.85 FEET; THENCE RUN N.64°07'37"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 23.99 FEET; THENCE RUN N.64°53'28"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 84.52 FEET; THENCE RUN N.64°11'02"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 86.91 FEET; THENCE RUN N.64°11'54"E., ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 80.97 FEET TO **THE POINT OF BEGINNING**.
CONTAINING 3,772,203 SQUARE FEET OR 86.598 ACRES, MORE OR LESS.

TOTAL AREA OR PROPERTY DESCRIBED HEREIN IS 14,927,109 SQUARE FEET OR 342.68 ACRES, MORE OR LESS.

BEARINGS REFER TO THE WEST LINE THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, HAVING A BEARING OF S.00°16'39"W.

THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

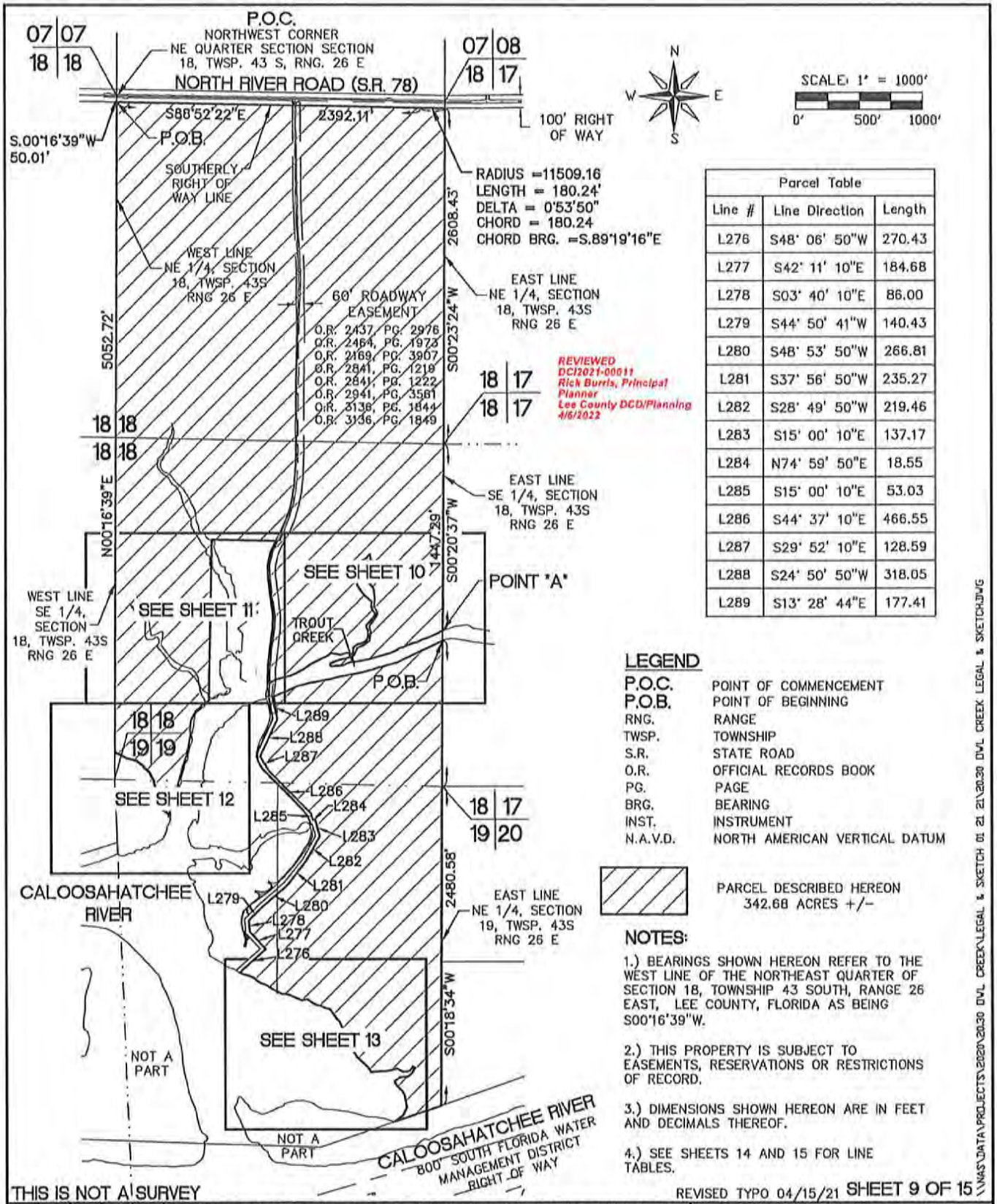
Stephen Berry Digitally signed by Stephen Berry DN: c=US, ou=LS 5296, o=BBLS Surveyors, Inc., cn=Stephen Berry, email=sberry@bblsinc.net Date: 2021.11.16 15:31:52 -05'00' 04/15/21

STEPHEN E. BERRY, STATE OF FLORIDA, (L.S. #5296)
BBLS SURVEYORS, INC., (L.B. #8033)
PROOFED BY SEB
REVISED TYPO 04 15 21
REVISED CURVE 11 16 21

STEPHEN E. BERRY
License Number
5296
STATE OF
FLORIDA
Professional Surveyor and Mapper

REVIEWED
DCI2021-00011
Rick Burris, Principal Planner
Lee County DCD/Planning
4/6/2022

SEE ATTACHED SKETCH (SHEET 9 OF 15 THROUGH SHEET 15 OF 15)



Parcel Table		
Line #	Line Direction	Length
L276	S48° 06' 50"W	270.43
L277	S42° 11' 10"E	184.68
L278	S03° 40' 10"E	86.00
L279	S44° 50' 41"W	140.43
L280	S48° 53' 50"W	266.81
L281	S37° 56' 50"W	235.27
L282	S28° 49' 50"W	219.46
L283	S15° 00' 10"E	137.17
L284	N74° 59' 50"E	18.55
L285	S15° 00' 10"E	53.03
L286	S44° 37' 10"E	466.55
L287	S29° 52' 10"E	128.59
L288	S24° 50' 50"W	318.05
L289	S13° 28' 44"E	177.41

LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
RNG.	RANGE
TWSP.	TOWNSHIP
S.R.	STATE ROAD
O.R.	OFFICIAL RECORDS BOOK
PG.	PAGE
BRG.	BEARING
INST.	INSTRUMENT
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM

PARCEL DESCRIBED HEREON
342.68 ACRES +/-

NOTES:

1.) BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA AS BEING S00°16'39"W.

2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

4.) SEE SHEETS 14 AND 15 FOR LINE TABLES.

THIS IS NOT A SURVEY

REVISED TYPO 04/15/21 SHEET 9 OF 15

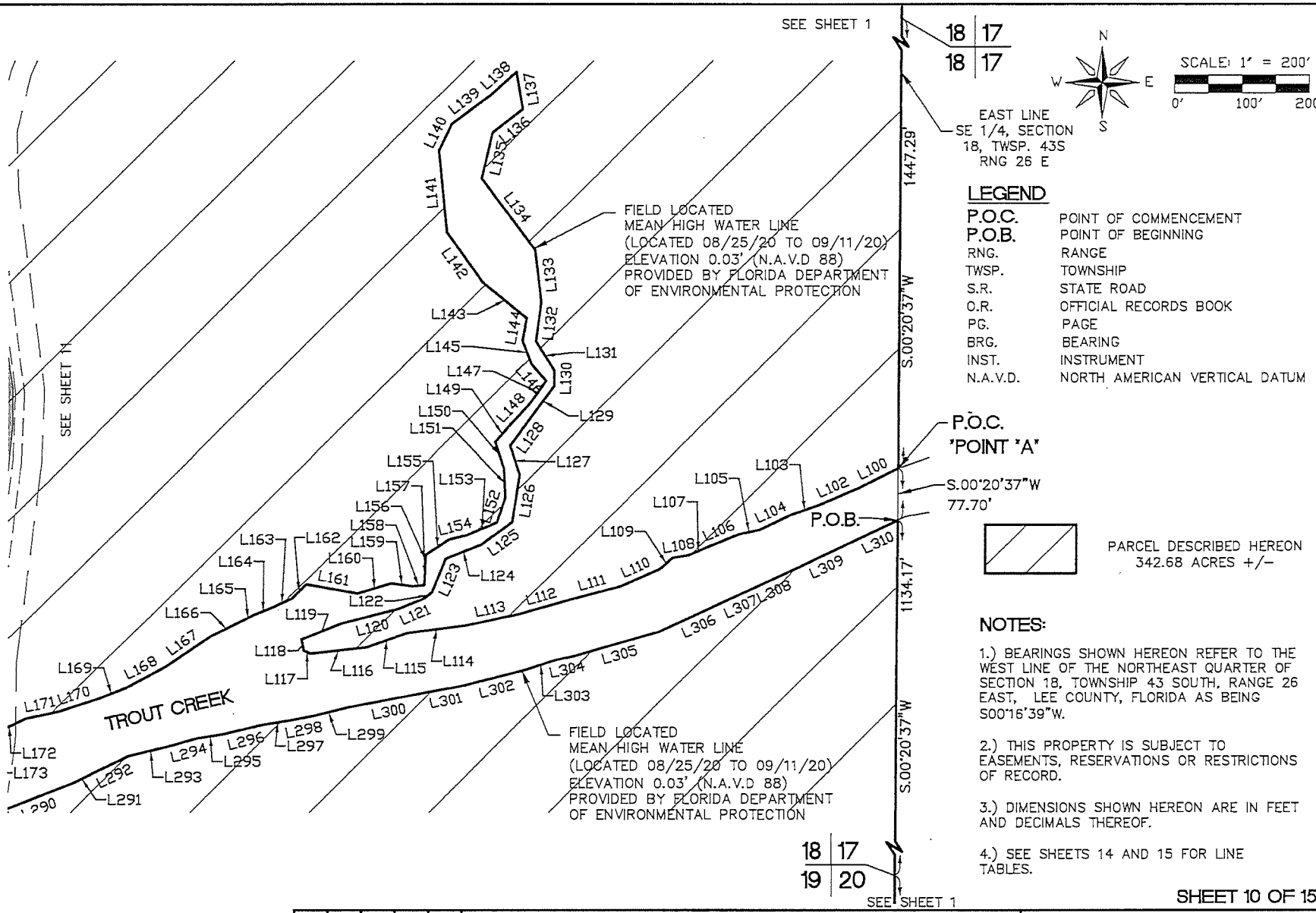
\\NAS\DATA\PROJECTS\2020\20-30 OWL CREEK\LEGAL & SKETCH 01 21 21\20-30 OWL CREEK LEGAL & SKETCH.DWG

SCALE: AS NOTED
APPROVED: SEB
DRAWN BY: SEB
FILE: SEE DAYSTAMP
DATE: 01/21/21

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OWL CREEK

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BBLS SURVEYORS, INC.
8860 TERRENE COURT
BONITA SPRINGS,
FLORIDA 34135
(239) 597-1315



LEGEND

P.O.C.	POINT OF COMMENCEMENT
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RNG.	RANGE
TWSP.	TOWNSHIP
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A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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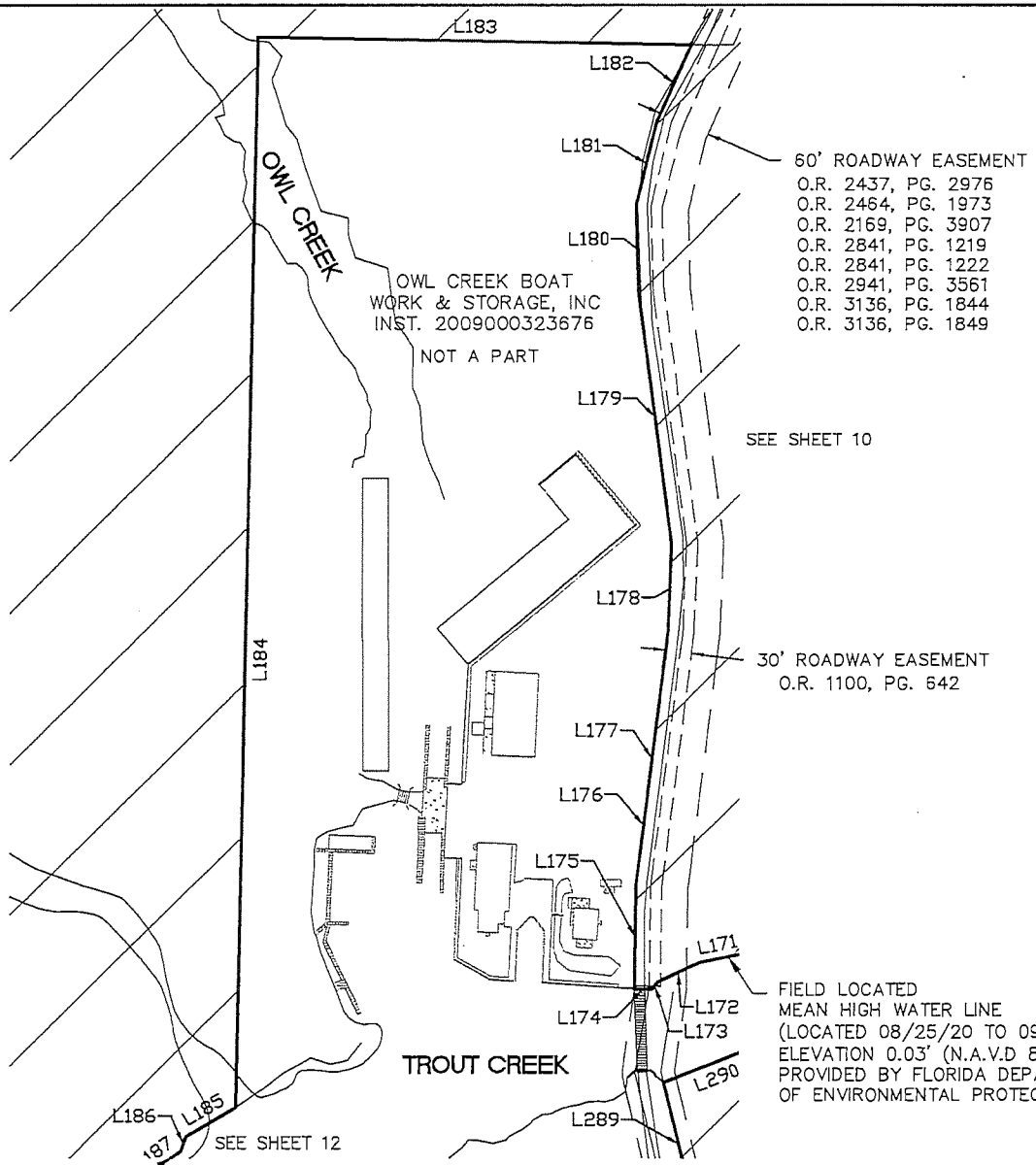

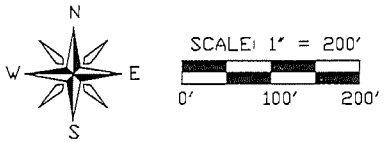

LEGEND

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FIELD LOCATED
MEAN HIGH WATER LINE
(LOCATED 08/25/20 TO 09/11/20)
ELEVATION 0.03' (N.A.V.D 88)
PROVIDED BY FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

THIS IS NOT A SURVEY

SCALE:	AS NOTED
APPROVED:	SEB
DRAWN BY:	SEB
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OWL CREEK

A PORTION OF SECTIONS 18 AND 19,
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LEE COUNTY, FLORIDA

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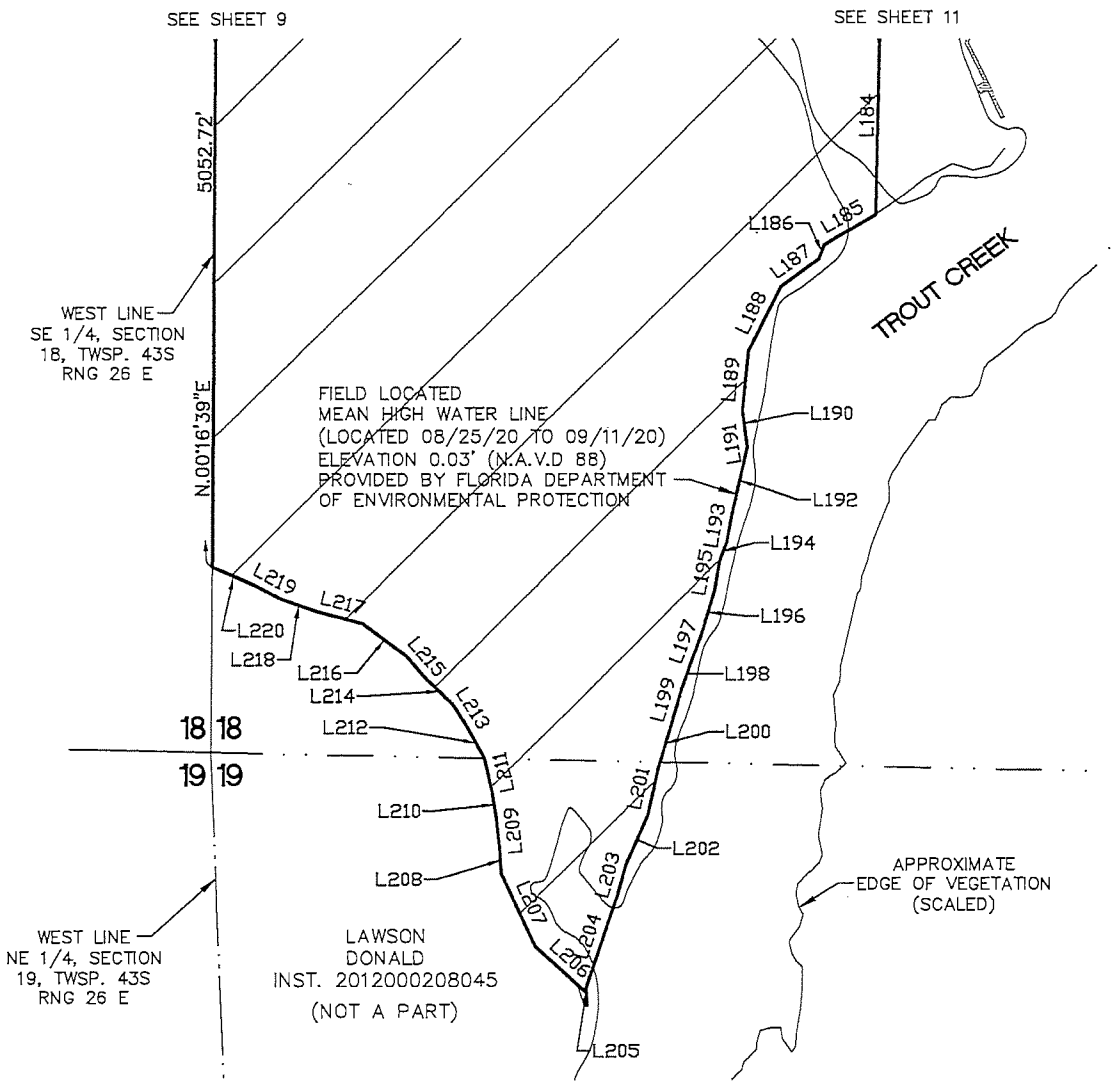

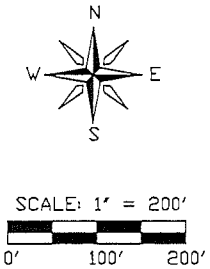

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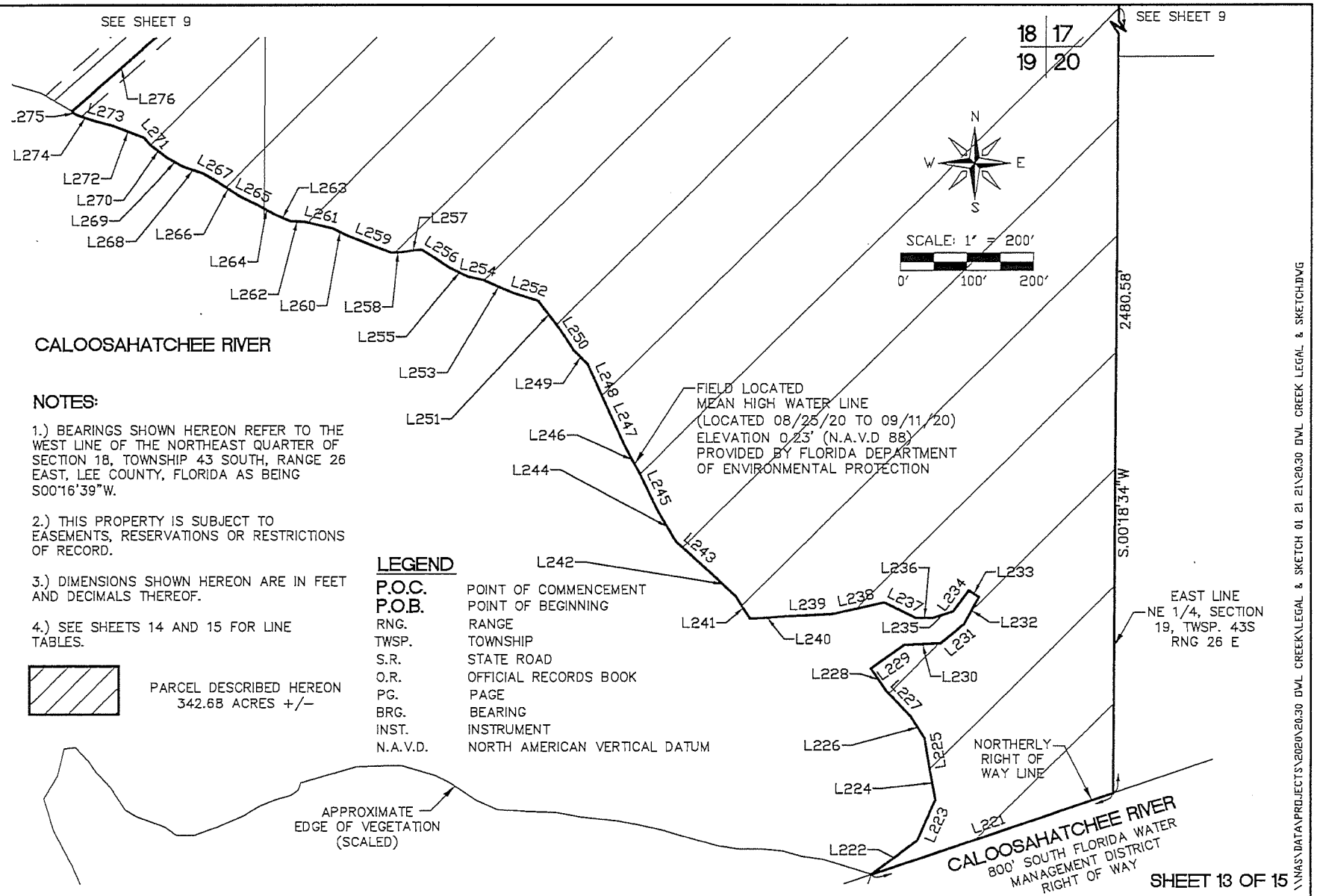

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LEGEND

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P.O.B.	POINT OF BEGINNING
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LEE COUNTY, FLORIDA

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SHEET 13 OF 15

\\NAS\DATA\PROJECTS\2020\20.30 OWL CREEK\LEGAL & SKETCH 01 21 21\20.30 OWL CREEK LEGAL & SKETCH.DWG

Parcel Table		
Line #	Line Direction	Length
L100	S63° 09' 11"W	68.12
L102	S66° 53' 17"W	63.33
L103	S70° 27' 15"W	39.63
L104	S64° 37' 58"W	53.06
L105	S77° 10' 24"W	31.94
L106	S67° 19' 24"W	49.00
L107	S66° 42' 36"W	31.31
L108	S80° 37' 35"W	23.70
L109	S49° 00' 39"W	25.62
L110	S65° 48' 12"W	63.16
L111	S74° 36' 11"W	79.06
L112	S73° 49' 33"W	76.39
L113	S77° 28' 30"W	81.85
L114	S82° 44' 45"W	86.96
L115	S69° 49' 00"W	63.53
L116	S83° 38' 00"W	84.05
L117	N64° 43' 19"W	10.65
L118	N10° 04' 22"W	17.28
L119	N67° 36' 56"E	63.76
L120	N75° 31' 42"E	84.91

Parcel Table		
Line #	Line Direction	Length
L121	N67° 43' 57"E	42.46
L122	N48° 46' 12"E	15.77
L123	N22° 03' 58"E	53.88
L124	N67° 46' 02"E	56.48
L125	N53° 42' 12"E	56.78
L126	N09° 10' 30"E	71.37
L127	N18° 38' 24"W	45.27
L128	N36° 09' 14"E	54.90
L129	N35° 53' 09"E	55.09
L130	N01° 19' 19"E	23.41
L131	N32° 33' 04"W	51.20
L132	N07° 39' 06"E	57.91
L133	N06° 39' 11"W	79.50
L134	N36° 15' 06"W	133.80
L135	N13° 17' 04"E	69.67
L136	N51° 38' 20"E	56.94
L137	N09° 17' 06"W	57.33
L138	S47° 33' 50"W	52.48
L139	S52° 35' 15"W	71.39
L140	S26° 00' 04"W	44.07

Parcel Table		
Line #	Line Direction	Length
L141	S05° 32' 36"E	123.25
L142	S35° 01' 53"E	91.33
L143	S50° 35' 34"E	85.61
L144	S10° 34' 53"W	33.93
L145	S21° 26' 11"E	36.72
L146	S40° 17' 20"E	33.23
L147	S35° 18' 25"W	42.17
L148	S42° 33' 03"W	45.18
L149	S41° 13' 28"W	30.71
L150	S18° 57' 53"E	40.71
L151	S02° 39' 27"E	43.57
L152	S18° 07' 05"W	39.46
L153	S67° 10' 19"W	48.51
L154	S75° 56' 36"W	27.05
L155	S56° 00' 26"W	40.96
L156	S04° 07' 53"W	15.13
L157	S02° 20' 53"W	30.76
L158	S83° 41' 22"W	17.10
L159	N81° 54' 26"W	32.46
L160	S72° 46' 26"W	51.87

Parcel Table		
Line #	Line Direction	Length
L161	N79° 37' 03"W	77.30
L162	S43° 53' 28"W	29.96
L163	S64° 51' 44"W	33.22
L164	S67° 25' 22"E	27.97
L165	S63° 29' 01"W	21.10
L166	S63° 09' 28"W	50.02
L167	S55° 16' 21"W	81.31
L168	S61° 20' 10"W	66.81
L169	S67° 49' 59"W	48.47
L170	S72° 10' 03"W	58.79
L171	S78° 14' 00"W	49.72
L172	S64° 42' 00"W	53.28
L173	S38° 23' 32"W	10.59
L174	N89° 16' 27"W	20.26
L175	N00° 43' 09"E	121.86
L176	N07° 03' 43"E	300.00
L178	N02° 16' 53"E	100.00
L179	N07° 27' 32"W	299.99

Parcel Table		
Line #	Line Direction	Length
L180	N01° 23' 52"W	100.00
L181	N13° 23' 08"E	100.00
L182	N23° 42' 08"E	99.22
L183	N88° 52' 07"W	500.00
L184	S01° 07' 53"W	1252.34
L185	S59° 33' 49"W	66.58
L186	S19° 55' 43"W	17.96
L187	S53° 18' 36"W	53.47
L188	S26° 06' 00"W	82.56
L189	S05° 34' 19"W	68.70
L190	S07° 11' 04"E	29.90
L191	S07° 54' 16"E	11.85
L192	S12° 21' 57"W	78.12
L193	S10° 40' 48"W	33.89
L194	S21° 15' 12"W	20.19
L195	S10° 05' 07"W	34.32
L196	S16° 26' 09"W	51.67
L197	S20° 15' 30"W	28.82
L198	S18° 57' 28"W	36.38
L199	S15° 47' 44"W	34.13

NOTES:

1.) BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA AS BEING S00°16'39"W.

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3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

THIS IS NOT A SURVEY

SHEET 14 OF 15

SCALE: AS NOTED | APPROVED: SEB | DRAWN BY: SEB | FILE: SEE DAYSTAMP | DATE: 01/21/21

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OWL CREEK

A PORTION OF SECTIONS 18 AND 19,
TOWNSHIP 43 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

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8860 TERRENE COURT
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\\NAS\DATA\PROJECTS\2020\20.30 OWL CREEK\LEGAL & SKETCH 01 21 21\20.30 OWL CREEK LEGAL & SKETCH.DWG

Parcel Table		
Line #	Line Direction	Length
L200	S16° 28' 26"W	59.42
L201	S12° 32' 34"W	53.60
L202	S23° 08' 17"W	62.09
L203	S15° 16' 02"W	33.53
L204	S18° 12' 29"W	115.02
L205	S03° 19' 16"E	4.78
L206	N47° 23' 44"W	78.47
L207	N24° 12' 11"W	91.43
L208	N03° 48' 12"W	29.62
L209	N06° 50' 11"W	34.61
L210	N08° 54' 45"W	28.95
L211	N12° 43' 52"W	39.18
L212	N28° 20' 46"W	39.90
L213	N32° 06' 08"W	30.67
L214	N45° 59' 51"W	43.84
L215	N40° 53' 39"W	33.01
L216	N53° 48' 26"W	60.20
L217	N75° 05' 44"W	54.64
L218	N71° 07' 07"W	40.46
L219	N62° 42' 59"W	34.22

Parcel Table		
Line #	Line Direction	Length
L220	N66° 57' 30"W	51.84
L221	S71° 02' 37"W	384.61
L222	N52° 44' 09"E	86.87
L223	N23° 50' 54"E	68.13
L224	N10° 38' 48"W	52.58
L225	N09° 06' 55"W	42.95
L226	N32° 14' 07"W	39.88
L227	N43° 39' 22"W	52.79
L228	N34° 08' 38"W	41.08
L229	N54° 52' 16"E	60.65
L230	N87° 04' 33"E	55.75
L231	N49° 55' 04"E	45.69
L232	N28° 07' 43"E	46.00
L233	N56° 19' 58"W	17.93
L234	S36° 51' 22"W	39.99
L235	S71° 55' 20"W	31.45
L236	S89° 48' 27"W	25.16
L237	N63° 29' 40"W	53.19
L238	S77° 12' 19"W	81.07
L239	S87° 13' 04"W	71.51

Parcel Table		
Line #	Line Direction	Length
L240	S86° 14' 38"W	51.39
L241	N32° 39' 35"W	39.89
L242	N46° 07' 12"W	55.49
L243	N48° 12' 13"W	67.15
L244	N30° 38' 49"W	52.85
L245	N25° 28' 33"W	64.46
L246	N28° 26' 17"W	48.85
L247	N24° 27' 43"W	67.21
L248	N23° 43' 59"W	68.49
L249	N44° 29' 30"W	30.93
L250	N32° 47' 22"W	39.03
L251	N37° 30' 31"W	53.12
L252	N72° 02' 02"W	37.99
L253	N66° 54' 09"W	50.25
L254	N76° 40' 16"W	23.57
L255	N62° 41' 50"W	29.07
L256	N57° 22' 45"W	52.85
L257	S81° 19' 58"W	24.79

Parcel Table		
Line #	Line Direction	Length
L258	S86° 10' 29"W	20.72
L259	N68° 13' 44"W	70.32
L260	N62° 52' 25"W	25.24
L261	N76° 26' 43"W	42.82
L262	N86° 37' 33"W	23.07
L263	N66° 30' 11"W	23.15
L264	N59° 53' 05"W	31.24
L265	N63° 30' 36"W	30.41
L266	N56° 41' 32"W	40.31
L267	N61° 46' 56"W	24.48
L268	N71° 57' 11"W	31.15
L269	N60° 34' 35"W	28.45
L270	N52° 43' 10"W	31.94
L271	N40° 26' 58"W	13.97
L272	N69° 12' 09"W	50.97
L273	N75° 09' 23"W	27.53
L274	N71° 05' 34"W	29.39
L275	N50° 55' 57"W	7.35
L276	N48° 06' 50"E	270.43
L277	N42° 11' 10"W	184.68

Parcel Table		
Line #	Line Direction	Length
L278	N03° 40' 10"W	86.00
L279	N44° 50' 41"E	140.43
L280	N48° 53' 50"E	266.81
L281	N37° 56' 50"E	235.27
L282	N28° 49' 50"E	219.46
L283	N15° 00' 10"W	137.17
L284	S74° 59' 50"W	18.55
L285	N15° 00' 10"W	53.03
L286	N44° 37' 10"W	466.55
L287	N29° 52' 10"W	128.59
L288	N24° 50' 50"E	318.05
L289	N13° 28' 44"W	177.41
L290	N68° 36' 37"E	118.44
L291	N64° 26' 22"E	31.89
L292	N64° 03' 20"E	59.04
L293	N75° 59' 50"E	70.51
L294	N73° 52' 12"E	36.64
L295	N81° 37' 22"E	38.71
L296	N76° 10' 56"E	61.09
L297	N81° 10' 49"E	43.63

Parcel Table		
Line #	Line Direction	Length
L298	N79° 19' 30"E	27.70
L299	N76° 16' 15"E	54.20
L300	N78° 48' 20"E	120.20
L301	N79° 41' 31"E	52.54
L302	N75° 23' 35"E	99.29
L303	N71° 46' 47"E	45.73
L304	N77° 14' 48"E	27.77
L305	N73° 38' 17"E	131.49
L306	N64° 38' 32"E	113.85

Parcel Table		
Line #	Line Direction	Length
L307	N64° 07' 37"E	23.99
L308	N64° 53' 28"E	84.52
L309	N64° 11' 02"E	86.91
L310	N64° 11' 54"E	80.97

NOTES:

1.) BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA AS BEING S00°16'39"W.

2.) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.

3.) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

THIS IS NOT A SURVEY

SCALE: AS NOTED
APPROVED: SEB
DRAWN BY: SEB
FILE: SEE DAYSTAMP
DATE: 01/21/21

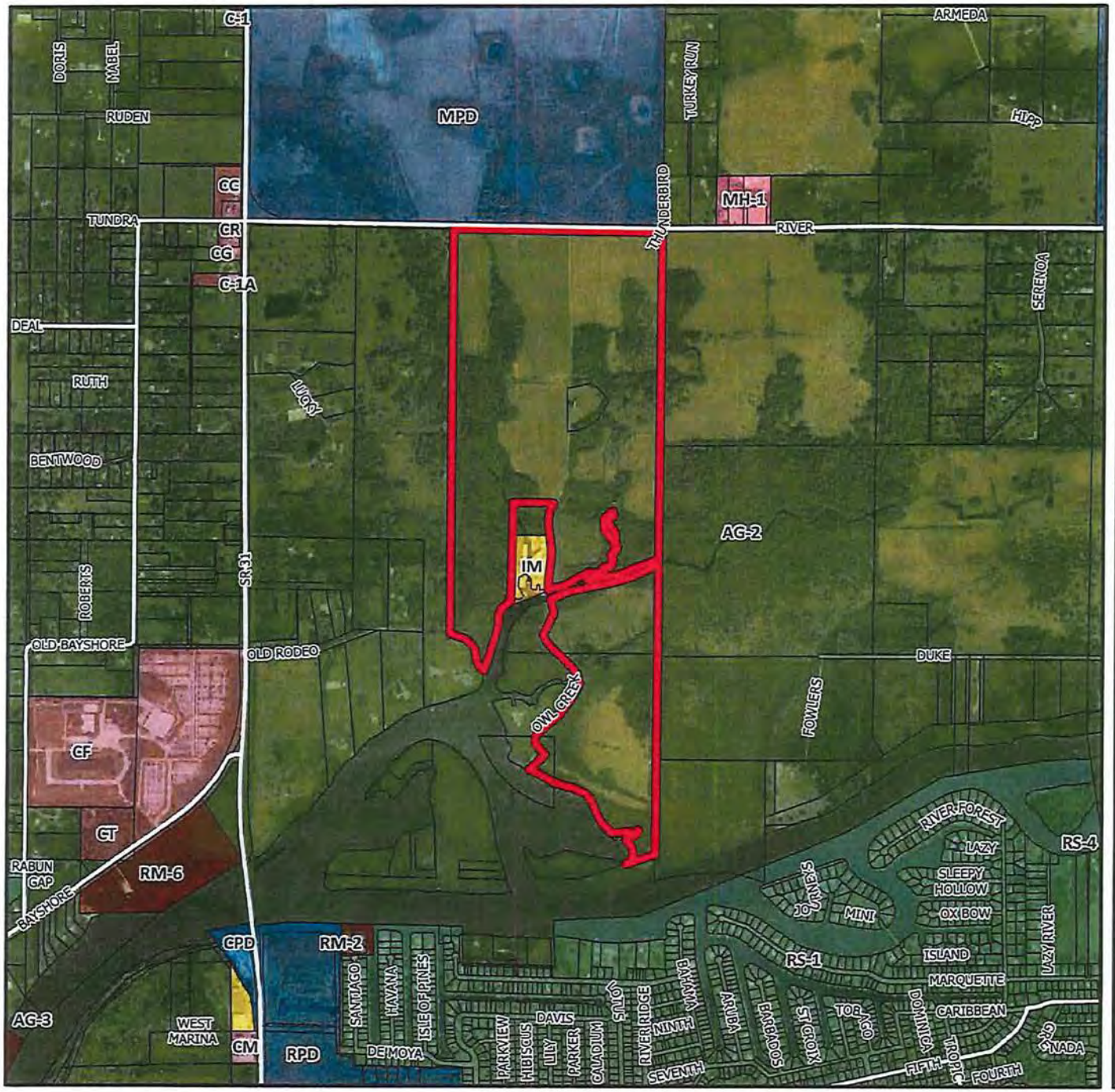
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
OWL CREEK

A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

BBLS SURVEYORS, INC.
8860 TERRENE COURT
BONITA SPRINGS,
FLORIDA 34135
(239) 597-1315

\\NAS\DATA\PROJECTS\2020\20.30 OWL CREEK\LEGAL & SKETCH 01 21\20.30 OWL CREEK LEGAL & SKETCH.DWG

EXHIBIT B



DCI2021-00011

Zoning

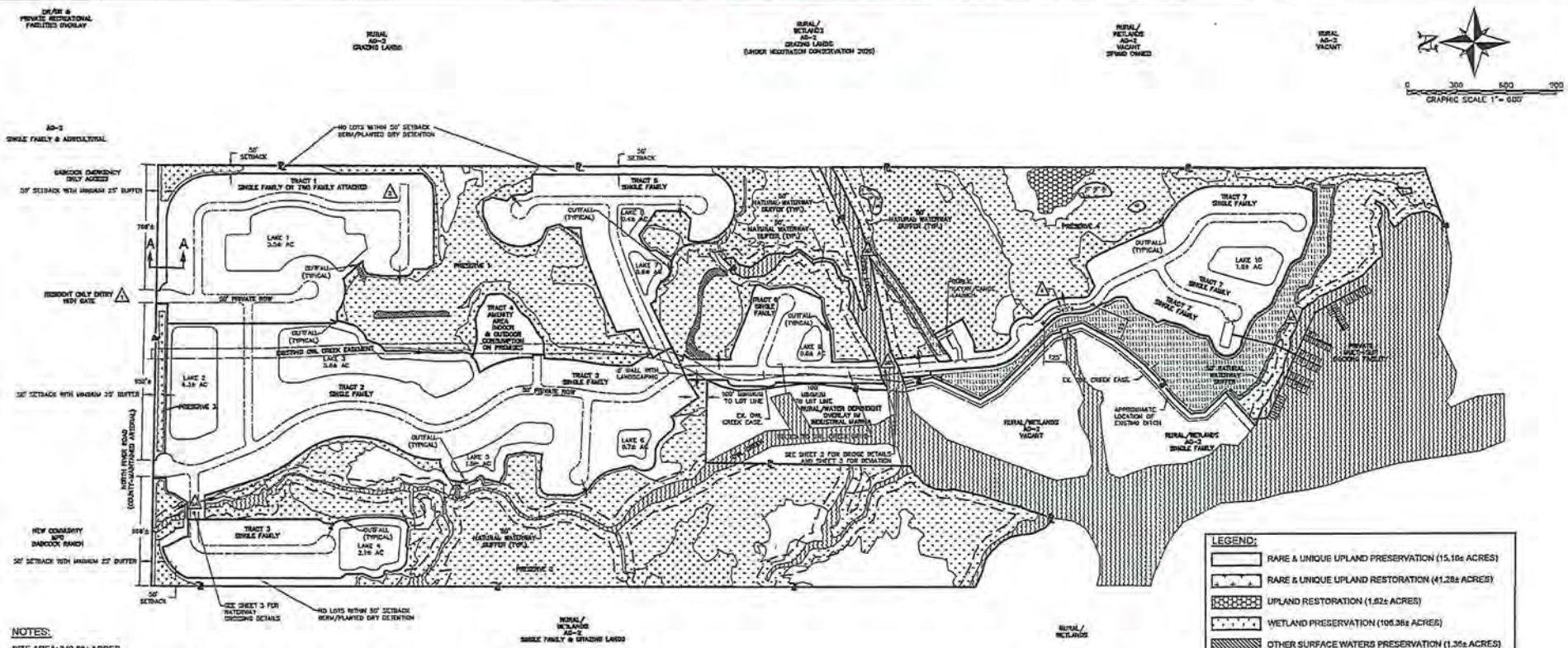
Subject Property

N
W E
S

0 1,000 2,000 3,000
Feet

Lee County
Southwest Florida

Submitted at hearing on June 23, 2022 - DCI2021-00011



NOTES:

SITE AREA: 342.69± ACRES

REQUIRED OPEN SPACE PER POLICY 29.2.4.1: 60% OF WHICH 50% MUST BE INDIGENOUS

OPEN SPACE PROVIDED: MINIMUM 60% 342.69 X 0.6= 205.6± ACRES

MINIMUM 50% INDIGENOUS REQUIRED: ±205.6 X 0.5 = 102.8± ACRES

INDIGENOUS PROVIDED:

WETLANDS: (23.50± AC PRESERVED & 82.88± AC RESTORED) = 106.38± AC

RARE & UNIQUE UPLAND HABITAT: (15.16± AC PRESERVED & 41.28± AC RESTORED) = 56.44± AC

PRESERVED SURFACE WATER/FLOWWAY: 5.61± AC

TOTAL INDIGENOUS PROVIDED: 168.41± AC

MAXIMUM 25% OR 51.4 AC OF OPEN SPACE AREAS PROVIDED BY LAKE: 23.3± ACRES

MINIMUM 54% (188.10± AC) CONSERVATION EASEMENT (SEE LEGEND)

OPEN SPACE PROVIDED: 209.4± ACRES

DENSITY PER PENDING CPA2020-00004 & CPA2020-00005 TRANSFERRING PRESERVED WETLAND DENSITY & ADDING 1 DU/ACRE FOR PRESERVED OR RESTORED RARE & UNIQUE UPLANDS:

UPLANDS (212.24± AC) & MANMADE DITCHES/LAKE (4.38± AC)=216.63 AT 1 DU/AC:	216.63 DU
**PRESERVED WETLANDS 106.38± AC TRANSFERRED TO ADJACENT UPLANDS AT 1 DU/AC:	106.38 DU
**IMPACTED WETLANDS 15.95± AC AT 1 DU/20 AC:	0.70 DU
5.74± AC NATURAL OPEN WATER NOT ELIGIBLE FOR DENSITY	
**ADDITIONAL 1 DU/AC PRESERVED RARE AND UNIQUE UPLAND HABITAT 15.16± AC:	15.16 DU
**ADDITIONAL 1 DU/AC FOR RESTORED RARE AND UNIQUE UPLAND HABITAT 41.28± AC:	41.28 DU
(**SEE DENSITY EXHIBIT ON PAGE 2) TOTAL MAXIMUM DENSITY:	380 DWELLING UNITS

Approved as Exhibit C
MCP Page 1 of 3
Resolution # 2-22-022

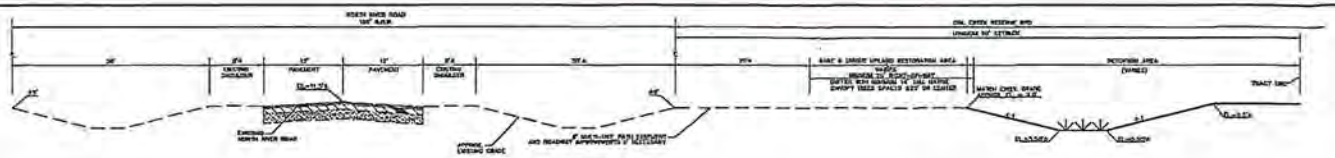
NO.	DATE	REVISION DESCRIPTION	BY
04	4/13/2022	ADD DEVIATION 4	JLR
03	3/31/2022	2ND SUFFICIENCY RESPONSE	JLR
02	10/26/2021	1ST SUFFICIENCY RESPONSE	JLR
01	8/31/2021	1ST SUFFICIENCY RESPONSE	JLR

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State of Florida

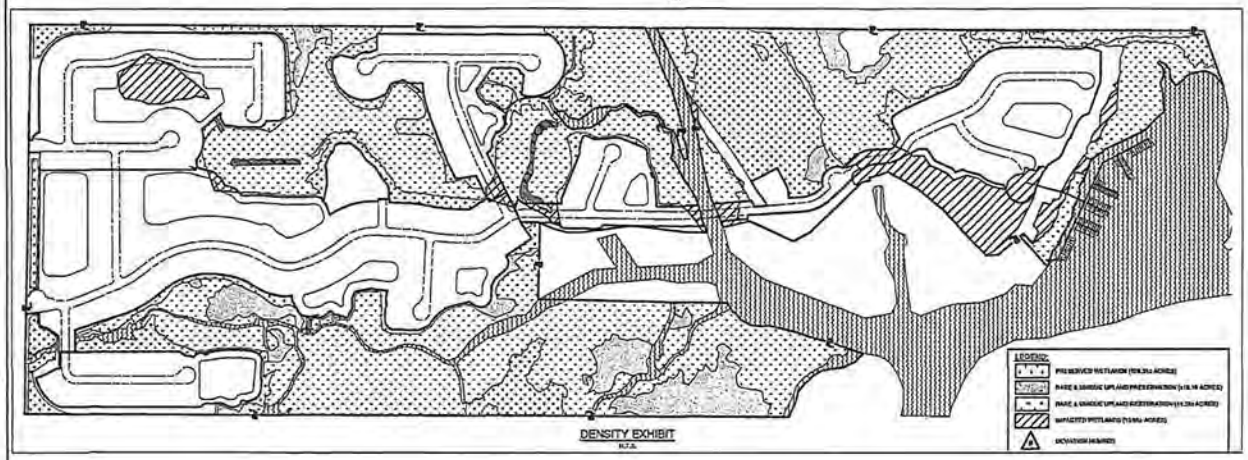
MASTER CONCEPT PLAN
OWL CREEK RESERVE MINOR RPD
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
07/12/2021	B504	MCP	KG	KG	DRU	AS SHOWN	1 OF 3

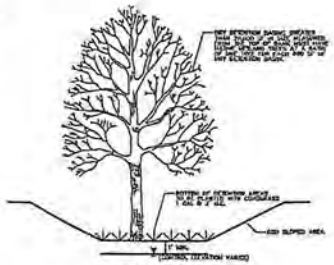
Submitted at hearing on June 23, 2022 - DCI2021-00011



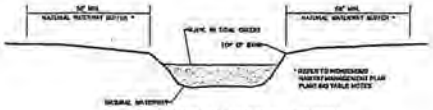
SECTION A-A
N.T.S.



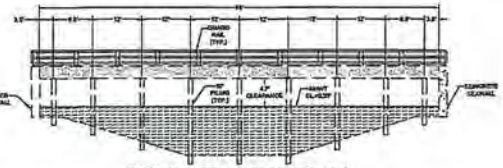
DENSITY EXHIBIT
N.T.S.



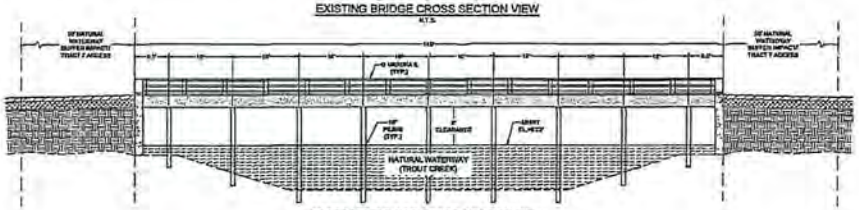
DETENTION (TYP.)
N.T.S.



TYPICAL 50' NATURAL WATERWAY BUFFER
N.T.S.

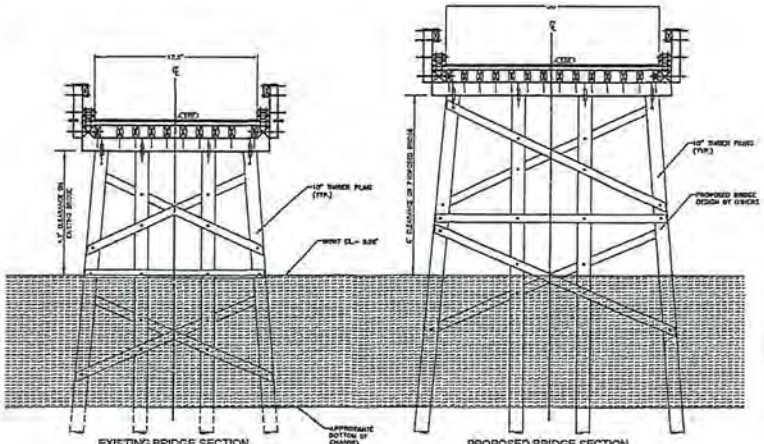


EXISTING BRIDGE CROSS SECTION VIEW
N.T.S.



PROPOSED BRIDGE CROSS SECTION VIEW
N.T.S.

NOTE:
BRIDGE STRUCTURAL DESIGN BY OTHERS. THIS PLAN SHOWS THE MINIMUM BRIDGE HEIGHT.



EXISTING BRIDGE SECTION
N.T.S.

PROPOSED BRIDGE SECTION
N.T.S.

Approved as Exhibit C
MCP Page 2 of 3
Resolution # Z-22-029

BANKS ENGINEERING
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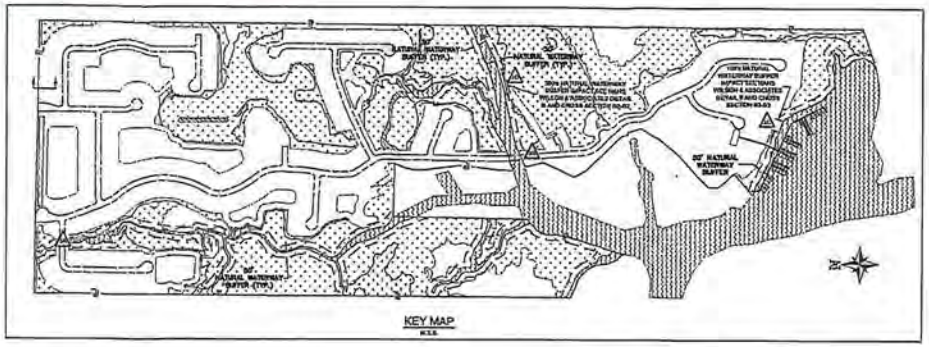
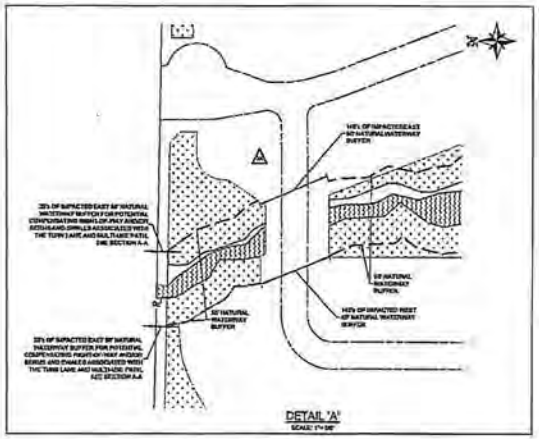
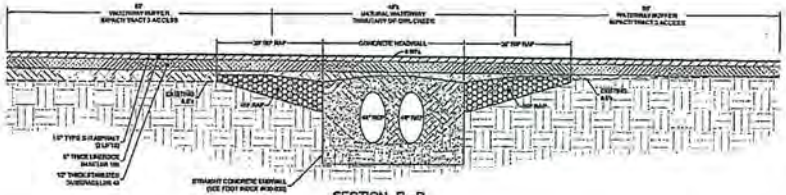
MASTER CONCEPT PLAN-TYPICAL CROSS SECTIONS & DETAILS
OWL CREEK RESERVE
LEE COUNTY, FLORIDA

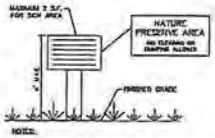
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/11/2021	8504	_ESEC	KG	KG	DRSJ	N.T.S.	2 OF 3

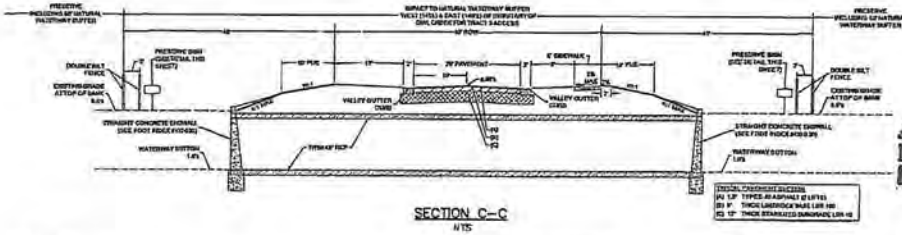
Submitted at hearing on June 23, 2022 - DCI2021-00011

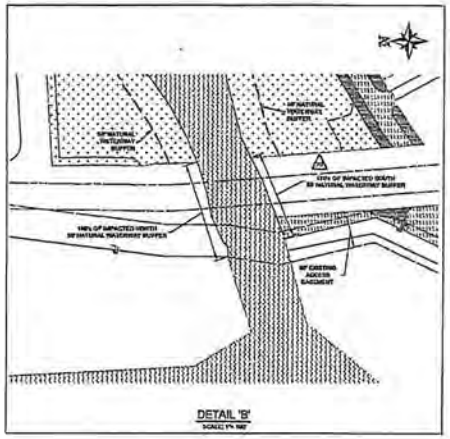


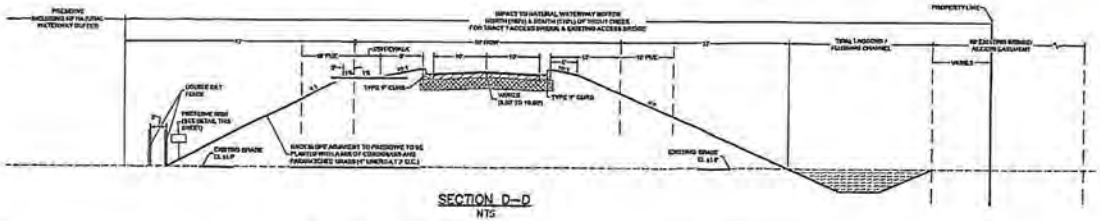












Approved as Exhibit C
BCP Page 3 of 5
Resolution # Z-22-029

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Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

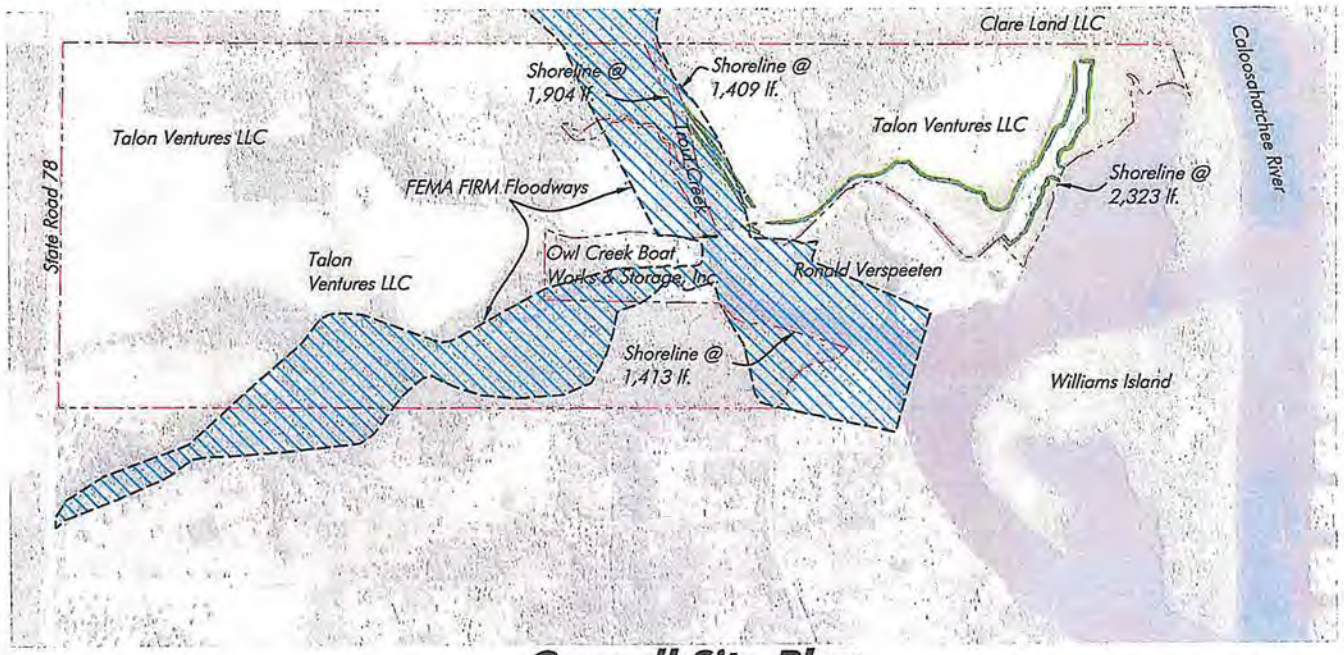
MASTER CONCEPT PLAN-TYPICAL CROSS SECTIONS & DETAILS
OWL CREEK RESERVE
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/11/2011	8304	_XSEC	KG	KG	DRH	N.T.S.	3 OF 3

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East

0' 500' 1,000'
SCALE FEET

2021 Lee County Aerial



Overall Site Plan

SCALE: 1" = 1,000'

This item has been digitally signed and sealed by Hans J.M. Wilson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

Total project shoreline @ 7,049 lf.

Note: Property lines per Lee County Property Appraiser

PERMIT PLANS, NOT FOR CONSTRUCTION

HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

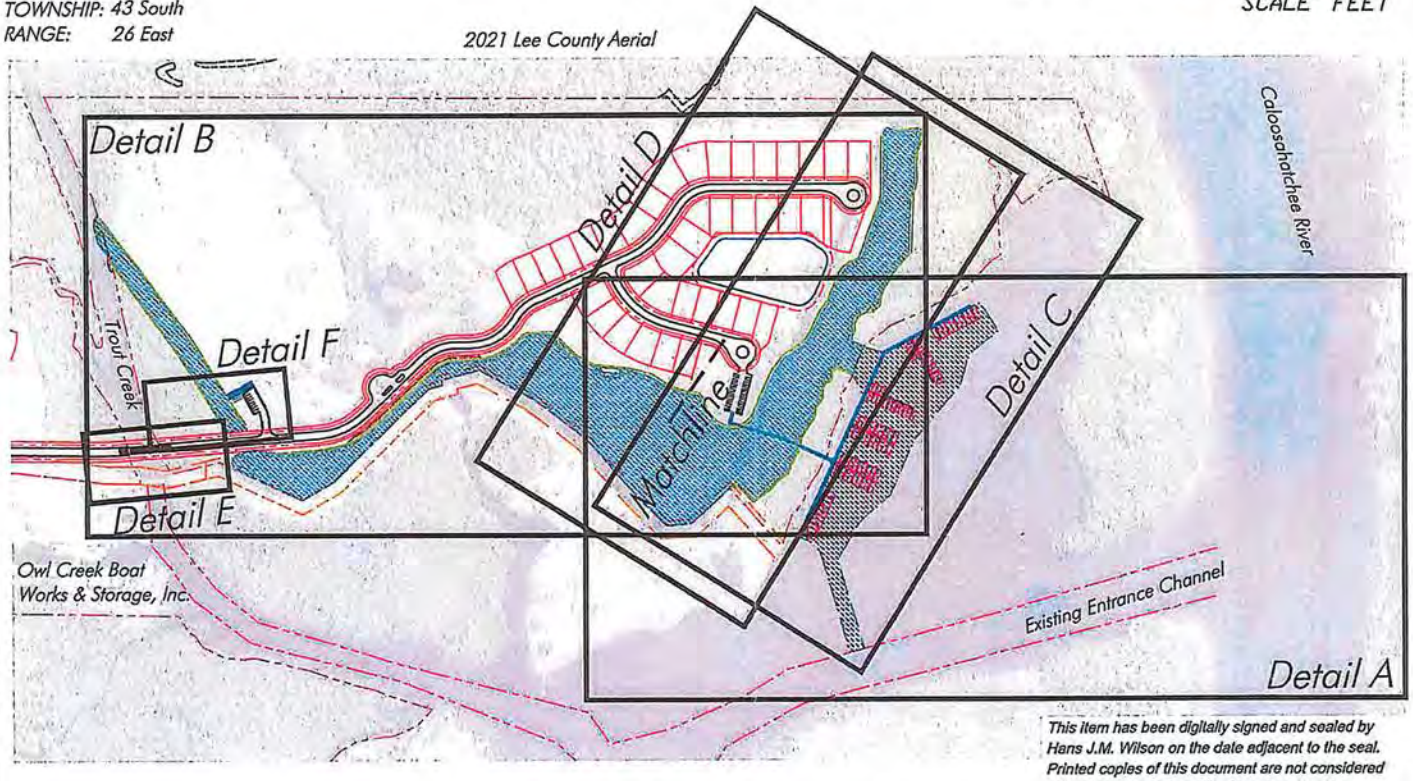
D R Horton

SHEET 2-21

EXHIBIT D

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East

0' 250' 500'
SCALE FEET



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HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

Total project shoreline @ 7,049 lf.

Note: Property lines per Lee County Property Appraiser

PERMIT PLANS, NOT FOR CONSTRUCTION

Proposed Site Plan

SCALE: 1" = 500'

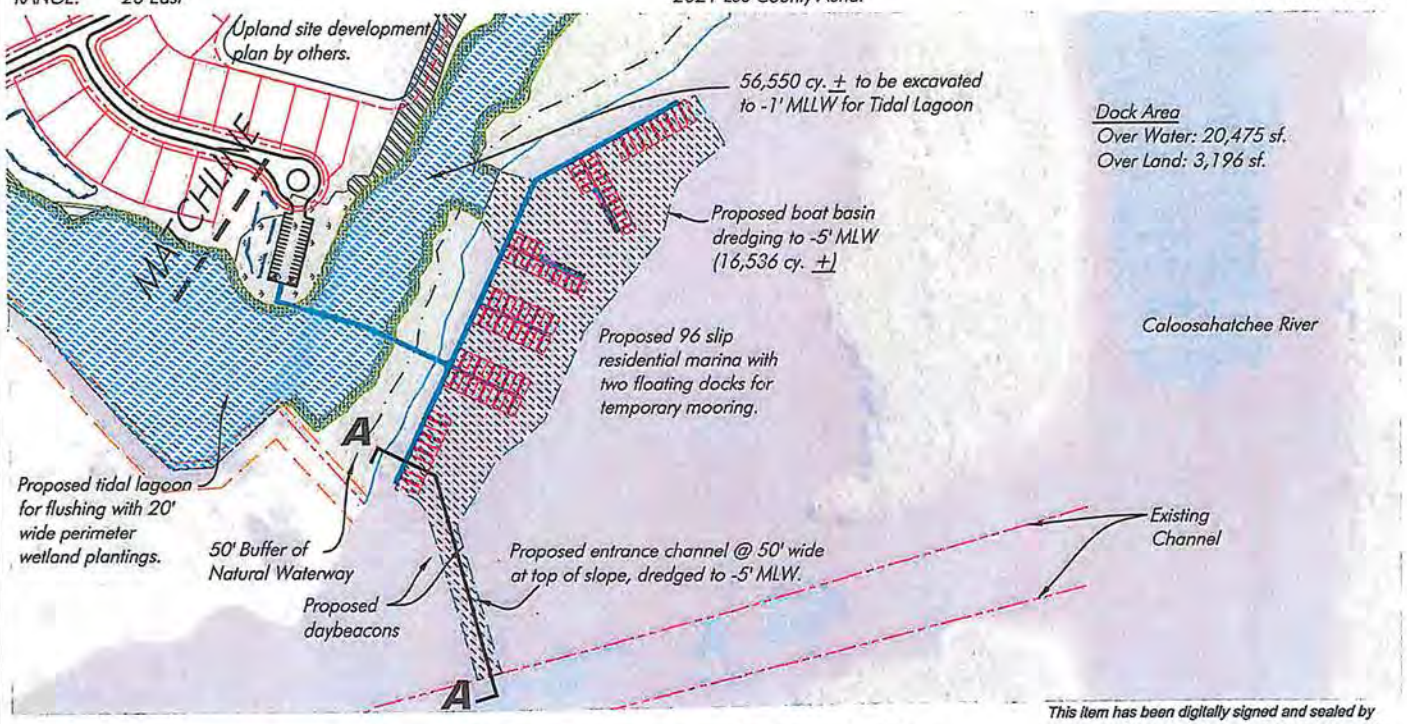
HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

SHEET
4-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East



Detail A - Proposed Dock Plan

SCALE: 1" = 300'

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HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

Note: Property lines per Lee County Property Appraiser

PERMIT PLANS, NOT FOR CONSTRUCTION

HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

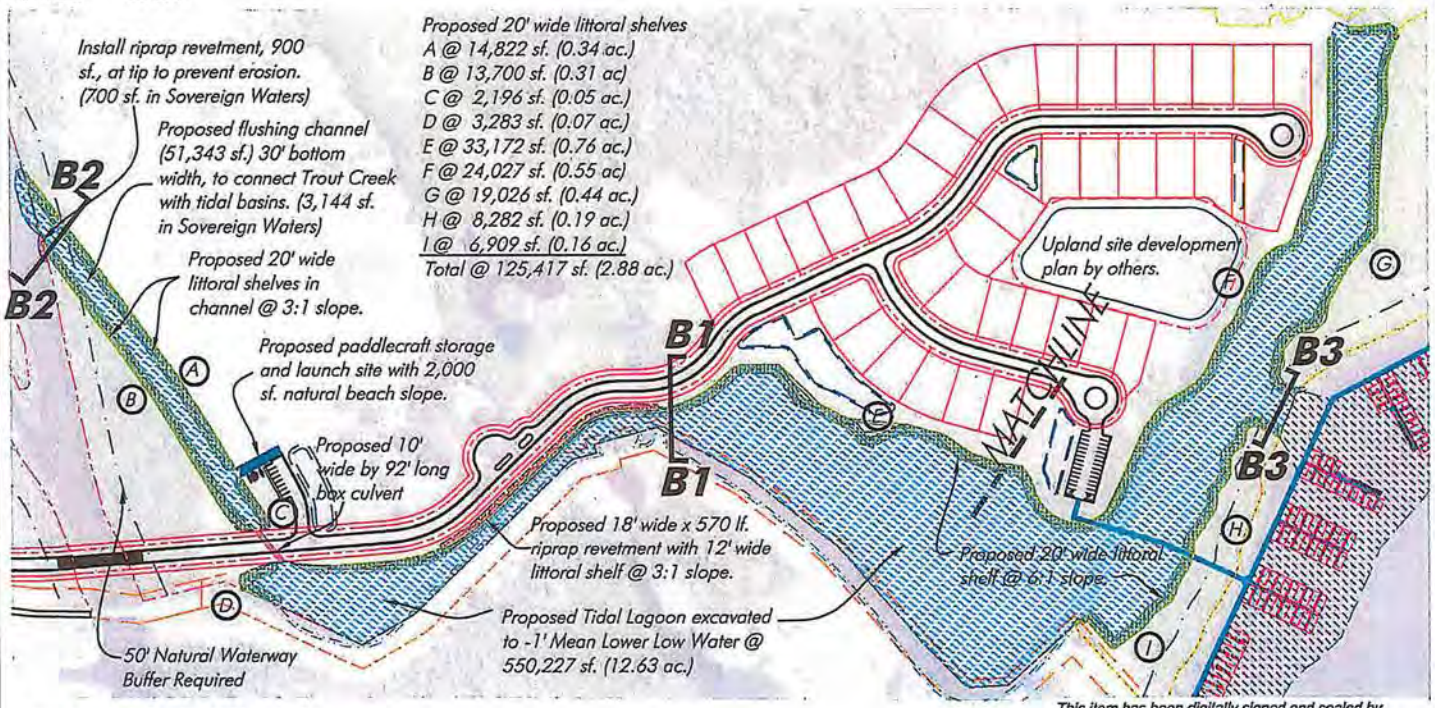
D R Horton

SHEET 5-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East

2021 Lee County Aerial

0' 150' 300'
SCALE FEET



Notes: Depths reference MLW based on DEP Tide Station 872-5520.
MHW @ 0.06' NAVD.
MLW -0.89' NAVD
MLLW @ -1.04' NAVD.
Note: Property lines per Lee County Property Appraiser

Detail B - Tidal Lagoon/Tidal Channel

SCALE: 1" = 300'

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HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTONJMASTER.DWG

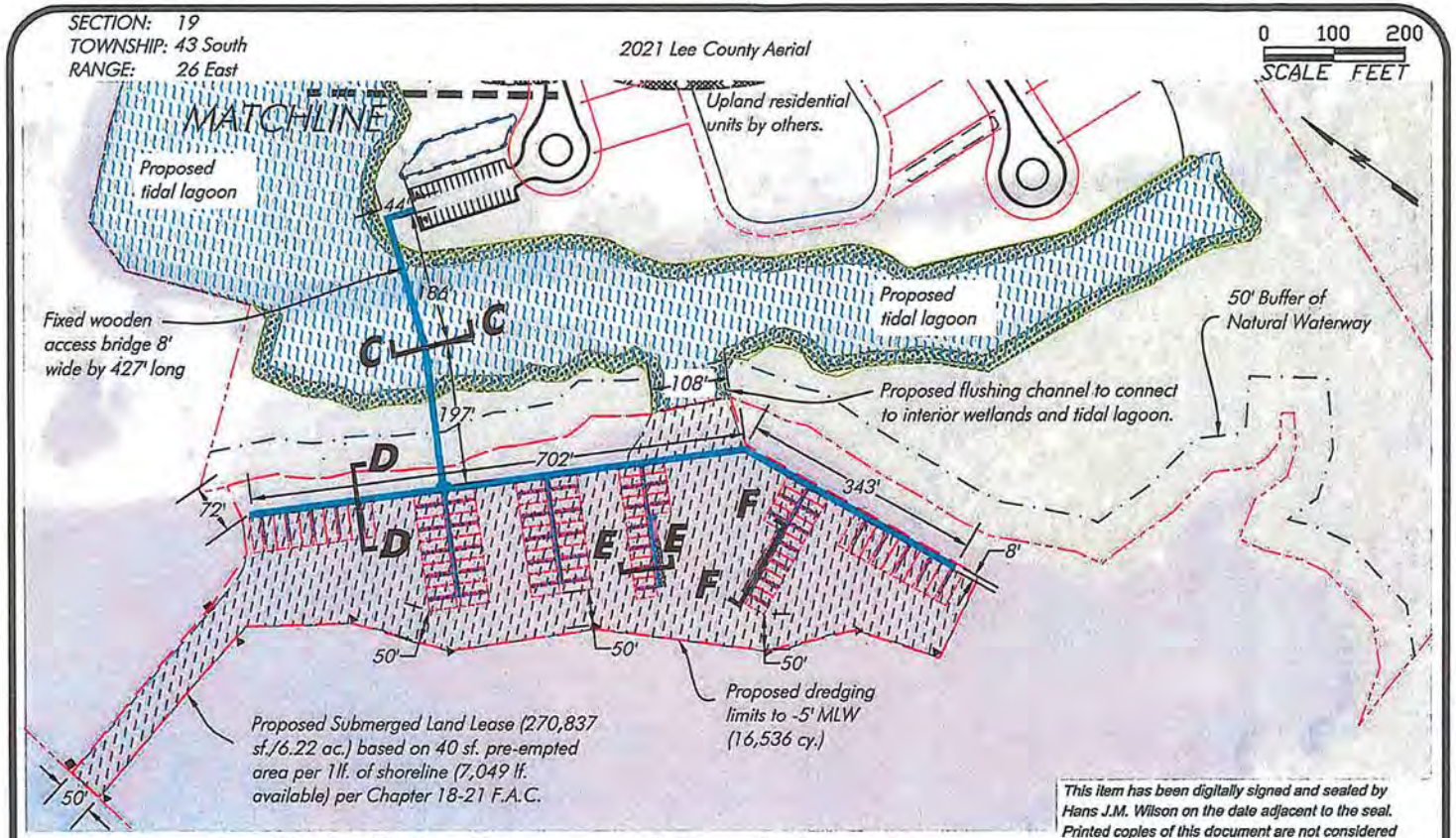
PERMIT PLANS, NOT FOR CONSTRUCTION

HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

SHEET 6-21



Detail C - Proposed Dredging Plan

SCALE: 1" = 200'

Note: Property lines per Lee County Property Appraiser

PERMIT PLANS, NOT FOR CONSTRUCTION

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HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

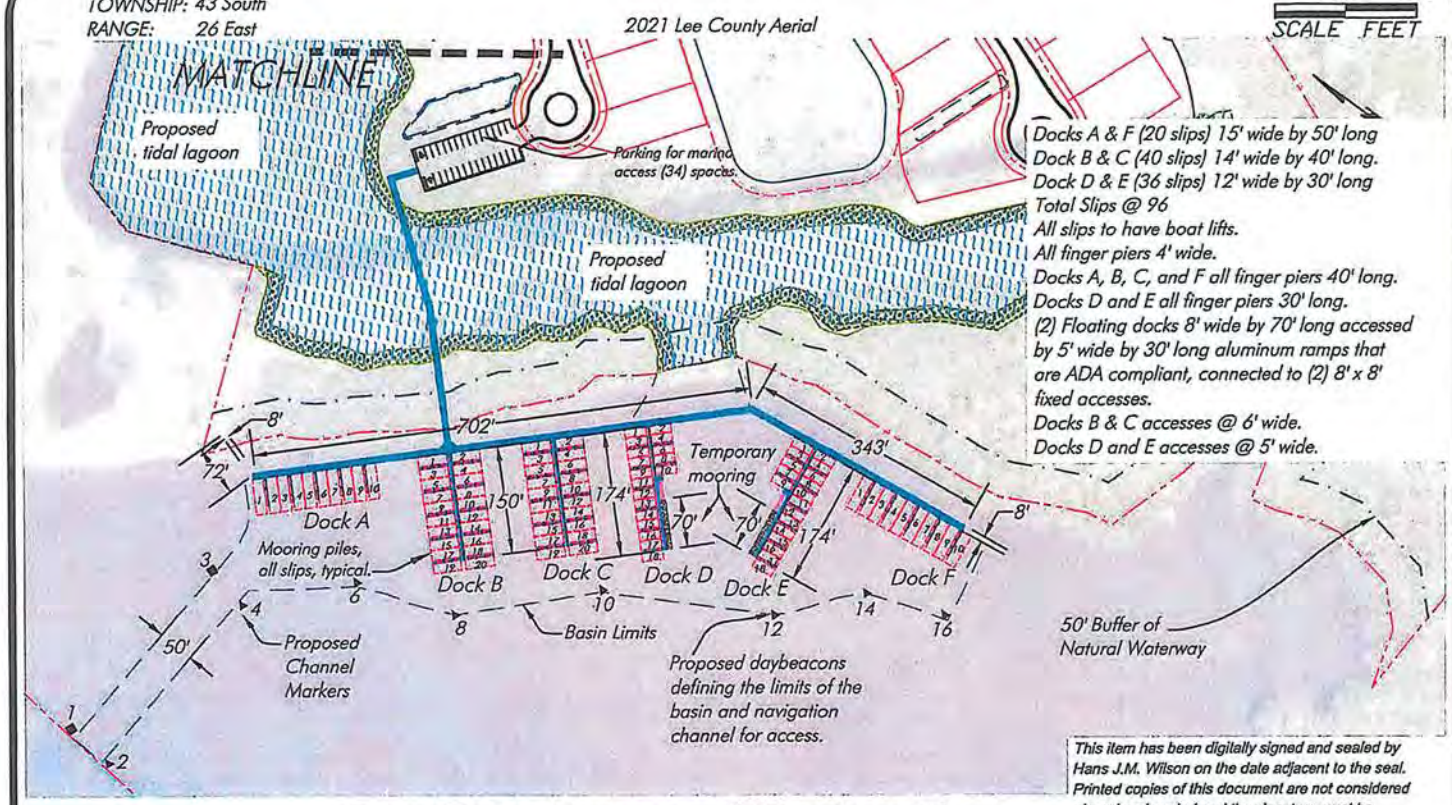
HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

SHEET 8-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East



This item has been digitally signed and sealed by Hans J.M. Wilson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Detail C - Proposed Marina Plan

SCALE: 1" = 200'

Note: Property lines per Lee County Property Appraiser

PERMIT PLANS, NOT FOR CONSTRUCTION

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

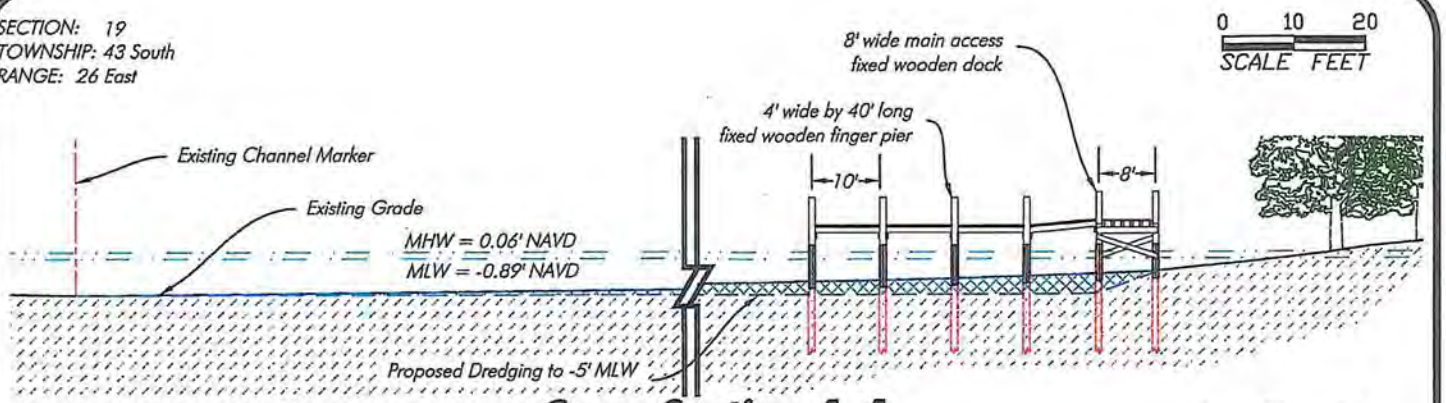
HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

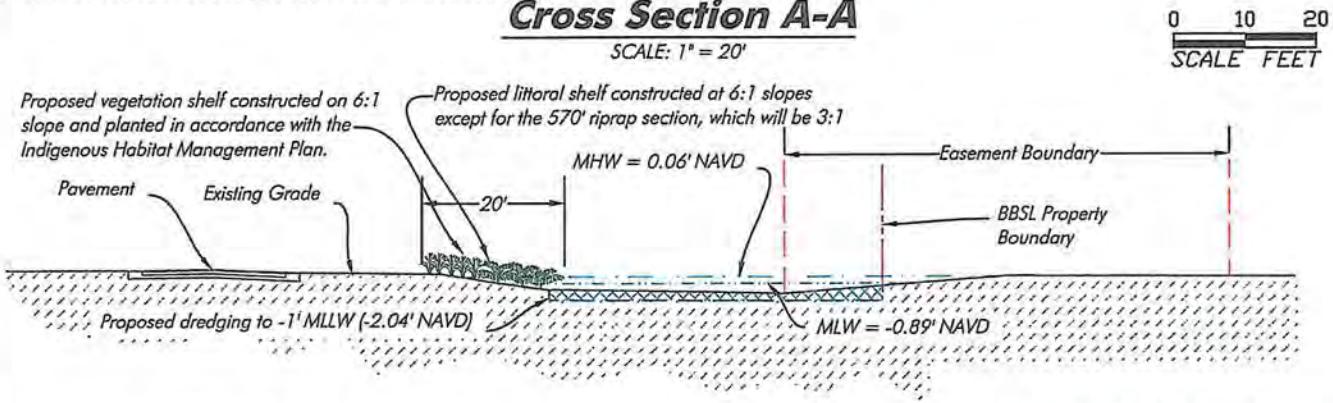
SHEET 9-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East



Cross Section A-A

SCALE: 1" = 20'



Cross Section B1-B1

SCALE: 1" = 20'

Notes: Depths reference MLW based on DEP Tide Station 872-5520.
MHW @ 0.06' NAVD.
MLW -0.89' NAVD
MLLW @ -1.04' NAVD.

Note: Property lines per Lee County Property Appraiser

PERMIT PLANS, NOT FOR CONSTRUCTION

This item has been digitally signed and sealed by Hans J.M. Wilson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

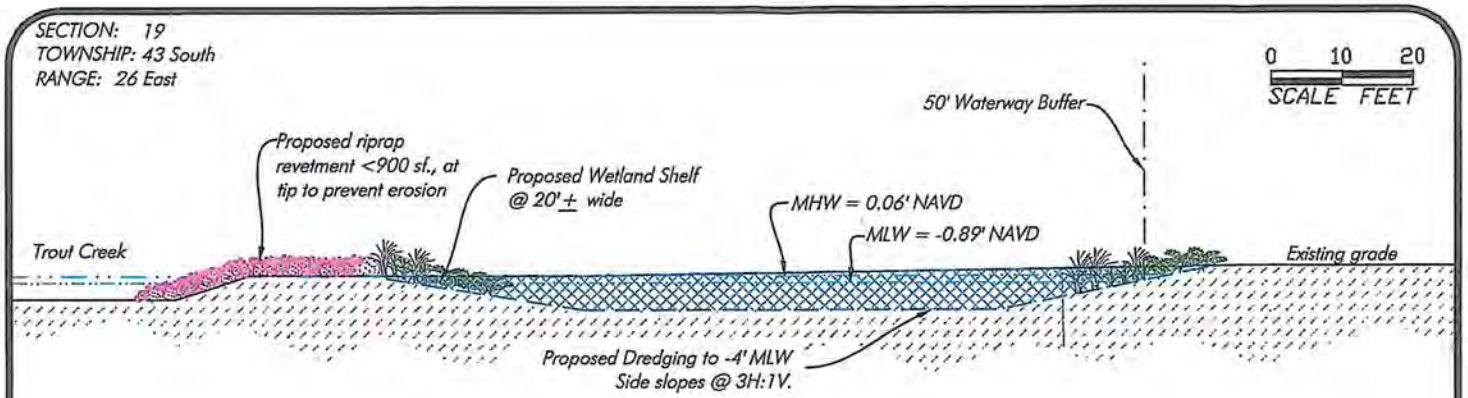
HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

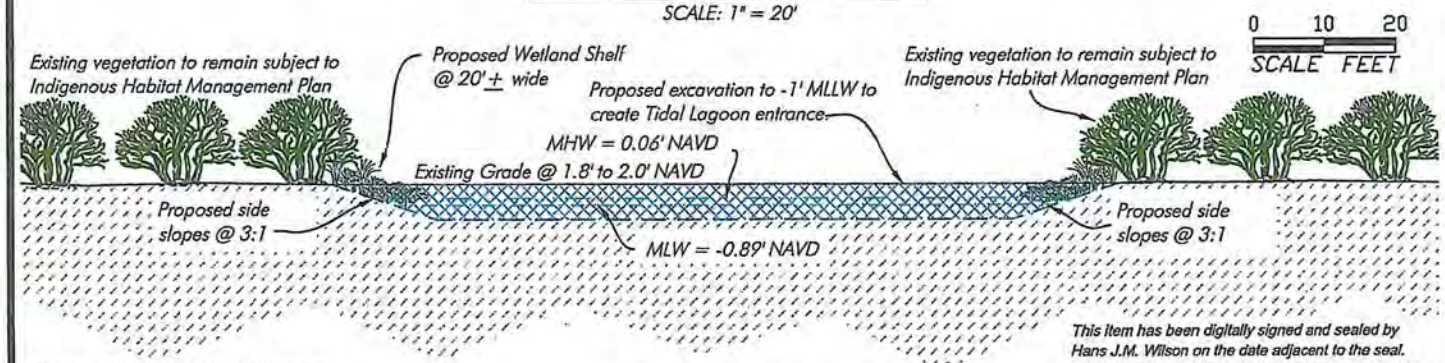
SHEET 13-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East



Cross Section B2-B2

SCALE: 1" = 20'



Notes: Depths reference MLW based on DEP Tide Station 872-5520.
MHW @ 0.06' NAVD.
MLW -0.89' NAVD
MLLW @ -1.04' NAVD.

Cross Section B3-B3

SCALE: 1" = 20'

This item has been digitally signed and sealed by Hans J.M. Wilson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTON3MASTER.DWG

PERMIT PLANS, NOT FOR CONSTRUCTION

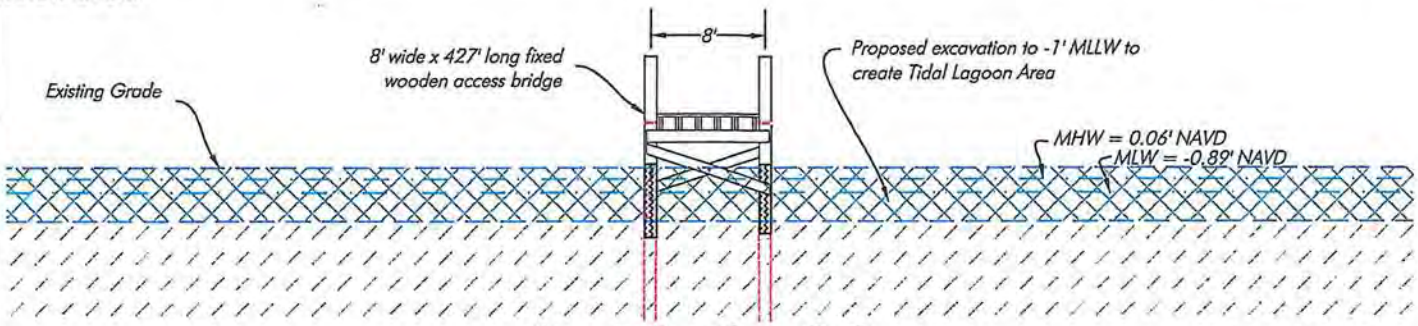
HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

SHEET 14-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East



Cross Section C-C

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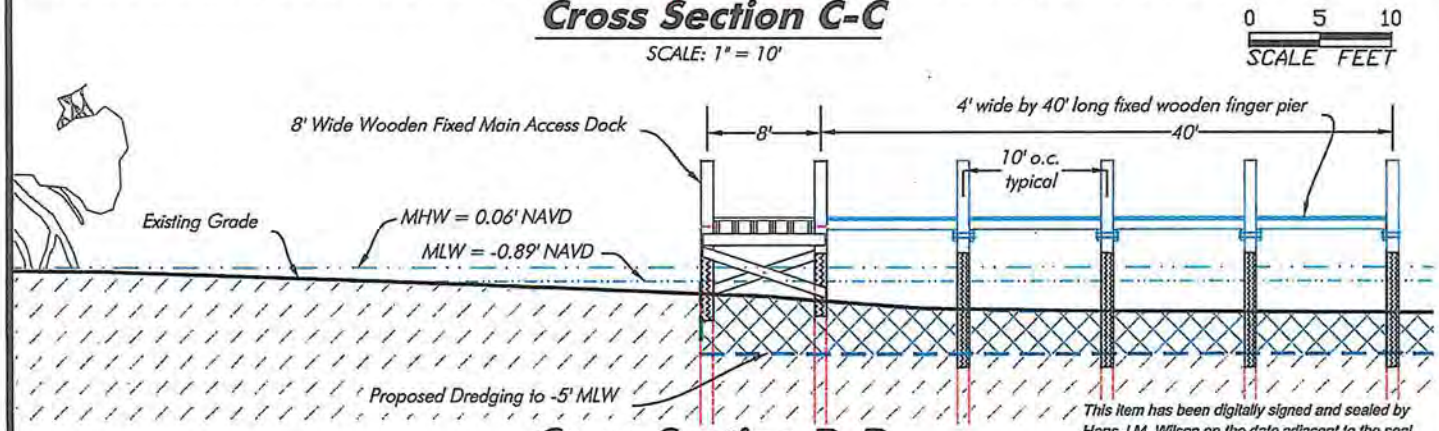

Cross Section D-D

SCALE: 1" = 10'

Notes: Depths reference MLW based on DEP Tide Station 872-5520.
MHW @ 0.06' NAVD.
MLW -0.89' NAVD
MLLW @ -1.04' NAVD.

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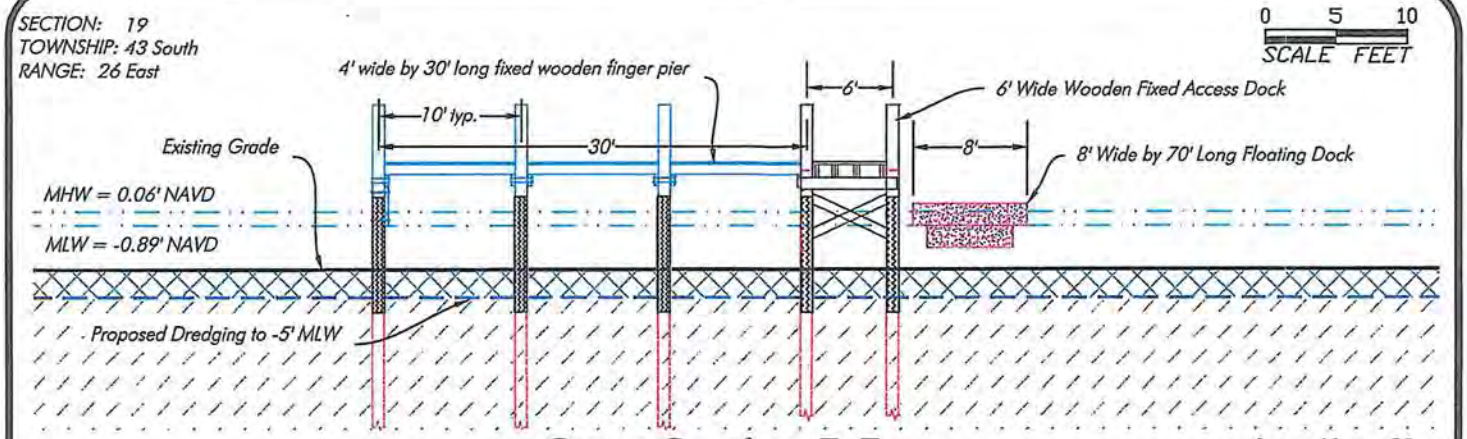
Office: 239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

SHEET 15-21

SECTION: 19
TOWNSHIP: 43 South
RANGE: 26 East



Cross Section E-E

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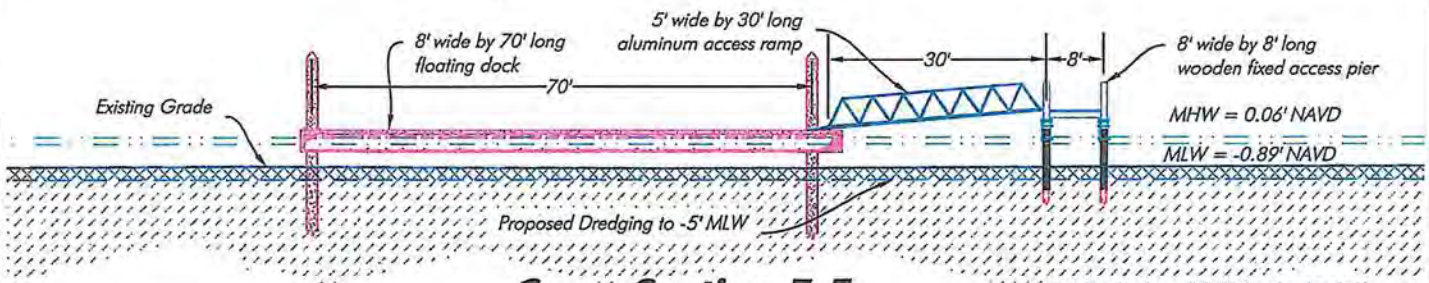

Cross Section F-F

SCALE: 1" = 20'

Notes: Depths reference MLW based on DEP Tide Station 872-5520.
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MLW -0.89' NAVD
MLLW @ -1.04' NAVD.

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HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: March 14, 2022 4:18:08 p.m.
Drawing: HORTONJMASTER.DWG

PERMIT PLANS, NOT FOR CONSTRUCTION

HWA Hans Wilson & Associates
1938 Hill Avenue, Fort Myers, Florida 33901
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MARINE and ENVIRONMENTAL CONSULTANTS

3-14-22
JWA

D R Horton

SHEET 16-21

ATTACHMENT M

LEE COUNTY ORDINANCE NO. 24-06
(Cary+Duke+Povia Map)
(CPA2022-00019)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE CARY+DUKE+POVIA MAP (CPA2022-00019) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; LEGAL EFFECT OF "THE LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on September 25, 2023; and,

WHEREAS, the Board held a public hearing on December 6, 2023. On December 6, 2023, prior to commencing the case presentation for the transmittal of the proposed amendment, the Board continued the hearing until January 17, 2024.

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on January 17, 2024. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Cary+Duke+Povia Map (CPA2022-00019) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the January 17, 2024 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on March 20, 2024, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

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

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Cary+Duke+Povia Ordinance (CPA2022-00019)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends the Lee County Utilities Future Water Service Areas (Lee Plan Map 4-A) to add property to the Lee County Utilities Future Water Service Area, and amends the Lee County Utilities Future Sewer Service Areas (Lee Plan Map 4-B) to add property to the Lee County Utilities Future Sewer Service Area. The property is located on the south side of North River Road, approximately one mile east of the intersection of North River Road and SR 31.

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

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

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Hamman, who moved its adoption. The motion was seconded by Commissioner Ruane. The vote was as follows:

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Mike Greenwell	Aye

DONE AND ADOPTED this 20th day of March 2024.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY FLORIDA

BY: _____
Mike Greenwell, Chair

DATE: 3-22-24

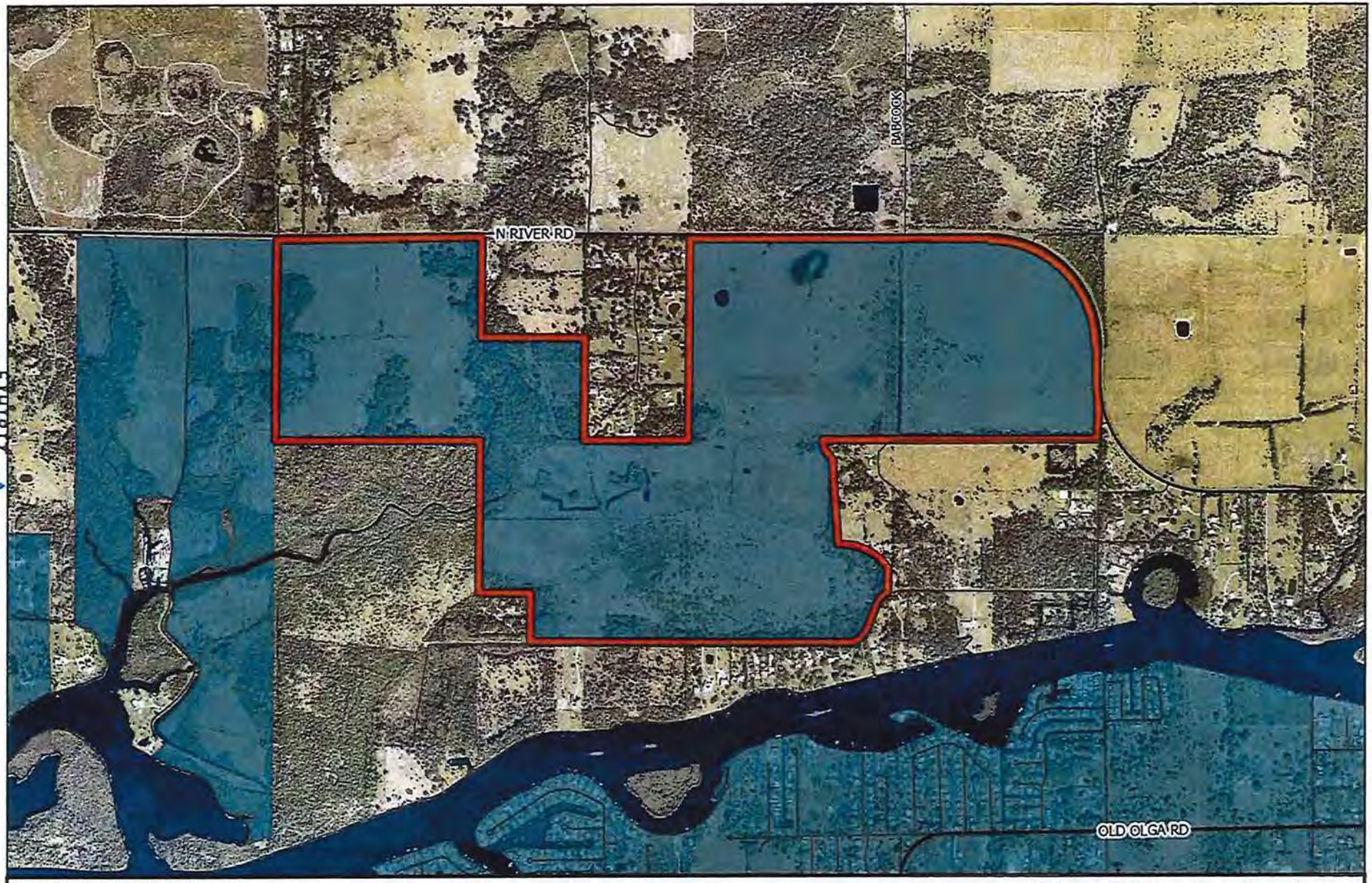
BOARD OF COUNTY COMMISSIONERS
SEAL
LEE COUNTY, FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
County Attorney's Office

Exhibit A (Adopted by BOCC March 20, 2024):
Adopted revisions to Future Water Service Areas Map 4-A
Adopted revisions to Future Sewer Service Areas Map 4-B

EXHIBIT A



CPA2022-00019

Future Water Service Areas

Lee County
Southwest Florida

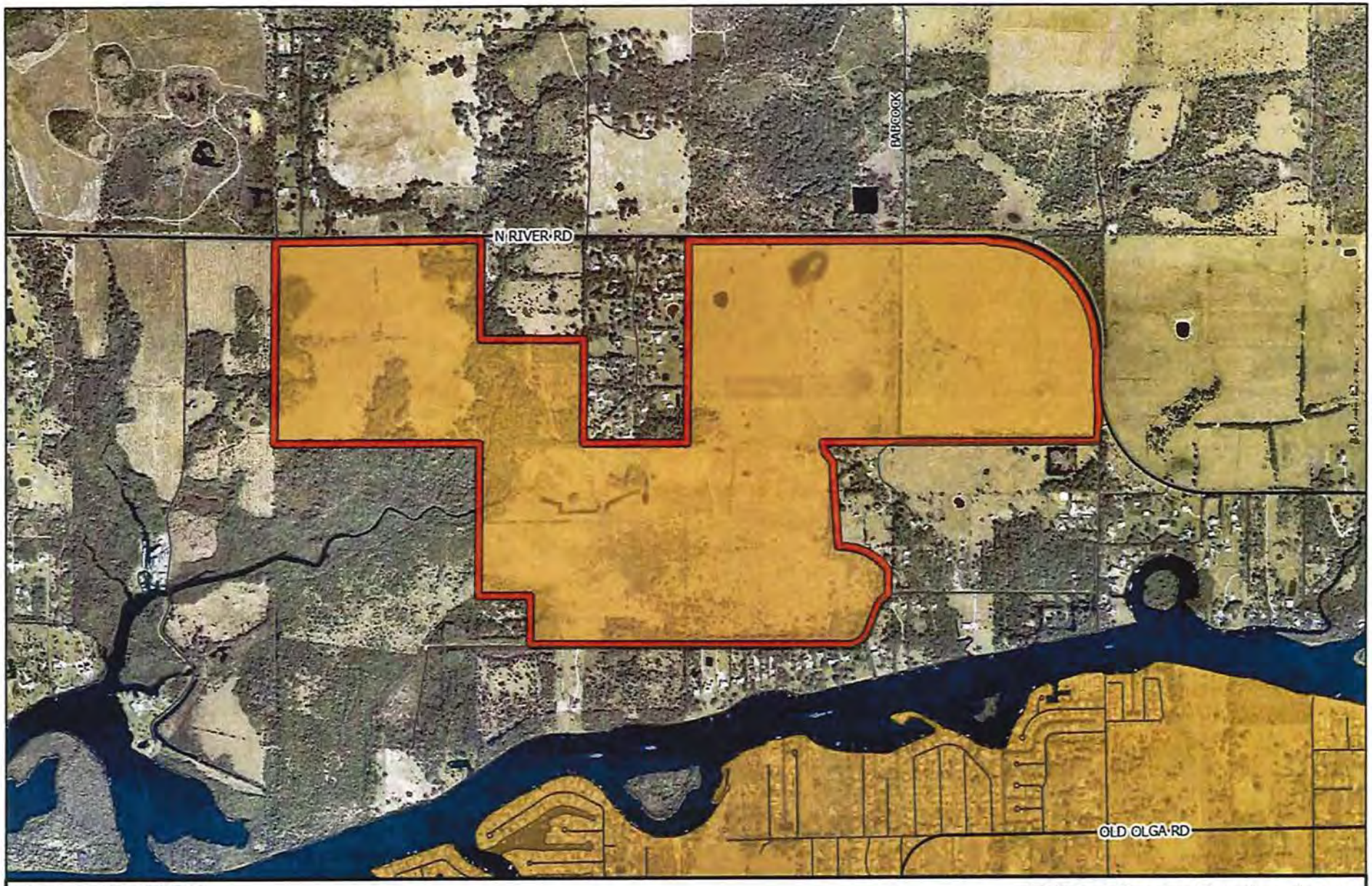
Proposed Future Water Service Areas

Existing Future Water Service Areas

N
W
E
S

0 1,000 2,000
Feet

Map Generated: September 2023



CPA2022-00019

Future Sewer Service Areas

Lee County
Southwest Florida

Proposed Future Sewer Service Areas

Future Sewer Service Areas

N
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Feet

Map Generated: September 2023

FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 25, 2024

Honorable Kevin Karnes
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 24-06, which was filed in this office on March 22, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

RECEIVED
By Chris Jagodzinski at 4:53 pm, Mar 25, 2024

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270

ATTACHMENT N

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2022-00067
TYPE OF CASE: Major Residential Planned Development
CASE NAME: Cary+Duke+Povia Residential Planned Development
TOTAL ACREAGE: 788.96
SUFFICIENCY DATE: June 27, 2024
HEARING EXAMINER DATE: September 4, 2024

Request

The applicant is requesting to rezone the subject property from Agricultural (AG-2) to Residential Planned Development (RPD) to develop 1,099 dwelling units consisting of single-family and two-family attached. The property is in Alva, is east of State Road 31, and south of North River Road. According to the Lee Plan, the parcels are in the Wetlands and Rural Future Land Use Category. The proposed development is within the Northeast Lee County Planning Community, specifically within the North Olga Community Planning area.

Case History & Density

The applicant has requested a Comprehensive Plan Amendment (CPA). **CPA2022-00019** (Map Amendment) is being requested to amend Lee Plan Map 4-A to add the property to the Lee County Utilities Future Water Service Area and amend Lee Plan Map 4-B to add the property to the Lee County Utilities Future Service Area Map (Map 4-B). The amendment was transmitted to the State and became effective on April 28, 2024.

The density on the site is based on the future land use categories, which are Rural and Wetlands for the subject property. Approximately 718.67 acres is in the Rural future land use category, which is allowed one dwelling unit per acre. Approximately 70.31 acres of the property are in the Wetlands future land use category. Lee Plan Table 1(a) Note 8 allows the acreage of preserved wetlands to be calculated on the adjacent future land use allowable density. Approximately 51.46 acres of wetlands are proposed to be preserved and density calculated at one unit per acre. Approximately 18.85 acres of wetland are proposed to be impacted and calculated at one unit per 20 acres. Density based on the Lee Plan future land use categories, impacted wetlands, and preserve wetlands allows 771.07 dwelling units.

The applicant has an opportunity to increase the allowable base density by utilizing **Lee Plan Policy 123.2.17** for property in the Rural future land use category. The policy allows an applicant to design a residential site to cluster the units and amenities while preserving, enhancing, and creating indigenous areas to support the wildlife, floodplain, and estuaries from being impacted by development. The policy provides a density incentive for rare and unique habitat that is preserved, restored, or created. If the applicant wanted to develop the site at the base density amount, the environmental enhancements, clustering, and utilities would not be required. Environmental Sciences zoning staff have reviewed the documents required to support the density incentive and provide the following analysis to ensure compliance with **Lee Plan Policy 123.2.17, Table 1(a), Note 8, Lee Plan Policy 124.1.1 and Rare and Unique**

Upland Habitats definition. The following are the pertinent Lee Plan Policies and definitions for the review:

RARE AND UNIQUE UPLAND HABITATS (RU) – High-quality native upland habitats categorized as "mature" due to the absence of severe impacts caused by logging, drainage, and exotic infestation. These habitat types include those classified as: sand scrub (320); coastal scrub (322); pine flatwoods (411); slash pine/midstory oak (412); tropical hardwood (426); live oak hammock (427); and, cabbage palm hammock (428). The numbered references are to the Florida Land Use Cover and Forms Classification System (FLUCFCS) Level III (Florida Department of Transportation, 1985).

POLICY 123.2.17: As an incentive to preserve, enhance, and restore indigenous Rare and Unique upland habitat, on land within the Rural future land use category, one (1) additional dwelling unit may be created for each one (1) acre of created, preserved and/or restored indigenous Rare and Unique upland habitat if approved and developed as a unified Planned Development that meets all the following criteria:

1. Development must be a minimum of 10 acres.
2. Development must have direct access to an arterial road.
3. Development must provide connection to public water and sewer services.
4. Development is clustered to maintain large, contiguous tracts of open space and protect environmentally sensitive areas. To comply with these criteria, a minimum of 60% open space is required, of which 50% must be indigenous preserve. The indigenous preserve may consist of created or restored wetlands, flowways/creeks, or Rare and Unique upland habitats. Management and monitoring of the indigenous preserve must be in compliance with the indigenous management plan required by the LDC. Monitoring timelines will be extended as needed to assure success criteria established in the indigenous management plan is achieved for at least five consecutive years.
5. Creation, preservation, and/or restoration of indigenous Rare and Unique upland habitats, as defined, must meet the following:

    a. *The area of the Rare and Unique upland habitats must comply with the minimum dimensions required for indigenous open space areas set forth in the LDC.*

    b. *The land where creation and/or restoration of indigenous Rare and Unique upland habitats will occur must contain the soil(s) needed to support the establishment and success of the indigenous Rare and Unique upland habitats.*

    c. *Habitats impacted by logging, drainage, and/or exotic infestation may not count towards the density incentive unless restored to standards established in an approved site-specific ecological restoration plan. The ecological restoration plan must include, at a minimum, a replanting plan, habitat restoration plan, success criteria, and long-term monitoring and maintenance criteria.*

d. *A Conservation Easement, to be dedicated to the appropriate maintenance entity that provides Lee County or some other public agency, acceptable to Lee County, with third party enforcement rights must be recorded for areas used towards the density incentive. All Conservation Easements required as part of the planned development must be recorded within 5 years from first development order approval.*

POLICY 124.1.1: Ensure that development in wetlands is limited to very low-density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter XIII. Owners of wetlands adjacent to Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, New Community, Outlying Suburban, Sub-Outlying Suburban, and Rural future land use categories may transfer dwelling units from preserved freshwater wetlands to developable contiguous uplands under common ownership at the same underlying density as permitted for those uplands.

Existing Conditions

As mentioned, the site is located east of S.R. 31 and south of North River Road within the North Olga Community Plan area. The site is currently being used for agricultural purposes, specifically cattle grazing. The grazing pastures are located outside of the wetland, transitional wetland, and natural waterbody areas (Otter and Trout Creeks). The applicant has submitted a Protected Species Survey that includes the Florida Land Use Cover and Classification System (FLUCCS) map depicting the meandering transects methodology used to survey the project (see Exhibit A). The species transect map indicates that protected species were observed on the site. The applicant has provided a protected species management plan, human wildlife coexistence plan and indigenous management plan that provide the design elements to demonstrate how the site will balance 1,009 dwelling units with the environmental enhancements.

Open Space

The applicant is requesting 1,099 single-family and two-family attached residential dwelling units. Per Table (1)a, Note 8, the applicant may transfer dwelling units located in the Rural FLUC from preserved wetlands to developable uplands under common ownership at the same underlying density as permitted for those uplands. In addition, one additional dwelling unit may be created for each one acre created, preserved and/or restored indigenous Rare and Unique upland habitats if approved and developed as a unified planned development that meets 60% open space, of which 50% must be indigenous preserve. The applicant has provided a two-page Master Concept Plan (MCP) dated May 29, 2024. The MCP depicts 473.38 acres of open space and complies with the 60% open space requirement.

Staff recommends the following open space condition to ensure that 60% open space is provided:

Prior to the issuance of the first development order, the development order plans must depict 60% open space and provide a phasing schedule demonstrating how the open space will support the proposed dwelling units.

Indigenous Open Space Preservation

Lee Policy 123.2.17 requires an applicant seeking to increase density within the North Olga Community Plan Area to provide 60% open space, of which 50% must be indigenous. A further increase in density of one additional dwelling unit may be sought per acre of created, preserved and/or restored indigenous Rare and Unique upland habitats. The applicant is required to provide 236.69 acres of indigenous open space and is providing 420.20 acres of preserved and restored wetlands, preserved and created rare and unique upland habitat, preserved and restored upland, preserved wetland, and surface water/flowway. Areas that meet the indigenous definition will be preserved and enhanced through exotic vegetation removal. Areas that do not meet the indigenous definition will be restored with restoration plants listed in Table 2. And 3. of the Indigenous Preserve Management and Restoration Plan (IPMRP) (Exhibit B). Rare and Unique Creation areas will be created with plants listed in Table 4. of the IPMRP. The applicant has provided a MCP dated May 29, 2024, that depicts 420.20 acres of indigenous open space and denotes the preserve areas being utilized for the density incentive.

Wetlands (70.31 acres)

The applicant did not submit a formal jurisdictional wetland determination. An Environmental Resource Permit (Application #230819-39967) is currently under review with South Florida Water Management District. The applicant has indicated in the planned development application that 18.85 acres of wetland will be impacted. Of the 18.85 acres of wetland impacts, 0.29 acres are within the Coastal High Hazard Area. **Lee Plan Policy 124.1.2 (3-5)** states that Lee County will incorporate the terms and conditions of the state permits into County permits, on or offsite mitigation will only be permitted in accordance with the applicable state standards, and mitigation banks and the issuance and use of mitigation credits will be permitted. Staff has recommended a condition to ensure that Lee County receives a copy of the receipt of payment or mitigation plans prior to development order approval to ensure that the County is not permitting impacts to State wetlands without required mitigation. In addition, **Lee Plan Policy 101.3.2** restricts development in Coastal High Hazard areas to uplands except as needed for the provision of public facilities. The applicant intends to mitigate these impacts through the Environmental Resource Permit and submit proof of mitigation measures being met through the development order process in accordance with **Lee Plan Policy 124.1.2.**

Rare and Unique Uplands Preserved (28.71) and Created (300.01 acres)

The applicant has provided a map in Appendix C of the IPMRP depicting the areas where high quality native upland habitat exists in accordance with the Lee Plan (see Exhibit B). Approximately 26.03 acres of RU will be preserved on the site, 2.68 acres of RU will be restored, and 300.01 acres of RU will be created.

Uplands (31.36 acres)

The applicant provided a map in Appendix C of the IPMRP depicting the areas of indigenous uplands and non-indigenous upland to be restored. Approximately, 23.98 acres of indigenous uplands will be preserved, and 7.38 acres of non-indigenous uplands will be restored.

Other Surface Waters (8.66 acres)
The other surface waters on the site will be restored and incorporated into the surface water management plan.

Staff recommends the following indigenous open space condition to ensure the proposed indigenous open space is provided:

Prior to the issuance of the first development order, the development order plans must depict a total of 420.20 acres of indigenous open space in substantial compliance with the Master Concept Plan dated May 29, 2024, per the following breakdown:

a) Rare and Unique Upland Preservation 26.03 acres;
b) Rare and Unique Upland Restoration 2.68 acres;
c) Rare and Unique Created 300.01 acres;
d) Upland Restoration 7.38 acres;
e) Upland Preservation 23.98 acres;
f) Wetland Preservation 17.51 acres;
g) Wetland Restoration 33.95 acres; and
h) Surface Waters 8.66 acres.

Conservation easement must be recorded for all areas used towards density incentive. The conservation easements must be dedicated to the appropriate maintenance entity that provides Lee County or some other public agency, acceptable to Lee County, with third party enforcement rights. All Conservation Easements required as part of the planned development must be recorded within 5 years from first development order approval.

Prior to the issuance of the first development order, the applicant must submit a copy of the mitigation receipt of payment or mitigation plans for the 18.85 acres of wetland impacts.

Indigenous Habitat Management Plan

The applicant has provided an Indigenous Preserve Management Plan and Restoration Plan (IPMPRP) the provides the restoration and preservation replanting plans, habitat restoration plans, long-term monitoring and maintenance plans for the indigenous preserved and restored open space to be successful and support the increased density per Lee Plan Policy 123.2.17 (see Exhibit B). The IPMPRP is separated into areas that will be preserved and enhanced with additional plant material once exotic vegetation is removed or restoration and created areas where the site was used for agricultural purposes and has very little native seed source. The habitat types are Wetland, Upland, RU, and Other Surface Water. The IPMPRP provides detailed specifications for the plant material within each type of habitat preservation enhancement or restoration area. Certain areas must be excavated and resloped to create or restore the grade to provide the proper environment for the specific habitat. These areas will

have the most monitoring due to the lack of seed source, the addition of required soil amendments, and the appropriate amount of irrigation for survivability. Exhibit B depicts the type of management that is proposed and where the various areas are located.

Wetland Preservation (17.51 acres)
This area of preservation consists of areas that consist of less than 75% invasive exotic vegetation and meet the indigenous definition per LDC Section 10-1. These areas will be preserved, and exotic vegetation treated or removed. No planting or mechanical clearing is proposed.

Wetland Restoration (33.95 acres)
These areas consist of over 75% invasive exotic vegetation and require removal with machines and restoration per the planting schedule, Table 1. Wetland restoration within 50-foot of a natural waterbody must comply with the buffering and plant specifications per LDC Section 10-416(d)(9). Staff have proposed a condition to cover all restoration or preservation areas to demonstrate compliance with LDC Section 10-416(d)(9).

Upland Restoration (7.38 acres)
These areas consist of over 75% invasive exotic vegetation and require removal with machines and restoration per the planting schedule, Table 2. All restoration or creation areas being utilized to meet LDC Section 33-1673 for the North River Road buffer must comply with the tree planting specifications per LDC Section 33-1673 and LDC Section 10-421 standards for a Type-F buffer (48-inches-in-height) .

Rare and Unique Upland Preservation (26.03 acres)
This area of preservation consists of areas that consist of rare and unique sensitive lands that is less than 75% invasive exotic vegetation and meet the indigenous definition per LDC Section 10-1. These areas will be preserved, and exotic vegetation treated or removed. No planting or mechanical clearing is proposed. All restoration or creation areas being utilized to meet LDC Section 33-1673 for the North River Road buffer must comply with the tree planting specifications per LDC Section 33-1673 and LDC Section 10-421 standards for a Type-F buffer (48-inches-in-height) .

Rare and Unique Upland Restoration (2.68 acres)
These areas consist of some areas that are 75% invasive exotic vegetation and require removal with machines and some areas that are less than 75% invasive exotic vegetation. The applicant has provided a restoration planting schedule per Table 3. Staff have proposed a condition to require a map depicting the areas where mechanical verses hand-removal of invasive exotics within the restoration areas will occur. All restoration or creation areas being utilized to meet LDC Section 33-1673 for the North River Road buffer must comply with the tree planting specifications per LDC Section 33-1673 and LDC Section 10-421 standards for a Type-F buffer (48-inches-in-height).

Rare and Unique Created (300.1 acres)
These areas consist of pasture and disturbed areas that will be regraded, soil amendments established, and the introduction of native rare and unique species

installed. The created areas will have a longer monitoring schedule due to the amount of work that will be required to establish these areas.

Surface Water (8.66 acres)
These areas will be preserved to support water quality and provide required natural waterway buffers per LDC Section 10-416(d)(9).

Staff provide the following conditions to ensure that the development order and vegetation removal permits provide the necessary documentation and demonstrate compliance with Lee Plan Policy 29.2.4:

Prior to the issuance of the first development order, the development order plans must be in substantial compliance with the Indigenous Habitat Management Plan Revised May 2024 and received May 31, 2022.

Prior to the issuance of the first development order, the development order plans must include a schedule for the indigenous preservation, restoration, and created preserve areas to be completed within at least five consecutive years.

Prior to the issuance of the first development order, the development order plans must include cross sections depicting the hydrological restoration, upland grading and the type of habitat being restored or created to ensure survivability. The plans must include details of soil amendments in the restoration and creation areas, if applicable.

Prior to the issuance of the first development order, the development order plans must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located.

Prior to the issuance of the first development order, a monitoring schedule must be established to ensure all preserve enhancement, restoration, and creation is completed and demonstrate 80 percent survivability within five consecutive years. Monitoring will be required until 80 percent survivability is achieved.

The applicant must submit with the vegetation removal permit survey point maps depicting the preservation and restoration areas and mechanical clearing limits.

Protected Species

The applicant submitted a Protected Species Management and Human Wildlife Coexistence Plan dated April 2024 (Exhibit C). The plan provides the details of the permitting process for each protected species that was observed or has the potential to utilize the restored and/or created habitat once the project is completed. The plan also provides the details of what is required to be provided prior to the site work and in conjunction with the vegetation removal permit required by Lee County. Staff has provided recommended conditions associated with the issuance of the vegetation permits, which are issued to allow the applicant to begin earthwork. Each species has specific protection measures per the Florida Fish and Wildlife Conservation Commission (FFWCC). County staff track each protection measure by attaching monitoring reports or onsite field inspections to the vegetation removal permit for each phase

and species, if applicable. The onsite contractor must follow best management practices per FFWCC if a species is encountered during site work.

The preservation, restoration, and creation of the various ecosystems all provide habitat for protected species to roost, nest, and raise young. The Florida sandhill crane was observed during the onsite preliminary species inspections. The sandhill crane as well as other wading birds utilize seasonal shallow water to nest and raise young. The preservation of Otter and Trout Creeks and the associated wetlands will provide seasonal water fluctuating areas to create nesting and roosting areas for these species.

Crested Caracara were observed onsite, and a dilapidated caracara nest was observed but not utilized by the active caracara. These species utilize open prairies, pastures, and hammocks. The applicant is proposing to restore the pasture to rare and unique habitat that will have a mosaic of habitat creating areas for nesting and foraging.

The applicant indicates that the site has approximately 137 gopher tortoise burrows. Those burrows located within the development footprint will be scoped and any protected species will be relocated. The burrows located within the preserve limits will be preserved, if possible. As the IPMRP indicates, some of the preserve area will be regraded and soil amendments applied to increase restoration survivability. All work must remain 25 feet from a gopher tortoise burrow. Staff has recommended conditions to ensure that gopher tortoises within the preserve limits be preserved to the maximum extent possible.

Staff recommended the following conditions to ensure species are protected during land clearing and preserve restoration or creation.

> ***Prior to the issuance of a vegetation removal permit for any development order, pre-construction species monitoring reports, where applicable, must be submitted to ensure no protected species are within the clearing limits.***

Buffers

The proposed development abuts agriculturally zoned land along the south and north property lines, North River Road along the east and north property lines, and a Residential Planned Development (Owl Creek) along the west property line. The applicant has designed the proposed development so that the preserves create a setback and screening. The required buffers are as follows:

> East – North River Road which requires per LDC Section 33-1673 requires a 25-foot buffer along North River Road. The applicant is providing a 25-foot buffer and proposing restoration within this area. The restoration plant material is specified at heights less than what the code requires for buffers. Staff have provided a condition to ensure that the 25-foot-wide buffer consists of 14-feet-in-height native canopy trees spaced approximately 25-feet-on-center in accordance with LDC Section 33-1673. Page 2 of the MCP depicts cross section noting the 14-foot-in-height native canopy trees within the RU restoration area.
>
> West - No buffer required.

North - The north property line abuts North River Road right-of-way. Per LDC Section 33-1673 requires a 25-foot buffer along North River Road. The applicant is providing a 25-foot buffer and proposing restoration within this area. The restoration plant material is specified at heights less than what the code requires for buffers. Staff have provided a condition to ensure that the 25-foot-wide buffer consists of 14-feet-in-height native canopy trees spaced approximately 25-feet-on-center in accordance with LDC Section 33-1673. Page 2 of the MCP depicts cross section noting the 14-foot-in-height native canopy trees within the RU restoration area.

South - The south property abuts Agricultural zoned lots with single-family residential uses that abut the Caloosahatchee River. The proposed internal roads are outside of the 125-foot distance to require the 30-foot-wide or 25-foot-wide buffer per LDC Section 10-416(d)(6). The preserve area provides an increase setback and the restoration proposed around the perimeter of the property will provide screening and buffering.

Natural Waterway Buffer - The proposed development has two creeks that bisect the property from the north to the south flowing into the Caloosahatchee River. LDC Section 10-416(d)(9) requires a 50-foot-wide natural waterway buffer that consists of six native trees and 50 native shrubs per 100 linear feet. Indigenous vegetation existing within the 50 feet may be used to meet the buffer requirements. The 50-foot-wide buffer must accommodate a 20-foot-wide drainage maintenance easement to provide access for Natural Resources staff in the event of an emergency. The applicant has requested a deviation to allow a ten-foot-wide drainage maintenance easement along the west along the top branch of Trout Creek and west along the east branch of Trout Creek. The applicant is providing the 50-foot-wide buffer and will provide the plant specifications in order for the restoration or creation vegetation to be used to meet the buffer requirements.

Staff recommend the following condition pertaining to the right-of-way buffer abutting North River Road:

Prior to the issuance of the first development order, the development order plans must depict a 25-foot-wide buffer within the restoration area along North River Road that includes 14-feet-in-height native canopy trees, spaced approximately 25-feet-on-center to comply with LDC Section 33-1673.

Prior to the issuance of the first development order that includes Trout Creek, the landscape plans must provide a natural waterway buffer plan that is in compliance with the Indigenous Preserve Management and Restoration Plan. The vegetation must meet the plant specifications per LDC Section 10-420. The natural waterway buffer must depict a ten-foot-wide Trout Creek maintenance easement with a 20-foot-wide Trout Creek maintenance access as depicted on the Master Concept Plan dated May 29, 2024.

Deviations

Deviation 2 - The applicant has requested a deviation from LDC Section 33-1673 that requires a 25-foot-in-width buffer along North River Road, planted with native canopy trees, such as Live Oaks and Laurel Oaks, with a minimum height of 14-feet and space 25-feet on center, to allow for creation, restoration, and preservation of "Rare and Unique" uplands and wetland vegetation

along the North River Road right-of-way where the proposed preserve areas abut the right-of-way.

Deviations from landscaping must demonstrate compliance with variance criteria per LDC Section 34-145, as required by the Lee Plan Policy 29.1.4. The proposed deviation will provide a more enhanced and more diverse buffer than the limited requirement of Live Oaks or Laurel Oaks space 25-feet-on-center. The applicant is proposing to restore the pasture along North River Road to rare and unique habitat creating a more diverse ecosystem to support wildlife and provide a natural view along North River Road. The 25-foot-wide buffer consisting of restoration and creation species per the IPMRP will be required to meet the plant specifications per LDC Section 33-1673 (14-foot-in-height trees) and LDC Section 10-420 per Type F plantings (48-inch-in-height shrubs), as conditioned. North Olga Community Plan strives to create a uniform landscape theme along North River Road. Owl Creek RPD located to the west of the subject property requested a deviation to allow the preserve restoration area to be utilized to meet the buffer requirements per LDC Section 33-1673.

Staff recommends APPROVAL of Deviation #2 with the following condition:

> ***Prior to the issuance of a development order that abuts North River Road, the landscape plans must meet the Indigenous Preserve Management and Restoration Plan and all landscape/restoration plants must meet the native tree specifications per LDC Section 33-1673 and native shrubs specifications for a Type-F buffer per LDC Section 10-416(d).***

Exhibits

A - Protected Species Survey, dated May 2023

B – Indigenous Preserve Management and Restoration Plan, dated May 2024

C – Protected Species Management Plan and Human Wildlife Coexistence Plan, dated April 2024

EXHIBIT A

CARY + DUKE + POVIA RPD
LEE COUNTY PROTECTED SPECIES SURVEY

Revised May 2023

Prepared For:

Neal Communities
28100 Bonita Grande Drive
Bonita Springs, Florida 34135
(941) 328-1993

Prepared By:

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

Project No. 22NCC3903

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INTRODUCTION

This report documents the Lee County (County) protected species survey conducted by Passarella & Associates, Inc. (PAI) for the 788.96± acre Cary + Duke + Povia RPD (Project). The purpose of the survey was to review the property for protected species in accordance with Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Project is located in Sections 16 and 17, Township 43 South, Range 26 East, Lee County (Figure 1). The Project site consists primarily of improved pasture with scattered clusters of indigenous and exotic vegetation. Two tributaries of the Caloosahatchee River are located on the Project site. Trout Creek bisects the property on the western portion of the Project site. Otter Creek, which has historically been channelized and is no longer a functioning stream, is located on the eastern portion of the Project site. The entire Project site is surrounded by agricultural lands, undeveloped forested lands, and low-density, single-family residential housing.

The protected species survey was conducted on April 27, 28, and 29, 2022; May 3, 2022; and October 11 and 12, 2022.

LAND USES AND VEGETATION ASSOCIATIONS

The vegetation mapping for the Project was conducted using 2021 Lee County rectified aerials. Groundtruthing to map the vegetative communities was conducted by PAI on April 27, 28, and 29, 2022; May 3, 2022; and October 11 and 12, 2022 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrological conditions and disturbance. "E" codes were used to identify levels of exotic infestation (i.e., melaleuca (*Melaleuca quinquenervia*) and Brazilian pepper (*Schinus terebinthifolia*)). AutoCAD Map 3D 2021 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map. Table 1 provides a breakdown of the FLUCFCS codes by acreage, and a description of each classification follows. The FLUCFCS map with acreages is provided as Appendix A.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
110	Residential, Low Density	0.10	<0.1
211	Improved Pasture	585.25	74.2
213	Woodland Pasture	37.79	4.8
262	Low Pasture	44.83	5.7
3219 E3	Palmetto Prairie, Disturbed (50-75% Exotics)	0.09	<0.1
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	13.04	1.7
4119 E4	Pine Flatwoods, Disturbed (76-100% Exotics)	0.41	0.1

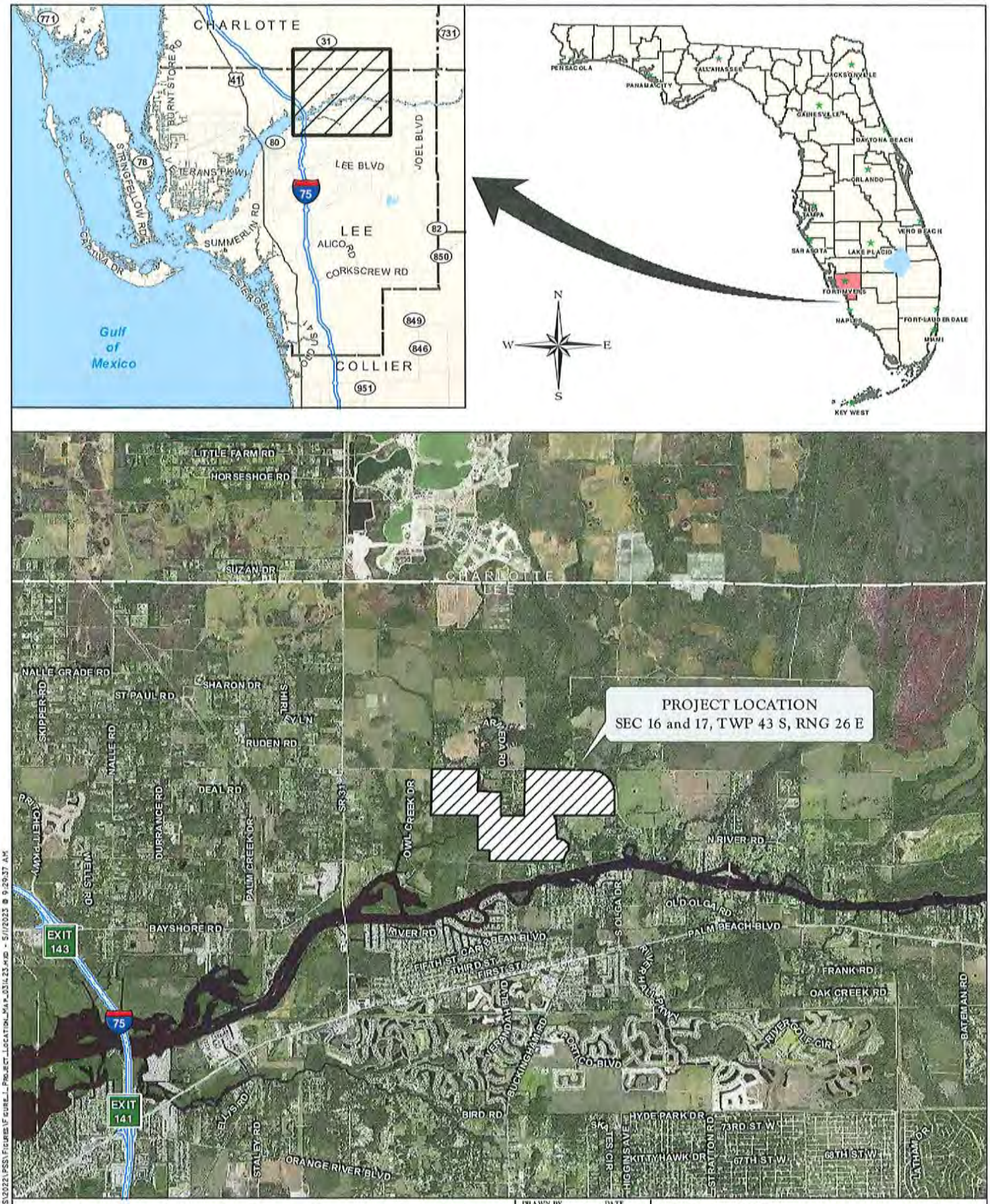

FIGURE 1. PROJECT LOCATION MAP
CARY + DUKE + POVIA RPD

DRAWN BY	DATE
P.F.	10/26/22
REVIEWED BY	DATE
B.B.	10/26/22
REVISED	DATE
R.F.	03/14/23

PASSARELLA & ASSOCIATES

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Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
422	Brazilian Pepper	5.99	0.8
4221	Brazilian Pepper, Hydric	1.03	0.1
4279 E1	Live Oak, Disturbed (0-24% Exotics)	7.10	0.9
4279 E2	Live Oak, Disturbed (25-49% Exotics)	7.59	1.0
4279 E3	Live Oak, Disturbed (50-75% Exotics)	11.84	1.5
4279 E4	Live Oak, Disturbed (76-100% Exotics)	2.68	0.3
4281 E1	Cabbage Palm, Hydric, Disturbed (0-24% Exotics)	0.69	0.1
4281 E2	Cabbage Palm, Hydric, Disturbed (25-49% Exotics)	0.60	0.1
4281 E3	Cabbage Palm, Hydric, Disturbed (50-75% Exotics)	0.39	<0.1
4289 E2	Cabbage Palm, Disturbed (25-49% Exotics)	0.28	<0.1
4289 E4	Cabbage Palm, Disturbed (76-100% Exotics)	0.14	<0.1
4291 E1	Wax Myrtle, Hydric, Disturbed (0-24% Exotics)	0.33	<0.1
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	0.80	0.1
4349 E2	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	5.30	0.7
4349 E3	Hardwood/Conifer Mixed, Disturbed (50-75% Exotics)	3.55	0.4
4349 E4	Hardwood/Conifer Mixed, Disturbed (76-100% Exotics)	7.50	1.0
510	Streams and Waterways	8.82	1.1
514	Ditch	5.34	0.7
525	Cattle Pond	3.94	0.5
6189 E2	Willow, Disturbed (25-49% Exotics)	<0.01	<0.1
6215 E3	Cypress, Drained, Disturbed (50-75% Exotics)	0.96	0.1
6219 E1	Cypress, Disturbed (0-24% Exotics)	1.69	0.2
6219 E2	Cypress, Disturbed (25-49% Exotics)	1.85	0.2
6309 E1	Wetland Forested Mixed, Disturbed (0-24% Exotics)	1.67	0.2
6309 E2	Wetland Forested Mixed, Disturbed (25-49% Exotics)	3.59	0.5
6309 E3	Wetland Forested Mixed, Disturbed (50-75% Exotics)	3.42	0.4
6309 E4	Wetland Forested Mixed, Disturbed (76-100% Exotics)	1.70	0.2
6319 E4	Wetland Shrub, Disturbed (76-100% Exotics)	1.08	0.1
6419 E3	Freshwater Marsh, Disturbed (50-75% Exotics)	3.65	0.5
6419 E4	Freshwater Marsh, Disturbed (76-100% Exotics)	3.75	0.5
740	Disturbed Land	1.35	0.2
743	Spoil Areas	0.99	0.1
747	Berm	6.10	0.8
814	Road	1.73	0.2
	Total	**788.96**	**100.0**

Residential, Low Density (FLUCFCS Code 110)
This upland area occupies 0.10± acre or less than 0.1 percent of the Project. It consists of single-family homes alongside North River Road (CR 78).

Improved Pasture (FLUCFCS Code 211)
This upland area occupies 585.25± acres or 74.2 percent of the Project. The canopy is open and includes widely scattered slash pine (*Pinus elliottii*), cabbage palm (*Sabal palmetto*), and live oak (*Quercus virginiana*). The sub-canopy is open and includes widely scattered cabbage palm, wax myrtle (*Morella cerifera*), and Brazilian pepper. The ground cover includes bahiagrass (*Paspalum notatum*), tropical soda apple (*Solanum viarum*), smutgrass (*Sporobolus indicus*), broomsedge bluestem (*Andropogon virginicus*), blackberry (*Rubus* sp.), flatsedge (*Cyperis* sp.), torpedograss (*Panicum repens*), frogfruit (*Phyla nodiflora*), caesarweed (*Urena lobata*), and Asiatic pennywort (*Centella asiatica*).

Woodland Pasture (FLUCFCS Code 213)
This upland area occupies 37.79± acres or 4.8 percent of the Project. The canopy has scattered slash pine, live oak, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes widely scattered slash pine, Brazilian pepper, persimmon (*Diospyros virginiana*), wax myrtle, live oak, laurel oak, and cabbage palm. The ground cover contains bahiagrass, smutgrass, broomsedge bluestem, muscadine grapevine (*Vitis rotundifolia*), saw palmetto (*Serenoa repens*), cabbage palm, caesarweed, earleaf greenbrier (*Smilax auriculata*), and blackberry.

Low Pasture (FLUCFCS Code 262)
This wetland area occupies 44.83± acres or 5.7 percent of the Project. The canopy is open. The sub-canopy contains widely scattered cabbage palm, Brazilian pepper, wax myrtle, and Carolina willow (*Salix caroliniana*). The ground cover includes inundated beaksedge (*Rhynchospora inundata*), Southern beaksedge (*Rhynchospora microcarpa*), Asiatic pennywort, creeping primrose willow (*Ludwigia repens*), dayflower (*Commelina diffusa*), pickerelweed (*Pontedaria cordata*), bushy bluestem (*Andropogon glomeratus*), sawgrass (*Cladium jamaicense*), white-top sedge (*Rhynchospora colorata*), torpedograss, marsh pennywort (*Hydrocotyle umbellata*), savanna iris (*Iris savannarum*), frogfruit, Southern umbrellasedge (*Fuirena scirpoidea*), smartweed (*Persicaria* sp.), arrowhead (*Sagittaria lancifolia*), bighead rush (*Juncus megacephalus*), aster (*Aster* sp.), sesbania (*Sesbania* sp.), spikerush (*Eleocharis cellulosa*), saltmarsh mallow (*Kosteletzkya* sp.), and rosy camphorweed (*Pluchea baccharis*).

Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)
This upland community type occupies 0.09± acre or less than 0.1 percent of the Project. The canopy contains scattered live oak and cabbage palm. The sub-canopy contains Brazilian pepper. The ground cover contains saw palmetto, caesarweed, beautyberry (*Callicarpa americana*), Brazilian pepper, and greenbrier (*Smilax* sp.).

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)
This upland community type occupies 13.04± acres or 1.7 percent of the Project. The canopy contains slash pine with scattered cabbage palm and live oak. The sub-canopy contains slash pine with scattered cabbage palm, live oak, and Brazilian pepper. The ground cover contains

broomsedge bluestem, Brazilian pepper, bahiagrass, wax myrtle, saw palmetto, caesarweed, and blackberry.

Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)
This upland community type occupies 0.41± acre or 0.1 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4119 E1, except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Brazilian Pepper (FLUCFCS Code 422)
This upland area occupies 5.99± acres or 0.8 percent of the Project. The canopy is open. The sub-canopy is dominated by Brazilian pepper with scattered wax myrtle and cabbage palm. The ground cover includes Brazilian pepper.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
This wetland area occupies 1.03± acres or 0.1 percent of the Project. The canopy is dominated by Brazilian pepper with occasional scattered live oak, cabbage palm, swamp bay (*Persea palustrus*), and Carolina willow. The sub-canopy is dominated by Brazilian pepper with scattered cabbage palm, live oak, swamp bay, myrsine (*Myrsine cubana*), wax myrtle, saltbush (*Baccharis halimifolia*), Carolina willow, pond apple (*Annona glabra*), red mangrove (*Rhizophora mangle*), and swamp dogwood (*Cornus foemina*). The ground cover contains Brazilian pepper, cabbage palm, giant leather fern (*Acrostichum danaeifolium*), swamp fern (*Telmatoblechnum serrulatum*), creeping primrose willow, smartweed, cattail (*Typha* sp.), shield fern (*Thelypteris* sp.), muscadine grapevine, greenbrier, Southern beaksedge, flatsedge, and marsh pennywort.

Live Oak, Disturbed (0-24% Exotics) (FLUCFCS Code 4279 E1)
This upland community type occupies 7.10± acres or 0.9 percent of the Project. The canopy contains live oak with scattered laurel oak, pop ash (*Fraxinus caroliniana*), Brazilian pepper, and cabbage palm. The sub-canopy contains live oak, cabbage palm, laurel oak, wax myrtle, myrsine, wild coffee (*Psychotria nervosa*), swamp bay, caesarweed, saltbush, and Brazilian pepper. The ground cover includes saw palmetto, poison ivy, beautyberry, wild coffee, Virginia creeper (*Parthenocissus quinquefolia*) Brazilian pepper, tropical soda apple, beggar-ticks (*Bidens alba*), St. Augustine grass (*Stenotaphrum secundatum*), caesarweed, Boston fern (*Nephrolepsis* sp.), cabbage palm, broomsedge bluestem, white stopper (*Eugenia axillaris*), and carpetgrass (*Axonopus fissifolius*).

Live Oak, Disturbed (25-49% Exotics) (FLUCFCS Code 4279 E2)
This upland community type occupies 7.59± acres or 1.0 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4279 E1, except with 25 to 49 percent Brazilian pepper in the sub-canopy.

Live Oak, Disturbed (50-75% Exotics) (FLUCFCS Code 4279 E3)
This upland community type occupies 11.84± acres or 1.5 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4279 E2, except with 50 to 75 percent Brazilian pepper in the sub-canopy.

Live Oak, Disturbed (76-100% Exotics) (FLUCFCS Code 4279 E4)
This upland community type occupies 2.68± acres or 0.3 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4279 E3, except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Cabbage Palm, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 4281 E1)
This wetland community type occupies 0.69± acre or 0.1 percent of the Project. The canopy contains cabbage palm with scattered laurel oak and swamp bay. The sub-canopy contains cabbage palm, Brazilian pepper, myrsine, laurel oak, wax myrtle, Carolina willow, swamp dogwood, and buckthorn (*Sideroxylon* sp.). The ground cover contains giant leather fern, swamp fern, cabbage palm, Brazilian pepper, Asiatic pennywort, marsh pennywort, smartweed, sand cordgrass (*Spartina bakeri*), laurel oak, dayflower, Peruvian primrose willow (*Ludwigia peruviana*), pickerelweed, and buttonbush (*Cephalanthus occidentalis*).

Cabbage Palm, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 4281 E2)
This wetland community type occupies 0.60± acre or 0.1 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4281 E1, except with 25 to 49 percent Brazilian pepper in the sub-canopy.

Cabbage Palm, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 4281 E3)
This wetland community type occupies 0.39± acre or less than 0.1 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4281 E2, except with 50 to 75 percent Brazilian pepper in the sub-canopy.

Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 4289 E2)
This upland community type occupies 0.28± acre or less than 0.1 percent of the Project. The canopy contains cabbage palm with scattered live oak. The sub-canopy contains Brazilian pepper, wax myrtle, and cabbage palm. The ground cover includes smutgrass, bahiagrass, wild coffee, dog fennel (*Eupatorium capillifolium*), beggar-ticks, knotroot foxtail (*Setaria parviflora*), scattered broomsedge, and guineagrass (*Urochloa maxima*).

Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 4289 E4)
This upland community type occupies 0.14± acre or less than 0.1 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4289 E2, except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Wax Myrtle, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 4291 E1)
This wetland community type occupies 0.33± acre or less than 0.1 percent of the Project. The canopy is open. The sub-canopy contains wax myrtle, Brazilian pepper, saltbush, and cabbage palm. The ground cover contains shield fern, Brazilian pepper, laurel oak, marsh pennywort, swamp fern, and Asiatic pennywort.

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)
This upland community type occupies 0.80± acre or 0.1 percent of the Project. The canopy contains live oak, slash pine, and cabbage palm. The sub-canopy contains live oak, Brazilian pepper, cabbage palm, wax myrtle, saltbush, beautyberry, and scattered saw palmetto. The ground cover

contains bahiagrass, broomsedge bluestem, smutgrass, beautyberry, Brazilian pepper, marsh pennywort, caesarweed, live oak, cabbage palm, greenbrier, dayflower, and saw palmetto.

Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
This upland community type occupies 5.30± acres or 0.7 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4349 E1, except with 25 to 49 percent Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)
This upland community type occupies 3.55± acres or 0.4 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4349 E2, except with 50 to 75 percent Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4)
This upland community type occupies 7.50± acres or 1.0 percent of the Project. The vegetation associations are similar to FLUCFCS Code 4349 E3, except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Streams and Waterways (FLUCFCS Code 510)
This open water area occupies 8.82± acres or 1.1 percent of the Project.

Ditch (FLUCFCS Code 514)
This open water area occupies 5.34± acres or 0.7 percent of the Project. Ground cover vegetation includes cattail.

Cattle Pond (FLUCFCS Code 525)
This open water area occupies 3.94± acres or 0.5 percent of the Project.

Willow, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2)
This wetland community type occupies less than 0.01± acre of the Project. The canopy contains Carolina willow with scattered cabbage palm and Brazilian pepper. The sub-canopy contains Carolina willow, cabbage palm, Brazilian pepper, wax myrtle, swamp dogwood, and buckthorn. The ground cover includes smartweed, swamp fern, shield fern, sawgrass, cattail, Carolina willow, cabbage palm, dayflower, white-top sedge, and Brazilian pepper.

Cypress, Drained, Disturbed (50-75% Exotics) (FLUCFCS Code 6215 E3)
This wetland community type occupies 0.96± acre or 0.1 percent of the Project. The canopy contains bald cypress (*Taxodium distichum*) and the sub-canopy contains Brazilian pepper, pop ash, and cabbage palm. The ground cover contains caesarweed and scattered swamp fern.

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)
This wetland community type occupies 1.69± acres or 0.2 percent of the Project. The canopy includes bald cypress, cabbage palm, and scattered laurel oak. The sub-canopy contains cabbage palm, Brazilian pepper, bishopwood (*Bischofia javanica*), red maple (*Acer rubrum*), and swamp bay. The ground cover includes spikerush (*Eleocharis interstincta*), pickerelweed, giant leatherfern, and swamp fern.

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)
This wetland community type occupies 1.85± acres or 0.2 percent of the Project. The vegetation associations are similar to FLUCFCS Code 6219 E1, except with 25 to 49 percent melaleuca and/or Brazilian pepper in the sub-canopy.

Wetland Forested Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 6309 E1)
This wetland community type occupies 1.67± acres or 0.2 percent of the Project. The canopy contains live oak, laurel oak, slash pine, cabbage palm, swamp bay, and Carolina willow. The sub-canopy contains Brazilian pepper, cabbage palm, myrsine, wild coffee, Peruvian primrose willow, Carolina willow, swamp dogwood, laurel oak, swamp bay, wax myrtle, persimmon, saltbush, live oak, white stopper, and buckthorn. The ground cover includes swamp fern, giant leather fern, cabbage palm, marsh pennywort, Brazilian pepper, wild coffee, Peruvian primrose willow, royal fern (*Osmunda regalis* var. *spectabilis*), arrowhead, water hyssop (*Bacopa* sp.), Asiatic pennywort, Southern beaksedge, smartweed, torpedograss, rosy camphorweed, shield fern, swamp lily (*Crinum americanum*), dog fennel, bulrush (*Scirpus* sp.), peppervine (*Ampelopsis arborea*), white-top sedge, and cattail.

Wetland Forested Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 6309 E2)
This wetland community type occupies 3.59± acres or 0.5 percent of the Project. The vegetation associations are similar to FLUCFCS Code 6309 E1, except with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wetland Forested Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 6309 E3)
This wetland community type occupies 3.42± acres or 0.4 percent of the Project. The vegetation associations are similar to FLUCFCS Code 6309 E2, except with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wetland Forested Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 6309 E4)
This wetland community type occupies 1.70± acres or 0.2 percent of the Project. The vegetation associations are similar to FLUCFCS Code 6309 E3, except with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wetland Shrub, Disturbed (76-100% Exotics) (FLUCFCS Code 6319 E4)
This wetland community type occupies 1.08± acres or 0.1 percent of the Project. The canopy is open. The sub-canopy contains saltbush, giant leather fern, wax myrtle, Brazilian pepper, scattered Carolina willow, and swamp bay. The ground cover contains giant leather fern, marsh pennywort, Brazilian pepper, saltbush, sawgrass, shield fern, and creeping primrose willow.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)
This wetland community type occupies 3.65± acres or 0.5 percent of the Project. The canopy is open. The sub-canopy contains wax myrtle, Brazilian pepper, and scattered cabbage palm. The ground cover contains sawgrass, giant leather fern, marsh pennywort, cattail, pickerelweed, torpedograss, sesbania, creeping primrose willow, and swamp fern.

Freshwater Marsh, Disturbed (76-100% Exotics) (FLUCFCS Code 6419 E4)
This wetland habitat type occupies 3.75± acres or 0.5 percent of the Project. The vegetation associations are similar to FLUCFCS Code 6419 E3, except with 76 to 100 percent West Indian marsh grass (*Hymenachne amplexicaulis*), alligatorweed (*Alternanthera philoxeroides*), and water lettuce (*Pistia stratiotes*) in the ground cover.

Disturbed Land (FLUCFCS Code 740)
This upland area occupies 1.35± acres or 0.2 percent of the Project. The canopy is open with cabbage palm, live oak, slash pine, red cedar (*Juniperus virginiana*), Florida strangler fig (*Ficus aurea*), Washington fan palm (*Washingtonia robusta*), laurel oak, and other unknown landscape trees. The sub-canopy contains scattered cabbage palm, citrus (*Citrus* sp.), wax myrtle, and Brazilian pepper. The ground cover contains bahiagrass, smutgrass, broomsedge, wax myrtle, frogfruit, caesarweed, Brazilian pepper, and Asiatic pennywort.

Spoil Areas (FLUCFCS Code 743)
This upland area occupies 0.99± acre or 0.1 percent of the Project and consists of spoil material.

Berm (FLUCFCS Code 747)
This upland land use type occupies 6.10± acres or 0.8 percent of the Project and includes spoil material left over from the excavation of ditches. The canopy may include scattered slash pine and live oak. The sub-canopy may include beautyberry, wax myrtle, and Brazilian pepper. The ground cover consists of a mixture of bahiagrass, tropical soda apple, smutgrass, broomsedge bluestem, blackberry, and flatsedge.

Road (FLUCFCS Code 814)
This upland land use type occupies 1.73± acres or 0.2 percent of the Project and includes an unmaintained, partially paved roadway. The canopy and sub-canopy are open. The ground cover is consistent with improved pasture (FLUCFCS Code 211).

METHODOLOGY AND DISCUSSION

As outlined in the LDC, surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet, if not exceed, the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Department of Community Development staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code	Description	Potential Protected Species
110*	Residential, Low Density	Gopher Tortoise (*Gopherus polyphemus*)
211	Improved Pasture	Gopher Tortoise (*Gopherus polyphemus*)
		Crested Caracara (*Caracara cheriway*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Florida Panther (*Puma concolor coryi*)
213*	Woodland Pasture	Gopher Tortoise (*Gopherus polyphemus*)
		Crested Caracara (*Caracara cheriway*)
262*	Low Pasture	Crested Caracara (*Caracara cheriway*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
3219 E3	Palmetto Prairie, Disturbed	Gopher Frog (*Lithobates capito*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Eastern Indigo Snake (*Drymarchon corais couperi*)
		Crested Caracara (*Caracara cheriway*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
		Curtis Milkweed (*Asclepsis curtissii*)
		Fakahatchee Burmania (*Burmania flava*)
		Florida Coontie (*Zamia floridana*)
4119 E1 4119 E4*	Pine Flatwoods, Disturbed	Gopher Frog (*Lithobates capito*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Eastern Indigo Snake (*Drymarchon corais couperi*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
		Beautiful Pawpaw (*Deeringothemnus pulchellus*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Satinleaf (*Chrysophyllum oliviforme*)
422*	Brazilian Pepper	Gopher Tortoise (*Gopherus polyphemus*)
4221*	Brazilian Pepper, Hydric	N/A

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
4279 E1 4279 E2 4279 E3 4279 E4*	Live Oak, Disturbed	Gopher Tortoise (*Gopherus polyphemus*)
		Eastern Indigo Snake (*Drymarchon corais couperi*)
		Crested Caracara (*Caracara cheriway*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
		Hand Adder's Tongue Fern (*Ophioglossum palmatum*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
		Twisted Air Plant (*Tillandsia flexuosa*)
4281 E1 4281 E2 4281 E3	Cabbage Palm, Hydric, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Crested Caracara (*Caracara cheriway*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
4289 E2 4289 E4*	Cabbage Palm, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Crested Caracara (*Caracara cheriway*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
4291 E1	Wax Myrtle, Hydric, Disturbed	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
4349 E1 4349 E2 4349 E3 4349 E4*	Hardwood/Conifer Mixed, Disturbed	Gopher Tortoise (*Gopherus polyphemus*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
510	Streams and Waterways	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
514	Ditch	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
514 (Continued)	Ditch	Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
525	Cattle Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
		Everglades Mink (*Mustela vison evergladensis*)
6189 E2	Willow, Disturbed	American Alligator (*Alligator mississipiensis*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Twisted Air Plant (*Tillandsia flexuosa*)
6215 E3	Cypress, Drained, Disturbed	American Alligator (*Alligator mississippiensis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
6219 E1 6219 E2	Cypress, Disturbed	Gopher Frog (*Lithobates capito*)
		American Alligator (*Alligator mississippiensis*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Wood Stork (*Mycteria americana*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Everglades Mink (*Mustela vison evergladensis*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
6309 E1 6309 E2 6309 E3 6309 E4	Wetland Forested Mixed, Disturbed	Gopher Frog (*Lithobates capito*)
		American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
6309 E1 6309 E2 6309 E3 6309 E4 (Continued)	Wetland Forested Mixed, Disturbed	Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Everglades Mink (*Mustela vison evergladensis*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
6319 E4	Wetland Shrub, Disturbed	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
6419 E3 6419 E4*	Freshwater Marsh, Disturbed	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Reddish Egret (*Egretta rufescens*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
		Everglades Mink (*Mustela vison evergladensis*)
740*	Disturbed Land	Gopher Tortoise (*Gopherus polyphemus*)
743	Spoil Areas	Gopher Tortoise (*Gopherus polyphemus*)
747*	Berm	Gopher Tortoise (*Gopherus polyphemus*)
814*	Road	Gopher Tortoise (*Gopherus polyphemus*)
		Little Blue Heron (*Egretta caerulea*)
		Tri-Colored Heron (*Egretta tricolor*)

N/A – Not Applicable per the LDC
*Habitat surveyed, although not required per the LDC.

The protected species survey for the 788.96± acre tract was conducted on April 27, 28, and 29, 2022; May 3, 2022; and October 11 and 12, 2022. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized for the protected species survey included meandering pedestrian transects, per Wilson Miller, Inc. methodology previously approved by the County.

Table 3. Survey Dates and Weather Conditions

Survey Date	Weather Conditions
April 27, 2022	Temperatures in the low 80s, partly cloudy skies, 10-15 mph W winds
April 28, 2022	Temperatures in the low 80s, partly cloudy skies, 10-15 mph SW winds

Table 3. (Continued)

Survey Date	Weather Conditions
April 29, 2022	Temperatures in the high 80s, partly cloudy skies, 10-20 mph E winds
May 3, 2022	Temperatures in the low 90s, partly cloudy skies, 5-10 mph E winds
October 11, 2022	Temperatures in the low 90s, partly cloudy skies, 5-10 mph E winds
October 12, 2022	Temperatures in the low 90s, partly cloudy skies, 5-10 mph E winds

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number and length of transects walked, and percent of coverage by habitat type is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transects Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
110*	Residential, Low Density	0.10	44	40	80
211	Improved Pasture	585.25	101,974	100	80
213*	Woodland Pasture	37.79	13,169	50	80
262*	Low Pasture	44.83	8,788	100	90
3219 E3	Palmetto Prairie, Disturbed (50-75% Exotics)	0.09	39	40	80
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	13.04	5,680	40	80
4119 E4	Pine Flatwoods, Disturbed (76-100% Exotics)	0.41	179	40	80
422*	Brazilian Pepper	5.99	2,609	40	80
4221*	Brazilian Pepper, Hydric	1.03	449	40	80
4279 E1	Live Oak, Disturbed (0-24% Exotics)	7.1	3,093	40	80
4279 E2	Live Oak, Disturbed (25-49% Exotics)	7.59	3,306	40	80
4279 E3	Live Oak, Disturbed (50-75% Exotics)	11.84	5,158	40	80
4279 E4	Live Oak, Disturbed (76-100% Exotics)	2.68	1,167	40	80
4281 E1	Cabbage Palm, Hydric, Disturbed (0-24% Exotics)	0.69	301	40	80
4281 E2	Cabbage Palm, Hydric, Disturbed (25-49% Exotics)	0.6	261	40	80
4281 E3	Cabbage Palm, Hydric, Disturbed (50-75% Exotics)	0.39	170	40	80
4289 E2	Cabbage Palm, Disturbed (25-49% Exotics)	0.28	122	40	80
4289 E4	Cabbage Palm, Disturbed (76-100% Exotics)	0.14	61	40	80

Table 4. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
4291 E1	Wax Myrtle, Hydric, Disturbed (0-24% Exotics)	0.33	144	40	80
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	0.8	279	50	80
4349 E2	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	5.3	1,847	50	80
4349 E3	Hardwood/Conifer Mixed, Disturbed (50-75% Exotics)	3.55	1,237	50	80
4349 E4	Hardwood/Conifer Mixed, Disturbed (76-100% Exotics)	7.5	2,614	50	80
510	Streams and Waterways	8.82	3,074	50	80
514	Ditch	5.34	1,861	50	80
525	Cattle Pond	3.94	915	75	80
6189 E2	Willow, Disturbed (25-49% Exotics)	<0.01	0	40	80
6215 E3	Cypress, Drained, Disturbed (50-75% Exotics)	0.96	418	40	80
6219 E1	Cypress, Disturbed (0-24% Exotics)	1.69	589	50	80
6219 E2	Cypress, Disturbed (25-49% Exotics)	1.85	645	50	80
6309 E1	Wetland Forested Mixed, Disturbed (0-24% Exotics)	1.67	582	50	80
6309 E2	Wetland Forested Mixed, Disturbed (25-49% Exotics)	3.59	1,251	50	80
6309 E3	Wetland Forested Mixed, Disturbed (50-75% Exotics)	3.42	1,192	50	80
6309 E4	Wetland Forested Mixed, Disturbed (76-100% Exotics)	1.7	592	50	80
6319 E4	Wetland Shrub, Disturbed (76-100% Exotics)	1.08	376	50	80
6419 E3	Freshwater Marsh, Disturbed (50-75% Exotics)	3.65	1,272	50	80
6419 E4	Freshwater Marsh, Disturbed (76-100% Exotics)	3.75	871	75	80
740*	Disturbed Land	1.35	470	50	80
743	Spoil Areas	0.99	345	50	80
747	Berm	6.1	2,126	50	80
814*	Road	1.73	402	75	80

[1]Average visibility to one side of transect
*Habitat surveyed as a precautionary measure.

SURVEY RESULTS

A Lee County protected species survey was conducted on the Project site on April 27, 28, and 29, 2022; May 3, 2022; and October 11 and 12, 2022. A total of 137 gopher tortoise (*Gopherus polyphemus*) burrows, 2 American alligators (*Alligator mississippiensis*) and 2 nests, 1 Everglade snail kite (*Rostrhamus sociabilis plumbeus*), 5 wood storks (*Mycteria americana*), 2 adult crested caracaras (*Caracara cheriway*), 1 juvenile crested caracara, 6 adult Florida sandhill cranes (*Grus canadensis pratensis*), 1 juvenile Florida sandhill crane, 6 little blue herons (*Egretta caerulea*), 6 tri-colored herons (*Egretta tricolor*), 1 juvenile bald eagle (*Haliaeetus leucocephalus*), and 3 snowy egrets (*Egretta thula*) were observed on the Project site during the protected species survey. An aerial with survey transects and species locations is provided in Appendix B.

The snail kite is listed as endangered by the U.S. Fish and Wildlife Service (USFWS). The wood stork and crested caracara are listed as threatened by the USFWS. The gopher tortoise, Florida sandhill crane, little blue heron, and tri-colored heron are listed as threatened by the Florida Fish and Wildlife Conservation Service (FWCC). The American alligator is listed as threatened by FWCC due to similarity of appearance to the American crocodile (*Crocodylus acutus*). The snowy egret is not listed by the USFWS or the FWCC but is a designated Lee County protected species. Although not included on the Lee County list of protected species, the bald eagle is protected by the Bald and Golden Eagle Protection Act.

The wading birds and wood storks documented on-site were observed foraging within the on-site wetlands and agricultural ditches. No nests were documented.

The five Florida sandhill cranes were observed utilizing multiple areas of the Project site for foraging and resting during the survey period.

The two adult and one juvenile crested caracara were observed utilizing multiple parts of the Project site. A dilapidated crested caracara nest located in a cabbage palm was documented on the northwest portion of the Project site and within the proposed preserve limits. No crested caracaras were observed utilizing the nest during the protected species survey or other fieldwork. The nest is in disrepair and has become further degraded since Hurricane Ian in late September 2022.

A juvenile bald eagle was observed perched in multiple pine trees on the northern portion of the Project. No bald eagle nests were documented on the Project site.

No Lee County protected plant species were observed on the property during the protected species survey. However, scattered occurrences of state-listed plant species were documented, including royal palm (*Roystonea regia*), golden leather fern (*Acrostichum aureum*), giant wild pine (*Tillandsia utriculata*), and Florida butterfly orchid (*Encyclia tampensis*). The Florida Department of Agriculture and Consumer Services lists the royal palm and the giant wild pine as endangered, the golden leather fern as threatened, and the Florida butterfly orchid as commercially exploited. There were no federal listed plant species documented during the protected species survey.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for observed Lee County protected species were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted on August 30, 1989. The gopher tortoise densities were based on the number of potentially occupied burrows found within each habitat. The gopher tortoise conversion factor is 0.5 per the FWCC Gopher Tortoise Permitting Guidelines (2020). The Lee County protected species abundance calculations are provided in Table 5, and Table 6 summarizes the protected species survey findings.

Table 5. Lee County Protected Species Abundance Calculations

Protected Species Density:

$$= \{n/[L\ (W_1+W_2)]\}\ (43{,}560\ ft.^2/ac)\ (C)$$

Where n = number of individuals observed or active plus inactive gopher tortoise burrows
L = length of transect
W_1 = distance of visibility to the right of transect
W_2 = distance of visibility to the left of transect
C =gopher tortoise conversion factor (0.5)*

*Conversion factor per FWCC, used for gopher tortoise calculation only

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American Alligator (AA)

FLUCFCS Code 525
= {1AA/[915 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1AA/137,250 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.32 AA/ac

FLUCFCS Code 6309 E2
= {1AA/[1,251 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac)
= {1AA/125,100 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.35 AA/ac

American Alligator Nest (AA nest)

FLUCFCS Code 510
= {2AA nest/[3,074 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac)
= {2AA nest/307,400 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.28 AA nest/ac

Gopher Tortoise Burrow (GT)

FLUCFCS Code 211
= {111GT/[101,974 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac) (0.5)
= {111GT/20,394,800 ft.^{2}} (21,780 ft.^{2}/ac)
= 0.12 GT/ac

FLUCFCS Code 213
= {3GT/[13,169 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac) (0.5)
= {3GT/1,316,900 ft.^{2}} (21,780 ft.^{2}/ac)
= 0.05 GT/ac

FLUCFCS Code 4119 E1
= {5GT/[5,680 ft. (40 ft. + 40 ft.)]} (43,560 ft.^{2}/ac) (0.5)
= {5GT/454,400 ft.^{2}} (21,780 ft.^{2}/ac)
= 0.24 GT/ac

FLUCFCS Code 422
= {1GT/[2,609 ft. (40 ft. + 40 ft.)]} (43,560 ft.^{2}/ac) (0.5)
= {1GT/208,720 ft.^{2}} (21,780 ft.^{2}/ac)
= 0.10 GT/ac

FLUCFCS Code 740
= {14GT/[740 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac) (0.5)
= {14GT/74,000 ft.^{2}} (21,780 ft.^{2}/ac)
= 4.12 GT/ac

FLUCFCS Code 743
= {3GT/[345 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac) (0.5)
= {3GT/34,500 ft.^{2}} (21,780 ft.^{2}/ac)
= 1.89 GT/ac

Crested Caracara (CC)

FLUCFCS Code 211
= {6CC/[101,974 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {6CC/20,394,800 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.01 CC/ac

FLUCFCS Code 213
= {2CC/[13,169 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac)
= {2CC/1,316,900 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.07 CC/ac

FLUCFCS Code 262
= {1CC/[8,788 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {1CC/1,757,600 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.02 CC/ac

FLUCFCS Code 4279 E1
= {1CC/[3,093 ft. (40 ft. + 40 ft.)]} (43,560 ft.^{2}/ac)
= {1CC/247,440 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.18 CC/ac

Everglade Snail Kite (ESK)

FLUCFCS Code 262
= {1ESK/[8,788 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {1ESK/1,757,600 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.02 ESK/ac

Florida Sandhill Crane (FLSH)

FLUCFCS Code 211
= {3FLSC/[101,974 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {3FLSC/20,394,800 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.01 FLSC/ac

FLUCFCS Code 6419 E4
= {4FLSC/[871 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {4FLSC/130,650 ft.^{2}} (43,560 ft.^{2}/ac)
= 1.33 FLSC/ac

Little Blue Heron (LBH)

FLUCFCS Code 262
= {3LBH/[8,788 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {3LBH/1,757,600 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.07 LBH/ac

FLUCFCS Code 525
= {1LBH/[915 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1LBH/137,250 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.32 LBH/ac

FLUCFCS Code 6419 E4
= {1LBH/[871 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1LBH/130,650 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.33 LBH/ac

FLUCFCS Code 814
= {1LBH/[402 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1LBH/60,300 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.72 LBH/ac

Snowy Egret (SE)

FLUCFCS Code 262
= {1SE/[8,788 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {1SE/1,757,600 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.02 SE/ac

FLUCFCS Code 510
= {1SE/[3,074 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac)
= {1SE/307,400 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.14 SE/ac

FLUCFCS Code 525
= {1SE/[915 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1SE/137,250 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.32 SE/ac

Tri-Colored Heron (TCH)

FLUCFCS Code 262
= {3TCH/[8,788 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {3TCH/1,757,600 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.07 TCH/ac

FLUCFCS Code 514
= {1TCH/[1,861 ft. (50 ft. + 50 ft.)]} (43,560 ft.^{2}/ac)
= {1TCH/186,100 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.23 TCH/ac

FLUCFCS Code 6419 E4
= {1TCH/[871 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1TCH/130,650 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.33 TCH/ac

FLUCFCS Code 814
= {1TCH/[402 ft. (75 ft. + 75 ft.)]} (43,560 ft.^{2}/ac)
= {1TCH/60,300 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.72 TCH/ac

Wood Stork (WS)

FLUCFCS Code 262
= {5WS/[8,788 ft. (100 ft. + 100 ft.)]} (43,560 ft.^{2}/ac)
= {5WS/1,757,600 ft.^{2}} (43,560 ft.^{2}/ac)
= 0.12 WS/ac

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Amphibians					
Gopher Frog	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
	6129 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
Reptiles					
American Alligator	510	80		X	
	514	80		X	
	525	80	X		0.32
	6189 E2	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80	X		0.35
	6309 E3	80		X	
	6309 E4	80		X	
	6419 E3	80		X	
	6419 E4	80		X	
American Alligator (Nest)	510	80	X		0.28
	514	80		X	
	525	80		X	
	6189 E2	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles (Continued)					
American Alligator (Nest) (Continued)	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6419 E3	80		X	
	6419 E4	80		X	
Eastern Indigo Snake	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	4281 E1	80		X	
	4281 E2	80		X	
	4281 E3	80		X	
	4289 E2	80		X	
	4289 E4	80		X	
Gopher Tortoise (Burrow)	110	80		X	
	211	80	X		0.12
	213	80	X		0.05
	3219 E3	80		X	
	4119 E1	80	X		0.24
	4119 E4	80		X	
	422	80	X		0.10
	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	4349 E1	80		X	
	4349 E2	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	740	80	X		4.12
	743	80	X		1.89
	747	80		X	
	814	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds					
Crested Caracara	211	80	X		0.01
	213	80	X		0.07
	262	90	X		0.02
	3219 E3	80		X	
	4279 E1	80	X		0.18
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	4281 E1	80		X	
	4281 E2	80		X	
	4281 E3	80		X	
	4289 E2	80		X	
	4289 E4	80		X	
Roseate Spoonbill	510	80		X	
	514	80		X	
	525	80		X	
Southeastern American Kestrel	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
Red-Cockaded Woodpecker	4119 E1	80		X	
	4119 E4	80		X	
Limpkin	510	80		X	
	514	80		X	
	525	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6419 E3	80		X	
	6419 E4	80		X	
Little Blue Heron	262	90	X		0.07
	4291 E1	80		X	
	510	80		X	
	514	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Little Blue Heron (Continued)	525	80	X		0.32
	6189 E2	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6319 E4	80		X	
	6419 E3	80		X	
	6419 E4	80			0.33
	814	80	X		0.72
Reddish Egret	510	80		X	
	514	80		X	
	525	80		X	
	6189 E2	80		X	
	6419 E3	80		X	
	6419 E4	80		X	
Snowy Egret	262	90	X		0.02
	4291 E1	80		X	
	510	80	X		0.14
	514	80		X	
	525	80	X		0.32
	6189 E2	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6319 E4	80		X	
	6419 E3	80		X	
	6419 E4	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Tri-Colored Heron	262	90	X		0.07
	4291 E1	80		X	
	510	80		X	
	514	80	X		0.23
	525	80		X	
	6189 E2	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6319 E4	80		X	
	6419 E3	80		X	
	6419 E4	80	X		0.33
	814	80	X		0.72
Everglade Snail Kite	262	90	X		0.02
	6419 E3	80		X	
	6419 E4	80		X	
Florida Sandhill Crane	211	80	X		0.01
	262	90		X	
	3219 E3	80		X	
	6419 E3	80		X	
	6419 E4	80	X		1.33
Wood Stork	262	90	X		0.12
	525	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6419 E3	80		X	
	6419 E4	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Big Cypress Fox Squirrel	4119 E1	80		X	
	4119 E4	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
Everglades Mink	510	80		X	
	514	80		X	
	525	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6419 E3	80		X	
	6419 E4	80		X	
Florida Black Bear	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	4281 E1	80		X	
	4281 E2	80		X	
	4281 E3	80		X	
	4289 E2	80		X	
	4289 E4	80		X	
	4349 E1	80		X	
	4349 E2	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	6215 E3	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals (Continued)					
Florida Black Bear (Continued)	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6319 E4	80		X	
Florida Panther	211	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	4281 E1	80		X	
	4281 E2	80		X	
	4281 E3	80		X	
	4289 E2	80		X	
	4289 E4	80		X	
	4349 E1	80		X	
	4349 E2	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	6215 E3	80		X	
	6219 E1	80		X	
	6219 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	6309 E3	80		X	
	6309 E4	80		X	
	6319 E4	80		X	
Plants					
Curtis Milkweed	3219 E3	80		X	
Fakahatchee Burmannia	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Plants (Continued)					
Satinleaf	4119 E1	80		X	
	4119 E4	80		X	
Beautiful Pawpaw	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
Florida Coontie	3219 E3	80		X	
	4119 E1	80		X	
	4119 E4	80		X	
Twisted Air Plant	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	6189 E2	80		X	
Simpson's Stopper	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	
	4281 E1	80		X	
	4281 E2	80		X	
	4281 E3	80		X	
	4289 E2	80		X	
	4289 E4	80		X	
Hand Adder's Tongue Fern	4279 E1	80		X	
	4279 E2	80		X	
	4279 E3	80		X	
	4279 E4	80		X	

MANAGEMENT PLAN

Prior to the issuance of a development order, a protected species management plan per LDC 10-474 will be prepared and submitted to the Department of Community Development as part of the Lee County review process for the Project. The protected species management plan will outline protection measures for the protected species documented on the Project site.

REFERENCES

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

Florida Fish and Wildlife Conservation Commission. 2020. Gopher Tortoise Permitting Guidelines (Revised July 2020). Tallahassee, Florida.

APPENDIX A

AERIAL WITH FLUCFCS AND WETLANDS

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	0.10 Ac.±	0.0%
211	IMPROVED PASTURE	585.25 Ac.±	74.2%
213	WOODLAND PASTURE	37.79 Ac.±	4.8%
260	LOW PASTURE	44.80 Ac.±	5.7%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	0.09 Ac.±	0.0%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	13.04 Ac.±	1.7%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	0.41 Ac.±	0.1%
422	BRAZILIAN PEPPER	5.99 Ac.±	0.8%
4221	BRAZILIAN PEPPER, HYDRIC	1.03 Ac.±	0.1%
4279 E1	LIVE OAK, DISTURBED (0-24% EXOTICS)	7.10 Ac.±	0.9%
4279 E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	7.50 Ac.±	1.0%
4279 E3	LIVE OAK, DISTURBED (50-75% EXOTICS)	11.84 Ac.±	1.5%
4279 E4	LIVE OAK, DISTURBED (76-100% EXOTICS)	2.69 Ac.±	0.3%
4281 E1	CABBAGE PALM, DISTURBED, HYDRIC (0-24% EXOTICS)	0.69 Ac.±	0.1%
4281 E2	CABBAGE PALM, DISTURBED, HYDRIC (25-49% EXOTICS)	0.60 Ac.±	0.1%
4281 E3	CABBAGE PALM, DISTURBED, HYDRIC (50-75% EXOTICS)	0.39 Ac.±	0.0%
4289 E2	CABBAGE PALM, DISTURBED (25-49% EXOTICS)	0.28 Ac.±	0.0%
4289 E4	CABBAGE PALM, DISTURBED (76-100% EXOTICS)	0.14 Ac.±	0.0%
4291 E1	WAX MYRTLE, DISTURBED, HYDRIC (0-24% EXOTICS)	0.33 Ac.±	0.0%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.80 Ac.±	0.1%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	5.30 Ac.±	0.7%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	3.55 Ac.±	0.4%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	7.50 Ac.±	1.0%
510	STREAMS AND WATERWAYS	8.82 Ac.±	1.1%
514	DITCH	5.34 Ac.±	0.7%
525	CATTLE POND	3.94 Ac.±	0.5%
6189 E2	WILLOW, DISTURBED (25-49% EXOTICS)	0.00 Ac.±	0.0%
6215 E3	CYPRESS, DRAINED, DISTURBED (50-75% EXOTICS)	0.96 Ac.±	0.1%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	1.69 Ac.±	0.2%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	1.85 Ac.±	0.2%
6309 E1	WETLAND FORESTED MIXED, DISTURBED (0-24% EXOTICS)	1.67 Ac.±	0.2%
6309 E2	WETLAND FORESTED MIXED, DISTURBED (25-49% EXOTICS)	3.59 Ac.±	0.5%
6309 E3	WETLAND FORESTED MIXED, DISTURBED (50-75% EXOTICS)	3.42 Ac.±	0.4%
6309 E4	WETLAND FORESTED MIXED, DISTURBED (76-100% EXOTICS)	1.70 Ac.±	0.2%
6319 E4	WETLAND SHRUB, DISTURBED (76-100% EXOTICS)	1.08 Ac.±	0.1%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	3.65 Ac.±	0.5%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	3.75 Ac.±	0.5%
740	DISTURBED LAND	1.35 Ac.±	0.2%
743	SPOIL AREAS	0.90 Ac.±	0.1%
747	BERM	5.10 Ac.±	0.6%
814	ROAD	1.73 Ac.±	0.2%
	TOTAL	788.96 Ac.±	100.0%

LEGEND:

SFWMD WETLANDS (72.29 Ac.±)

SFWMD "OTHER SURFACE WATERS" (8.10 Ac.±)

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY - MARCH 2022.

PROPERTY BOUNDARY PER NEAL COMMUNITIES, DRAWING No. 2022-245 MASTER BNDY EMAIL.DWG DATED MARCH 7, 2023.

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

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

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

REVISIONS	DATE
Revised boundary	03/14/23

		DATE
DRAWN BY	R.F.	10/24/22
DESIGNED BY	B.B.	10/24/22
REVIEWED BY	B.B.	10/24/22

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

PASSARELLA & ASSOCIATES INC

CARY + DUKE + POVIA RPD

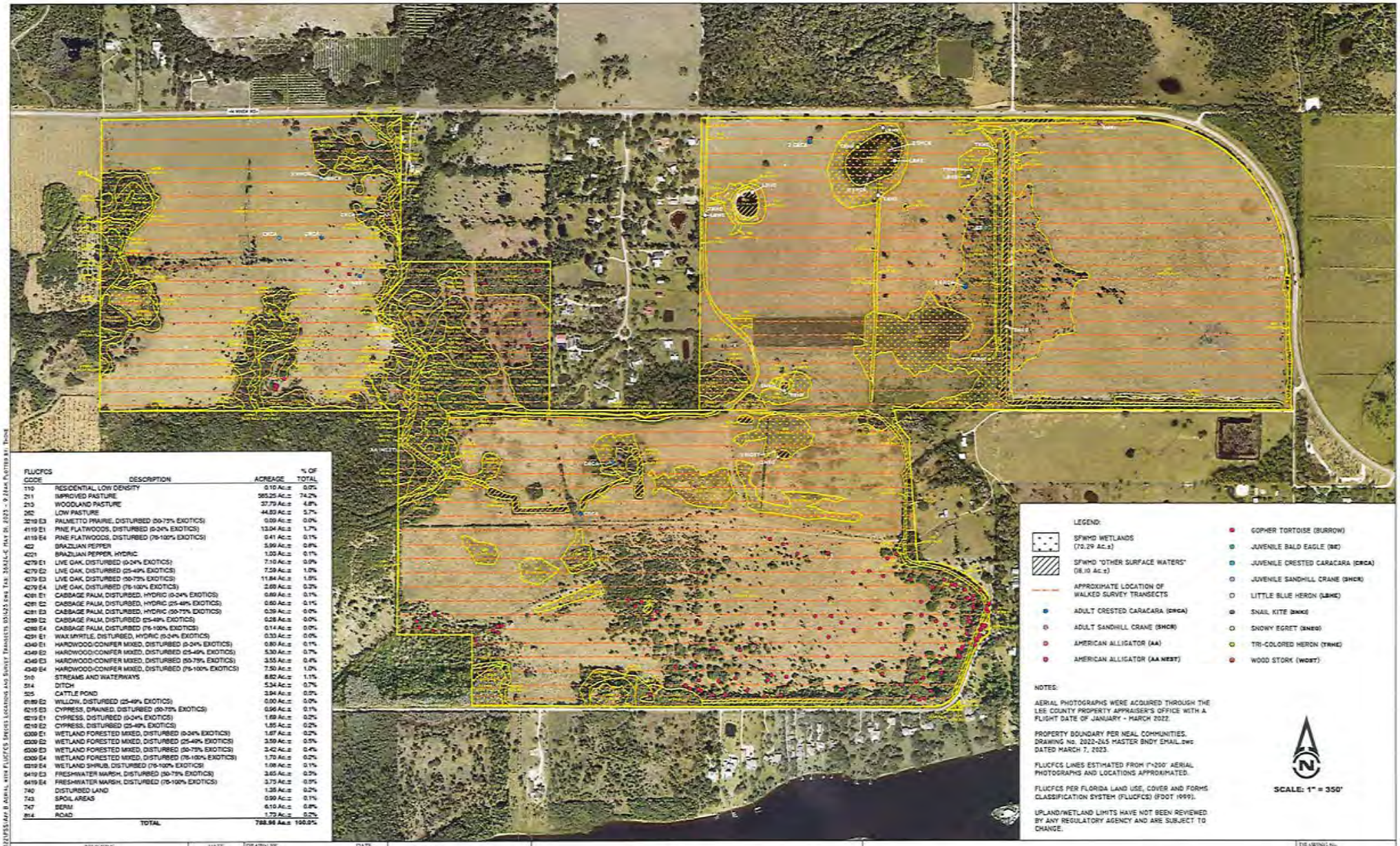
AERIAL WITH FLUCFCS AND WETLANDS

DRAWING No. 22NCC3903

SHEET No. APPENDIX A

APPENDIX B

AERIAL WITH FLUCFCS, SPECIES LOCATIONS, AND SURVEY TRANSECTS



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	0.10 Ac.±	0.0%
211	IMPROVED PASTURE	565.25 Ac.±	74.2%
213	WOODLAND PASTURE	37.79 Ac.±	4.8%
252	LOW PASTURE	44.83 Ac.±	5.7%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	0.09 Ac.±	0.0%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	13.04 Ac.±	1.7%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	0.41 Ac.±	0.1%
422	BRAZILIAN PEPPER	5.99 Ac.±	0.8%
4221	BRAZILIAN PEPPER, HYDRIC	1.03 Ac.±	0.1%
4279 E1	LIVE OAK, DISTURBED (0-24% EXOTICS)	7.10 Ac.±	0.9%
4279 E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	7.59 Ac.±	1.0%
4279 E3	LIVE OAK, DISTURBED (50-75% EXOTICS)	11.84 Ac.±	1.5%
4279 E4	LIVE OAK, DISTURBED (76-100% EXOTICS)	2.60 Ac.±	0.3%
4281 E1	CABBAGE PALM, DISTURBED, HYDRIC (0-24% EXOTICS)	0.80 Ac.±	0.1%
4281 E2	CABBAGE PALM, DISTURBED, HYDRIC (25-49% EXOTICS)	0.60 Ac.±	0.1%
4281 E3	CABBAGE PALM, DISTURBED, HYDRIC (50-75% EXOTICS)	0.39 Ac.±	0.0%
4289 E2	CABBAGE PALM, DISTURBED (25-49% EXOTICS)	0.28 Ac.±	0.0%
4289 E4	CABBAGE PALM, DISTURBED (76-100% EXOTICS)	0.14 Ac.±	0.0%
4291 E1	WAX MYRTLE, DISTURBED, HYDRIC (0-24% EXOTICS)	0.33 Ac.±	0.0%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.80 Ac.±	0.1%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	5.30 Ac.±	0.7%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	3.55 Ac.±	0.4%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	7.50 Ac.±	1.0%
510	STREAMS AND WATERWAYS	8.82 Ac.±	1.1%
514	DITCH	5.34 Ac.±	0.7%
525	CATTLE POND	3.94 Ac.±	0.5%
6189 E2	WILLOW, DISTURBED (25-49% EXOTICS)	0.00 Ac.±	0.0%
6215 E3	CYPRESS, DRAINED, DISTURBED (50-75% EXOTICS)	0.96 Ac.±	0.1%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	1.69 Ac.±	0.2%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	1.85 Ac.±	0.2%
6309 E1	WETLAND FORESTED MIXED, DISTURBED (0-24% EXOTICS)	1.67 Ac.±	0.2%
6309 E2	WETLAND FORESTED MIXED, DISTURBED (25-49% EXOTICS)	3.50 Ac.±	0.5%
6309 E3	WETLAND FORESTED MIXED, DISTURBED (50-75% EXOTICS)	3.42 Ac.±	0.4%
6309 E4	WETLAND FORESTED MIXED, DISTURBED (76-100% EXOTICS)	1.70 Ac.±	0.2%
6319 E4	WETLAND SHRUB, DISTURBED (76-100% EXOTICS)	1.08 Ac.±	0.1%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	3.65 Ac.±	0.5%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	3.75 Ac.±	0.5%
740	DISTURBED LAND	1.35 Ac.±	0.2%
743	SPOIL AREAS	0.99 Ac.±	0.1%
747	BERM	6.10 Ac.±	0.8%
814	ROAD	1.73 Ac.±	0.2%
	TOTAL	762.96 Ac.±	100.0%

LEGEND:

- SFWMD WETLANDS (70.29 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (18.10 Ac.±)
- APPROXIMATE LOCATION OF WALKED SURVEY TRANSECTS
- ADULT CRESTED CARACARA (CRCA)
- ADULT SANDHILL CRANE (SHCR)
- AMERICAN ALLIGATOR (AA)
- AMERICAN ALLIGATOR (AA NEST)
- GOPHER TORTOISE (BURROW)
- JUVENILE BALD EAGLE (BE)
- JUVENILE CRESTED CARACARA (CRCA)
- JUVENILE SANDHILL CRANE (SHCR)
- LITTLE BLUE HERON (LBHE)
- SNAIL KITE (SNKI)
- SNOWY EGRET (SNEG)
- TRI-COLORED HERON (TRHE)
- WOOD STORK (WOST)

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY - MARCH 2022.

PROPERTY BOUNDARY PER NEAL COMMUNITIES, DRAWING No. 2022-245 MASTER BNDY EMAIL.dwg DATED MARCH 7, 2023.

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

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

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

SCALE: 1" = 350'

REVISIONS	DATE	DRAWN BY	DATE
Revised boundary	03/14/23	R.F.	10/24/22
		DESIGNED BY B.B.	DATE 10/24/22
		REVIEWED BY B.B.	DATE 10/24/22

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

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

CARY + DUKE + POVIA RPD

AERIAL WITH FLUCFCS, SPECIES LOCATIONS, AND SURVEY TRANSECTS

DRAWING No. 22NCC3903

SHEET No. APPENDIX B

EXHIBIT B

CARY + DUKE + POVIA RPD
INDIGENOUS PRESERVE MANAGEMENT AND RESTORATION PLAN

Revised May 2024

Prepared For:

Neal Communities
28100 Bonita Grande Drive
Bonita Springs, Florida 34135
(941) 328-1993

Prepared By:

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

Project No. 22NCC3903

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1.0 INTRODUCTION

The following outlines the Lee County Indigenous Preserve Management and Restoration Plan for the Cary + Duke + Povia RPD (Project). The Project site totals 788.98± acres and is located in Sections 16 and 17, Township 43 South, Range 26 East, Lee County (Appendix A). The proposed Project will establish on-site conservation areas totaling approximately 420.20± acres. The proposed conservation areas will contain the following elements:

- Preservation and enhancement of 67.52± acres of indigenous wetlands, indigenous uplands, and rare and unique uplands through the removal of exotic vegetation;

- Restoration of 44.01± acres of non-indigenous wetlands, uplands, and rare and unique uplands through the removal of exotic vegetation and installation of supplemental plantings;

- Creation of 300.01± acres of rare and unique indigenous uplands through the removal of exotic vegetation and supplemental plantings in non-indigenous areas; and

- Preservation of 8.66± acres of surface waters.

The rare and unique uplands that will be preserved, enhanced, restored, and created will be consistent with those community types identified in Chapter XII of the Lee Plan. This may include some, or all, of the following community types: pine flatwoods, tropical hardwood, live oak hammock, and cabbage palm hammock.

The conservation areas will be placed in an easement with inspection, enforcement, and approval rights granted to Lee County and the South Florida Water Management District (SFWMD). The total preserve area to be placed under a conservation easement is 420.20± acres.

2.0 EXISTING INDIGENOUS HABITATS

Pursuant to Land Development Code (LDC) Section 10-1, indigenous native vegetation is defined as those plant species that are characteristic of the major plant communities of the county. Native habitats, where invasive exotic vegetation exceeds 75 percent coverage, are not considered to be indigenous vegetation.

Existing indigenous wetland habitat within the proposed preserve totals 17.51± acres and primarily consists of mixed wetland hardwood, cypress, and freshwater marsh habitat. The indigenous upland habitat within the proposed preserve totals 50.01± acres and primarily consists of pine flatwood, live oak, and hardwood/conifer mixed habitat. The indigenous areas are comprised of wetland and upland habitats that contain less than 75 percent coverage by exotic vegetation.

A Florida Land Use, Cover and Forms Classification System (FLUCFCS) and wetland map is attached as Appendix B. Listed below are the FLUCFCS (Florida Department of Transportation

1999) descriptions of the indigenous wetland and upland habitats proposed for preservation and enhancement.

2.1 Indigenous Wetland Habitats

Cabbage Palm, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 4281 E1)
This wetland community type includes cabbage palm (*Sabal palmetto*) with scattered laurel oak (*Quercus laurifolia*) and swamp bay (*Persea palustris*) in the canopy. The sub-canopy contains cabbage palm, Brazilian pepper (*Schinus terebinthifolia*), myrsine (*Myrsine cubana*), laurel oak, wax myrtle (*Morella cerifera*), Carolina willow (*Salix caroliniana*), swamp dogwood (*Cornus foemina*), and buckthorn (*Sideroxylon* sp.). The ground cover contains giant leather fern (*Acrostichum danaeifolium*), swamp fern (*Telmatoblechnum serrulatum*), cabbage palm, Brazilian pepper, Asiatic pennywort (*Centella asiatica*), marsh pennywort (*Hydrocotyle umbellata*), smartweed (*Persicaria* sp.), sand cordgrass (*Spartina bakeri*), laurel oak, dayflower (*Commelina diffusa*), Peruvian primrosewillow (*Ludwigia peruviana*), pickerelweed (*Pontedaria cordata*), and buttonbush (*Cephalanthus occidentalis*).

Cabbage Palm, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 4281 E2)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 4281 E1 except with 25 to 49 percent Brazilian pepper in the sub-canopy.

Cabbage Palm, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 4281 E3)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 4281 E2 except with 50 to 75 percent Brazilian pepper in the sub-canopy.

Willow, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2)
The canopy of this wetland community type contains Carolina willow with scattered cabbage palm and Brazilian pepper. The sub-canopy contains Carolina willow, cabbage palm, Brazilian pepper, wax myrtle, swamp dogwood, and buckthorn. The ground cover includes smartweed, swamp fern, shield fern (*Thelypteris* sp.), sawgrass (*Cladium jamaicense*), cattail (*Typha* sp.), Carolina willow, cabbage palm, dayflower, white-top sedge (*Rhynchospora colorata*), and Brazilian pepper.

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)
The canopy of this wetland community type includes bald cypress (*Taxodium distichum*), cabbage palm, and scattered laurel oak. The sub-canopy contains cabbage palm, Brazilian pepper, bishopwood (*Bischofia javanica*), red maple (*Acer rubrum*), and swamp bay. The ground cover includes spikerush (*Eleocharis interstincta*), pickerelweed, giant leather fern, and swamp fern.

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 6219 E1 except with 25 to 49 percent melaleuca (*Melaleuca quinquenervia*) and/or Brazilian pepper in the sub-canopy.

Wetland Forested Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 6309 E1)
The canopy of this wetland community type contains live oak (*Quercus virginiana*), laurel oak, slash pine (*Pinus elliottii*), cabbage palm, swamp bay, and Carolina willow. The sub-canopy contains Brazilian pepper, cabbage palm, myrsine, wild coffee (*Psychotria nervosa*), Peruvian primrosewillow, Carolina willow, swamp dogwood, laurel oak, swamp bay, wax myrtle, persimmon (*Diospyros virginiana*), saltbush (*Baccharis halimifolia*), live oak, white stopper (*Eugenia axillaris*), and buckthorn. The ground cover includes swamp fern, giant leather fern, cabbage palm, marsh pennywort, Brazilian pepper, wild coffee, Peruvian primrosewillow, royal fern (*Osmunda regalis* var. *spectabilis*), arrowhead (*Sagittaria lancifolia*), water hyssop (*Bacopa* sp.), Asiatic pennywort, Southern beaksedge (*Rhynchospora microcarpa*), smartweed, torpedograss (*Panicum repens*), rosy camphorweed (*Pluchea baccharis*), shield fern, swamp lily (*Crinum americanum*), dog fennel (*Eupatorium capillifolium*), bulrush (*Scirpus* sp.), peppervine (*Ampelopsis arborea*), white-top sedge, and cattail.

Wetland Forested Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 6309 E2)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 6309 E1 except with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wetland Forested Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 6309 E3)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 6309 E2 except with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)
The canopy of this wetland community type is open. The sub-canopy contains wax myrtle, Brazilian pepper, and scattered cabbage palm. The ground cover contains sawgrass, giant leather fern, marsh pennywort, cattail, pickerelweed, torpedograss, sesbania (*Sesbania* sp.), creeping primrosewillow (*Ludwigia repens*), and swamp fern.

2.2 Indigenous Upland Habitats

Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)
The canopy of this upland community type contains scattered live oak and cabbage palm. The sub-canopy contains Brazilian pepper. The ground cover contains saw palmetto (*Serenoa repens*), caesarweed (*Urena lobata*), beautyberry (*Callicarpa americana*), Brazilian pepper, and greenbrier (*Smilax* sp.).

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)
The canopy of this upland community type contains slash pine with scattered cabbage palm and live oak. The sub-canopy contains slash pine with scattered cabbage palm, live oak, and Brazilian pepper. The ground cover contains broomsedge bluestem (*Andropogon virginicus* var. *virginicus*), Brazilian pepper, bahiagrass (*Paspalum notatum*), wax myrtle, saw palmetto, caesarweed, and blackberry (*Rubus* sp.).

Live Oak, Disturbed (0-24% Exotics) (FLUCFCS Code 4279 E1)
The canopy of this upland community type contains live oak with widely scattered laurel oak, pop ash (*Fraxinus caroliniana*), Brazilian pepper, and cabbage palm. The sub-canopy contains live oak, cabbage palm, laurel oak, wax myrtle, myrsine, wild coffee, swamp bay, caesarweed, saltbush, and Brazilian pepper. The ground cover includes saw palmetto, poison ivy (*Toxicodendron radicans*), beautyberry, wild coffee, Virginia creeper (*Parthenocissus quinquefolia*) Brazilian pepper, tropical soda apple (*Solanum viarum*), beggarticks (*Bidens alba*), St. Augustine grass (*Stenotaphrum secundatum*), caesarweed, Boston fern (*Nephrolepis* sp.), cabbage palm, broomsedge bluestem, white stopper, and carpetgrass (*Axonopus fissifolius*).

Live Oak, Disturbed (25-49% Exotics) (FLUCFCS Code 4279 E2)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4279 E1 except with 25 to 49 percent Brazilian pepper in the sub-canopy.

Live Oak, Disturbed (50-75% Exotics) (FLUCFCS Code 4279 E3)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4279 E2 except with 50 to 75 percent Brazilian pepper in the sub-canopy.

Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 4289 E2)
The canopy of this upland community type contains cabbage palm with scattered live oak. The sub-canopy contains Brazilian pepper, wax myrtle, and cabbage palm. The ground cover includes smutgrass (*Sporobolus indicus*), bahiagrass, wild coffee, dog fennel, beggarticks, knotroot foxtail (*Setaria parviflora*), scattered broomsedge bluestem, and guineagrass (*Urochloa maximum*).

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)
The canopy of this upland community type contains live oak, slash pine, and cabbage palm. The sub-canopy contains live oak, Brazilian pepper, cabbage palm, wax myrtle, saltbush, beautyberry, and scattered saw palmetto. The ground cover contains bahiagrass, broomsedge bluestem, smutgrass, beautyberry, Brazilian pepper, marsh pennywort, caesarweed, live oak, cabbage palm, greenbrier, dayflower, and saw palmetto.

Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4349 E1 except with 25 to 49 percent Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4349 E2 except with 50 to 75 percent Brazilian pepper in the sub-canopy.

Cypress, Drained, Disturbed (50-75% Exotics) (FLUCFCS Code 6215 E3)
The canopy of this upland community type contains bald cypress, and the sub-canopy contains Brazilian pepper, pop ash, and cabbage palm. The ground cover contains caesarweed and scattered swamp fern.

3.0 EXISTING NON-INDIGENOUS HABITATS

Existing non-indigenous wetland habitat within the preserve totals 33.95± acres. The non-indigenous wetland habitat is comprised of low pasture and areas with greater than 75 percent coverage by exotic vegetation, primarily Brazilian pepper and melaleuca.

Non-indigenous upland habitat within the preserve totals 310.07± acres and consist of pastures, disturbed land, berms, and forested areas with greater than 75 percent coverage by exotic vegetation, primarily Brazilian pepper.

Non-indigenous areas also include 8.66± acres of natural streams and man-made surface waters consisting of agricultural ditches and cow ponds. The non-indigenous wetland and upland habitat types and surface waters are depicted on Appendix B. Listed below are the FLUCFCS descriptions of the non-indigenous areas on the Project site.

3.1 Non-Indigenous Wetland Habitats

Low Pasture (FLUCFCS Code 262)
The canopy of this wetland habitat is open. The sub-canopy contains widely scattered cabbage palm, Brazilian pepper, wax myrtle, and Carolina willow. The ground cover includes inundated beaksedge (*Rhynchospora inundata*), Southern beaksedge, Asiatic pennywort, creeping primrosewillow, dayflower, pickerelweed, bushy bluestem (*Andropogon glomeratus*), sawgrass, white-top sedge, torpedograss, marsh pennywort, savanna iris (*Iris savannarum*), frogfruit (*Phyla nodiflora*), Southern umbrellasedge (*Fuirena scirpoidea*), smartweed, arrowhead, bighead rush (*Juncus megacephalus*), aster (*Aster* sp.), sesbania, spikerush, marsh-mallow (*Kosteletzkya* sp.), and rosy camphorweed.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
The canopy of this wetland habitat is dominated by Brazilian pepper with scattered live oak, cabbage palm, swamp bay, and Carolina willow. The sub-canopy is dominated by Brazilian pepper with scattered cabbage palm, live oak, swamp bay, myrsine, wax myrtle, saltbush, Carolina willow, pond apple (*Annona glabra*), red mangrove (*Rhizophora mangle*), and swamp dogwood. The ground cover contains Brazilian pepper, cabbage palm, giant leather fern, swamp fern, creeping primrosewillow, smartweed, cattail, shield fern, muscadine grapevine (*Vitis rotundifolia*), greenbrier, Southern beaksedge, flatsedge (*Cyperus* sp.), and marsh pennywort.

Wetland Forested Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 6309 E4)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 6309 E3 except with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wetland Shrub, Disturbed (76-100% Exotics) (FLUCFCS Code 6319 E4)
The canopy in this wetland habitat type is open. The sub-canopy contains saltbush, giant leather fern, wax myrtle, Brazilian pepper, scattered Carolina willow, and swamp bay. The

ground cover contains giant leather fern, marsh pennywort, Brazilian pepper, saltbush, sawgrass, shield fern, and creeping primrosewillow.

Freshwater Marsh, Disturbed (76-100% Exotics) (FLUCFCS Code 6419 E4)
This wetland community type includes vegetation associations that are similar to FLUCFCS Code 6419 E3 except with 76 to 100 percent West Indian marsh grass (*Hymenachne amplexicaulis*), alligatorweed (*Alternanthera philoxeroides*), and water lettuce (*Pistia stratiotes*) in the ground cover.

3.2 Non-Indigenous Upland Habitats

Residential, Low Density (FLUCFCS Code 110)
This upland area consists of single-family homes alongside North River Road (County Road 78).

Improved Pasture (FLUCFCS Code 211)
The canopy in this upland area is open and includes widely scattered slash pine, cabbage palm, and live oak. The sub-canopy is open and includes widely scattered cabbage palm, wax myrtle, and Brazilian pepper. The ground cover includes bahiagrass, tropical soda apple, smutgrass, broomsedge bluestem, blackberry, flatsedge, torpedograss, frogfruit, caesarweed, and Asiatic pennywort. The improved pasture in the southeastern portion of the site was historically a spoil cell for the dredging of the Caloosahatchee River.

Woodland Pasture (FLUCFCS Code 213)
The canopy of this upland community type has scattered slash pine, live oak, laurel oak, and cabbage palm. The sub-canopy includes widely scattered slash pine, Brazilian pepper, persimmon, wax myrtle, live oak, laurel oak, and cabbage palm. The ground cover contains bahiagrass, smutgrass, broomsedge bluestem, muscadine grapevine, saw palmetto, cabbage palm, caesarweed, earleaf greenbrier (*Smilax auriculata*), and blackberry.

Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4119 E1 except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Brazilian Pepper (FLUCFCS Code 422)
The canopy of this upland community type is open. The sub-canopy is dominated by Brazilian pepper with scattered wax myrtle and cabbage palm. The ground cover includes Brazilian pepper.

Live Oak, Disturbed (76-100% Exotics) (FLUCFCS Code 4279 E4)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4279 E3 except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 4289 E4)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4289 E2 except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4)
This upland community type includes vegetation associations that are similar to FLUCFCS Code 4349 E3 except with 76 to 100 percent Brazilian pepper in the sub-canopy.

Disturbed Land (FLUCFCS Code 740)
The canopy of this upland community type is open with cabbage palm, live oak, slash pine, red cedar (*Juniperus virginiana*), Florida strangler fig (*Ficus aurea*), Washington fan palm (*Washingtonia robusta*), laurel oak, and other unknown landscape trees. The sub-canopy contains scattered cabbage palm, citrus (*Citrus* sp.), wax myrtle, and Brazilian pepper. The ground cover contains bahiagrass, smutgrass, broomsedge bluestem, wax myrtle, frogfruit, caesarweed, Brazilian pepper, and Asiatic pennywort.

Spoil Areas (FLUCFCS Code 743)
This upland area consists of spoil material.

Berm (FLUCFCS Code 747)
This upland land use type includes spoil material left over from the excavation of ditches. The canopy may include scattered slash pine and live oak. The sub-canopy may include beautyberry, wax myrtle, and Brazilian pepper. The ground cover is consistent with improved pasture (FLUCFCS Code 211).

Road (FLUCFCS Code 814)
This upland land use type includes an unmaintained, partially paved roadway. The canopy and sub-canopy are open. The ground cover is consistent with improved pasture (FLUCFCS Code 211).

3.3 Surface Waters

Streams and Waterways (FLUCFCS Code 510)
These open-water areas consist of tributaries of the Caloosahatchee River.

Ditch (FLUCFCS Code 514)
This open-water land use type includes ditches associated with agricultural operations on the Project site. Ground cover vegetation includes cattail.

Cattle Pond (FLUCFCS Code 525)
This open-water area includes excavated ponds used for watering areas for cattle.

4.0 INDIGENOUS VEGETATION PRESERVATION, ENHANCEMENT, AND RESTORATION

Indigenous upland and wetland areas will be preserved, enhanced, and/or restored through the hand-removal/treatment of exotic and nuisance vegetation and the installation of supplemental plantings in areas with greater than 75 percent cover by exotic vegetation. The supplemental planting details are discussed in Section 6.0. The locations of the indigenous preservation areas are shown on Appendix C.

4.1 Methods to Remove and Control Exotic and Nuisance Plants

Exotics to be eradicated include, but are not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

Table 1. Prohibited Invasive Exotics

Common Name	Scientific Name
Air potato	*Dioscorea bulbifera*
Australian pine	*Casuarina* sp.
Bishopwood	*Bischofia javanica*
Brazilian pepper	*Schinus terebinthifolia*
Carrotwood	*Cupaniopsis anacardioides*
Chinese tallow	*Sapium sebiferum*
Downy rose-myrtle	*Rhodomyrtus tomentosa*
Earleaf acacia	*Acacia auriculiformis*
Japanese climbing fern	*Lygodium japonicum*
Java plum	*Syzygium cumini*
Indian laurel	*Ficus microcarpa*
Indian rosewood	*Dalbergia sissoo*
Melaleuca	*Melaleuca quinquenervia*
Murray red gum	*Eucalyptus camaldulensis*
Old World climbing fern	*Lygodium microphyllum*
Rose apple	*Syzygium jambos*
Seaside mahoe	*Thespesia populnea*
Tropical soda apple	*Solanum viarum*
Wedelia	*Wedelia trilobata*
Weeping fig	*Ficus benjamina*
Woman's tongue	*Albizia lebbeck*

Exotic and nuisance vegetation removal will be conducted by hand methods. Hand treatment will be either by the felling of exotic trees, hand-removal, and herbicide treatment of the tree stumps; or by hand-pulling and removal. The treatment of exotic and nuisance vegetation will include one or more of the following methods: (1) cut exotics within 12 inches of ground elevation, hand-remove cut vegetation, and treat the remaining stump with approved herbicide; (2) foliar application of approved herbicide or hand-pulling of exotic seedlings; and (3) foliar application of approved herbicide to nuisance grasses.

In areas where exotic coverage is greater than 75 percent, mechanical equipment may be utilized to assist in the removal of exotic species. The mechanical removal areas will be flagged in the field and approved by Lee County Department of Community Development (DCD) staff prior to issuance of a vegetation removal permit. The approximate locations of the mechanical clearing areas are depicted on Appendix C.

Efforts will be made to preserve and protect native trees when conducting the exotic removal with mechanized equipment. This may include the use of temporary barriers (e.g., staking, roping, fencing) around native trees prior to the use of mechanical equipment. To minimize adverse impacts to the ground surface, machinery that exerts a relatively low impact on the ground surface (i.e., tracked skid steer, feller-buncher) will be utilized within the mechanical removal areas. To prevent ground disturbance, mechanical equipment will not be utilized in areas that are saturated or inundated. If rutting occurs, the ground surface will be restored to natural grade with the use of low-impact equipment or by hand methods such as raking.

4.2 Debris Removal

Exotic vegetative debris that is cut will be removed from the indigenous preserve areas. Exotic debris may be stacked in the adjacent development area and burned. No stacking of exotic debris will occur within the preserves. The preserve areas will be inspected annually for trash or garbage. Trash or garbage located within the preserve areas will be removed and disposed of by hand.

4.3 Method and Frequency of Pruning and Trimming

Exotic removal within the existing indigenous habitats is scheduled to begin after Development Order approval. After completing the initial exotic removal, semi-annual inspections of the preserves will occur for the first two years. During these inspections, the conservation areas will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Potential problems will also be noted, and corrective actions will be taken. Once exotic/nuisance species levels have been reduced to acceptable limits, inspections of the conservation areas will be conducted a minimum of once every two years.

Exotic maintenance will be hand-removal only. Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation, including the prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

5.0 RARE AND UNIQUE UPLAND CREATION

Approximately 300.01± acres of rare and unique upland habitat will be created from existing upland pasture and agricultural ditches. Rare and unique upland creation activities will include hand or mechanical removal/treatment of exotic vegetation, backfilling to natural grade, replanting of vegetation to achieve rare and unique upland community types, and ongoing maintenance and management. The rare and unique upland creation areas may include some, or all, of the following community types: pine flatwoods, tropical hardwood, live oak hammock, and cabbage palm hammock.

5.1 Rare and Unique Upland Grading and Planting

The locations of the rare and unique upland creation areas are shown on Appendix C. Rare and unique upland creation will consist of the removal of exotic vegetation, backfilling of ditches, and planting with native rare and unique upland species. Exotic vegetation removal will use the same hand and/or mechanical methods described in Section 4.1. Soil modification may be required in portions of the rare and unique creation areas to backfill the ditches. Regrading will occur after the ditches have been filled to match the adjacent upland elevation. The soils used to backfill the ditches will consist of sandy, well drained soils that will support the proposed rare and unique upland community types consistent with Lee Plan Policy 123.2.17 5.b.

In areas of the Project where dredged material from the Caloosahatchee River will be removed, the soil will be removed to natural ground elevation or to an elevation that contains the appropriate soil types needed to support the establishment and success of the indigenous rare and unique upland habitat. This includes sandy or partially sandy soil types with loose to moderate density, similar to soil types documented throughout the property.

Plantings will be installed in the rare and unique upland creation areas following the completion of initial exotic vegetation removal, backfilling of the ditches, and associated regrading of the backfilled ditches. The planting details are outlined in Section 6.0.

6.0 SUPPLEMENTAL PLANTINGS

Following the removal of exotics, the indigenous wetland restoration areas (33.95± acres) will be supplemented with native vegetation plantings. The target community types include a mixture of cypress, mixed wetland forest, freshwater marsh, and cabbage palm hammock habitats. Plantings will consist of tree, shrub, and ground cover species. Within forested wetlands, tree and shrub plantings will include a minimum of three of the species listed in Table 2. Ground cover plantings will include a minimum of four of the species listed in Table 2. Supplemental plantings within the open marsh habitats will consist of herbaceous species only and include a minimum of four of the species listed in Table 2. The species selected for planting will depend on market availability at the time the plantings are to occur. Additional tree, shrub, and ground cover species may be included in the planting table with approval from DCD staff.

Table 2. Supplemental Wetland Plantings

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Trees				
Bald cypress	*Taxodium distichum*	5 ft.	3 gal.	15 ft.
Dahoon holly	*Ilex cassine*	5 ft.	3 gal.	15 ft.
Laurel oak	*Quercus laurifolia*	5 ft.	3 gal.	15 ft.
Pond apple	*Annona glabra*	5 ft.	3 gal.	15 ft.
Pond cypress	*Taxodium distichum*	5 ft.	3 gal.	15 ft.
Pop ash	*Fraxinus caroliniana*	5 ft.	3 gal.	15 ft.
Red mangrove	*Rhizophora mangle*	5 ft.	3 gal.	15 ft.
Red maple	*Acer rubrum*	5 ft.	3 gal.	15 ft.
Slash pine	*Pinus elliottii*	5 ft.	3 gal.	15 ft.
Swamp bay	*Persea palustris*	5 ft.	3 gal.	15 ft.
Swamp dogwood	*Cornus foemina*	5 ft.	3 gal.	15 ft.
Shrubs				
Buttonbush	*Cephalanthus occidentalis*	3 ft.	1 gal.	10 ft.
Gallberry	*Ilex glabra*	3 ft.	1 gal.	10 ft.
Giant leather fern	*Acrostichum danaeifolium*	3 ft.	1 gal.	10 ft.
Myrsine	*Myrsine cubana*	3 ft.	1 gal.	10 ft.
Saltbush	*Baccharis halimifolia*	3 ft.	1 gal.	10 ft.
Wax myrtle	*Morella cerifera*	3 ft.	1 gal.	10 ft.
Walter's viburnum	*Viburnum obovatum*	3 ft.	1 gal.	10 ft.
Ground Cover				
Arrowhead	*Sagittaria lancifolia*	12 in.	2 in.	3 ft.
Bushy bluestem	*Andropogon glomeratus*	12 in.	2 in.	3 ft.
Cordgrass	*Spartina bakeri*	12 in.	2 in.	3 ft.
Dotted smartweed	*Persicaria punctata*	12 in.	2 in.	3 ft.
Fireflag	*Thalia geniculata*	12 in.	2 in.	3 ft.
Frogfruit	*Phyla nodiflora*	12 in.	2 in.	3 ft.
Golden canna	*Canna flaccida*	12 in.	2 in.	3 ft.
Gulf Coast spikerush	*Eleocharis cellulosa*	12 in.	2 in.	3 ft.
Gulfdune paspalum	*Paspalum monostachyum*	12 in.	2 in.	3 ft.
Little blue maidencane	*Amphicarpum muehlenbergianum*	12 in.	2 in.	3 ft.
Maidencane	*Panicum hemitomon*	12 in.	2 in.	3 ft.
Muhlygrass	*Muhlenbergia capillaris*	12 in.	2 in.	3 ft.
Pickerelweed	*Pontederia cordata*	12 in.	2 in.	3 ft.
Purple lovegrass	*Eragrostis spectabilis*	12 in.	2 in.	3 ft.
Sawgrass	*Cladium jamaicense*	12 in.	2 in.	3 ft.
Soft rush	*Juncus effusus*	12 in.	2 in.	3 ft.
Soft-stem bulrush	*Scirpus validus*	12 in.	2 in.	3 ft.

Table 2. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Ground Cover (Continued)				
Spatterdock	*Nuphar advena* subsp. *advena*	12 in.	2 in.	3 ft.
Spikerush	*Eleocharis interstincta*	12 in.	2 in.	3 ft.
Swamp fern	*Telmatoblechnum serrulatum*	12 in.	2 in.	3 ft.
Tracy's beaksedge	*Rhynchospora tracyi*	12 in.	2 in.	3 ft.
Virginia chain fern	*Woodwardia virginica*	12 in.	2 in.	3 ft.

In addition, following the removal of exotics, indigenous upland restoration areas (7.38± acres) will be supplemented with native vegetation plantings. The target community types include pine flatwoods and hardwood/conifer mixed forested. Tree and shrub plantings will include a minimum of three of the species listed in Table 3. Ground cover plantings will include a minimum of four of the species listed in Table 3. The species selected for planting will depend on market availability at the time the plantings are to occur. Additional tree, shrub, and ground cover species may be included in the planting table with approval from DCD staff.

Table 3. Supplemental Upland Plantings

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Trees				
Cabbage palm	*Sabal palmetto*	5 ft.	3 gal.	15 ft.
Laurel oak	*Quercus laurifolia*	5 ft.	3 gal.	15 ft.
Live oak	*Quercus virginiana*	5 ft.	3 gal.	15 ft.
Slash pine	*Pinus elliottii*	5 ft.	3 gal.	15 ft.
Shrubs				
Gallberry	*Ilex glabra*	3 ft.	1 gal.	10 ft.
Myrsine	*Myrsine cubana*	3 ft.	1 gal.	10 ft.
Rusty lyonia	*Lyonia ferruginea*	3 ft.	1 gal.	10 ft.
Saw palmetto	*Serenoa repens*	3 ft.	1 gal.	10 ft.
Sparkleberry	*Vaccinium arboreum*	3 ft.	1 gal.	10 ft.
Tarflower	*Bejaria racemosa*	3 ft.	1 gal.	10 ft.
Wild coffee	*Psychotria nervosa*	3 ft.	1 gal.	10 ft.
Wax myrtle	*Morella cerifera*	3 ft.	1 gal.	10 ft.
Ground Cover				
Beautyberry	*Callicarpa americana*	12 in.	2 in.	5 ft.
Gulf muhly	*Muhlenbergia capillaris*	12 in.	2 in.	5 ft.
Gopher apple	*Geobalanus oblongifolius*	12 in.	2 in.	5 ft.
Fakahatchee grass	*Tripsacum dactyloides*	12 in.	2 in.	5 ft.

Table 3. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Ground Cover (Continued)				
Florida coontie	*Zamia integrifolia*	12 in.	2 in.	5 ft.
Lopsided Indian grass	*Sorghastrum secundum*	12 in.	2 in.	5 ft.
Purple lovegrass	*Eragrostis spectabilis*	12 in.	2 in.	5 ft.
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	5 ft.
Wiregrass	*Aristida stricta*	12 in.	2 in.	3 ft.

Following the removal of exotic vegetation and the completion of grading activities, supplemental plantings will be installed within the rare and unique upland restoration areas (2.68± acres) and rare and unique creation areas (300.01± acres) shown on Appendix C. The target community types may include a mixture of pine flatwoods, tropical hardwood, live oak hammock, and cabbage palm hammock habitats. Plantings will consist of tree, shrub, and ground cover species. Tree and shrub plantings will consist of a minimum of four (per stratum) of the species listed in Table 4, and ground cover plantings will consist of a minimum of four of the species listed in Table 4. The species selected for planting will depend on market availability at the time the plantings are to occur. Additional tree and ground cover species may be included in the planting table with approval from Lee County DCD staff.

The trees included in Table 4 will also be utilized to satisfy the Project's right-of-way (ROW) buffer requirements along North River Road; however, cabbage palm hammocks cannot be utilized within the ROW buffer. Cabbage palms may be planted within the ROW buffer but must be mixed with other native trees provided in Table 4.

Table 4. Supplemental Rare and Unique Upland Plantings

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Trees				
Cabbage palm	*Sabal palmetto*	5 ft.	3 gal.	15 ft.
Gumbo limbo	*Bursera simaruba*	5 ft.	3 gal.	15 ft.
Live oak	*Quercus virginiana*	5 ft.	3 gal.	15 ft.
Hackberry	*Celtis laevigata*	5 ft.	3 gal.	15 ft.
Hog plum	*Ximenia americana*	5 ft.	3 gal.	15 ft.
Slash pine	*Pinus elliottii*	5 ft.	3 gal.	15 ft.
Southern red cedar	*Juniperus virginiana*	5 ft.	3 gal.	15 ft.
Shrubs[1]				
Fiddlewood	*Citharexylum spinosum*	3 ft.	1 gal.	10 ft.
Firebush	*Hamelia patens*	3 ft.	1 gal.	10 ft.
Florida privet	*Forestiera segregata*	3 ft.	1 gal.	10 ft.
Marlberry	*Ardisia escallonioides*	3 ft.	1 gal.	10 ft.

Table 4. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Shrubs[1] (Continued)				
Satin leaf	*Chrysophyllum oliviforme*	3 ft.	1 gal.	10 ft.
Saw palmetto	*Serenoa repens*	3 ft.	1 gal.	10 ft.
Shortleaf wild coffee	*Psychotria tenuifolia*	3 ft.	1 gal.	10 ft.
Simpson's stopper	*Myrcianthes fragrans*	3 ft.	1 gal.	10 ft.
Spanish stopper	*Eugenia foetida*	3 ft.	1 gal.	10 ft.
Sparkleberry	*Vaccinium arboreum*	3 ft.	1 gal.	10 ft.
Walter's viburnum	*Viburnum obovatum*	3 ft.	1 gal.	10 ft.
White indigoberry	*Randia aculeata*	5 ft.	3 gal.	10 ft.
White stopper	*Eugenia axillaris*	3 ft.	1 gal.	10 ft.
Wild coffee	*Psychotria nervosa*	3 ft.	1 gal.	10 ft.
Wild lime	*Zanthoxylum fagara*	3 ft.	1 gal.	10 ft.
Ground Cover[1]				
Beautyberry	*Callicarpa americana*	12 in.	2 in.	3 ft.
Coral bean	*Erythrina herbacea*	12 in.	2 in.	3 ft.
Fakahatchee grass	*Tripsacum dactyloides*	12 in.	2 in.	5 ft.
Florida coontie	*Zamia integrifolia*	12 in.	2 in.	5 ft.
Gopher apple	*Geobalanus oblongifolius*	12 in.	2 in.	3 ft.
Lopsided Indian grass	*Sorghastrum secundum*	12 in.	2 in.	5 ft.
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	5 ft.
Wiregrass	*Aristida stricta*	12 in.	2 in.	3 ft.

[1]No one species shall comprise more than 25 percent of the plantings.

The preserve enhancement, restoration, and creation activities may be completed in multiple phases. The wetland and upland planting activities will occur during the wet season (i.e., June through October). If plantings cannot be installed within this timeframe, irrigation will be utilized until the onset of the wet season (i.e., June) or until the vegetation is successfully established. Irrigation will be utilized on a temporary, as-needed basis, and will not be a required long-term activity.

Depending on the location of the planted areas, irrigation sources may include, but are not limited to, the on-site lakes and wells. The irrigation method may consist of an overhead sprinkler or temporary drip pipe installed to the water source. The temporary irrigation system will be removed within one year of installation or when plantings are successfully established.

In accordance with Section 10-416(d)(9) of the LDC, if restoration activity occurs within the 50-foot natural waterway buffer area, all supplemental plantings will comply with the requirements set forth under Section 10-420 of the LDC.

7.0 RARE AND UNIQUE UPLAND RESTORATION AND CREATION SOILS ANALYSIS

The target community types within the rare and unique restoration and creation areas may include a mixture of pine flatwoods, tropical hardwood, live oak hammock, and cabbage palm hammock habitats. Soil profiles within mesic flatwoods and mesic hammock habitats were researched with Florida Natural Areas Inventory (FNAI) in the *Guide to the Natural Communities of Florida* (2010). Per the source, mesic flatwoods habitats occupy poorly drained sandy soils, while mesic hammock habitats occupy well drained sandy soils with moderate to high amounts of organic matter.

The soils classifications within the rare and unique restoration and creation areas, per the Natural Resources Conservation Service (NRCS), are shown on Appendix D. The dominant soil classifications within these areas consist of Cypress Lake fine sand (Soil Unit 13) (24.51± acres); Immokalee sand (Soil Unit 28) (31.58± acres); Oldsmar sand (Soil Unit 33) (76.70± acres); and Caloosa fine sand (Soil Unit 144) (153.50± acres). According to the NRCS and the Soil Survey of Lee County, Florida (U.S. Department of Agriculture 1984 and 2020), Cypress Lake fine sand, Immokalee sand, and Oldsmar sand are poorly drained soils; and Caloosa fine sand is a moderately well drained soil.

Pursuant to Chapter XII of the Lee Plan, mesic hammock communities classified as rare and unique are scattered throughout the Project site and consist of Live Oak, Disturbed (FLUCFCS Codes 4279 E1, E2, and E3) and Cabbage Palm, Disturbed (FLUCFCS Code 4289 E2) (Appendix B). These mesic hammock habitats are currently established within a variety of NRCS soil unit types, including Cypress Lake fine sand, Immokalee sand, Oldsmar sand, and Caloosa fine sand. Therefore, the Project contains appropriate soil types for the establishment of rare and unique upland habitats.

8.0 MAINTENANCE

After completing the initial exotic removal, semi-annual inspections of the conservation areas will occur for the first two years. During these inspections, the conservation areas will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Additional potential problems will also be noted, and corrective actions will be taken. Once exotic/nuisance species levels have been reduced to acceptable limits, inspections of the conservation area will be conducted annually. After the initial exotic removal, subsequent exotic maintenance will be hand-removal only. Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation, including the prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

8.1 Prescribed Fire

Prescribed burning may be used as a management tool in the conservation area to maintain the native vegetation communities. Prescribed burns help maintain vegetative communities in their natural state, reduce fuel loads and the danger of wildfire, aid with the eradication

and control of exotic and nuisance vegetation species, and improve wildlife habitat. The objectives of prescribed burning maintenance events will be to aid in the control of exotic vegetation and woody shrubs (i.e., wax myrtle and saltbush) and to stimulate the growth and diversity of herbaceous vegetation.

If utilized, the burning frequency for the conservation areas will be two to four years, which is consistent with the natural fire regime for South Florida habitats described by the FNAI in the *Guide to the Natural Communities of Florida* (2010). The edges of the Project's freshwater marshes will be burned when the fire moves through the adjacent forested habitats. The fire will be allowed to extinguish naturally within the wetter marsh habitats.

Prescribed burning is typically conducted during the winter or early spring when temperatures are reduced and wind direction is more constant. The initial burn is anticipated to occur during the late winter. Winter burns are preferred to reduce high fuel loads. Growing season burns also may be conducted as conditions allow. Changes in annual weather cycles determine when burn permits will be available, and burns may be conducted only on the day(s) of Florida Forest Service (FFS) permission.

Fire breaks will be installed in strategic locations to safely ignite and control prescribed fires. Fire breaks will be co-located with maintenance trails, recreational trails, access roads, easements, fence lines, property boundaries, and natural habitat boundaries. Fires will be excluded from planted areas for at least ten years to allow plantings to mature enough to survive fires.

Controlled burns will be conducted with a permit issued from the FFS. In addition, notice will be given to the local fire district.

9.0 MONITORING REPORTS

The proposed monitoring of the Lee County Indigenous Preserve areas will consist of baseline, time-zero, and annual monitoring. Annual reports documenting the achievement of the enhancement, restoration, and creation activities will be submitted to Lee County's DCD. Annual monitoring reports will be provided for five years after the Certificate of Compliance has been issued by the DCD. The monitoring reports will include documented exotic and nuisance species; mortality of vegetation; estimated causes of mortality; the growth of the vegetation; and hydrologic conditions of the wetland preserve areas, including monitoring well hydrographs, wildlife observed, photographs, and factors that demonstrate the functional health of the conservation areas. A brief description of anticipated maintenance work to be conducted over the next year will also be included. In addition, monitoring reports will provide recommendations and/or corrective measures to address deficiencies observed, including impacts to wetland hydrology. Periodic inspections will be conducted by DCD staff to ensure the accuracy of the monitoring reports.

10.0 REFERENCES

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

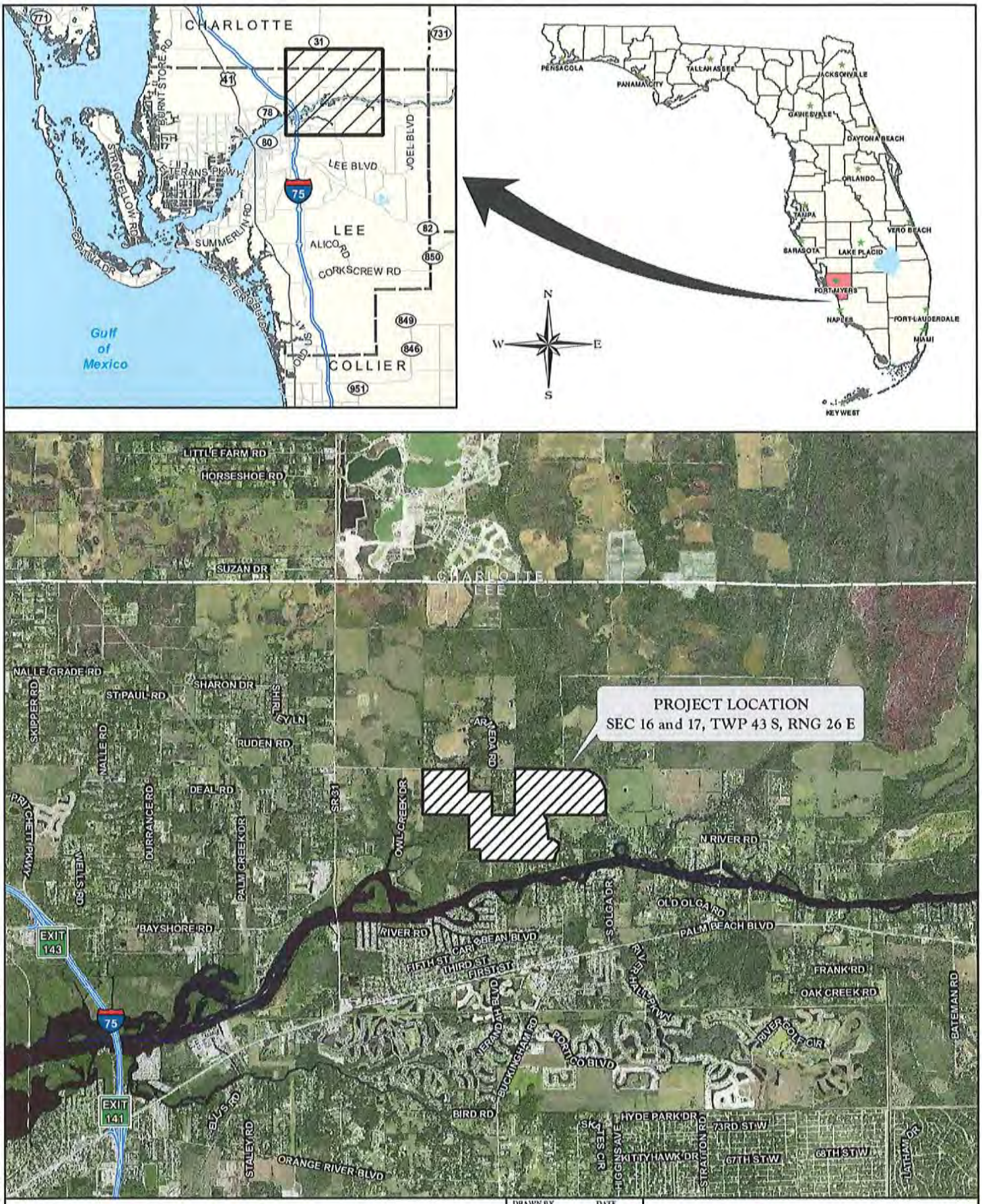
Florida Natural Areas Inventory. 2010. Guide to the Natural Communities of Florida: 2010 Edition. Florida Natural Areas Inventory, Tallahassee, Florida.

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

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

APPENDIX A

PROJECT LOCATION MAP



APPENDIX A. PROJECT LOCATION MAP

CARY + DUKE + POVIA RPD

DRAWN BY	DATE
P.F.	10/26/22
REVIEWED BY	DATE
B.B.	10/26/22
REVISED	DATE
R.F.	05/22/24

PASSARELLA & ASSOCIATES INC

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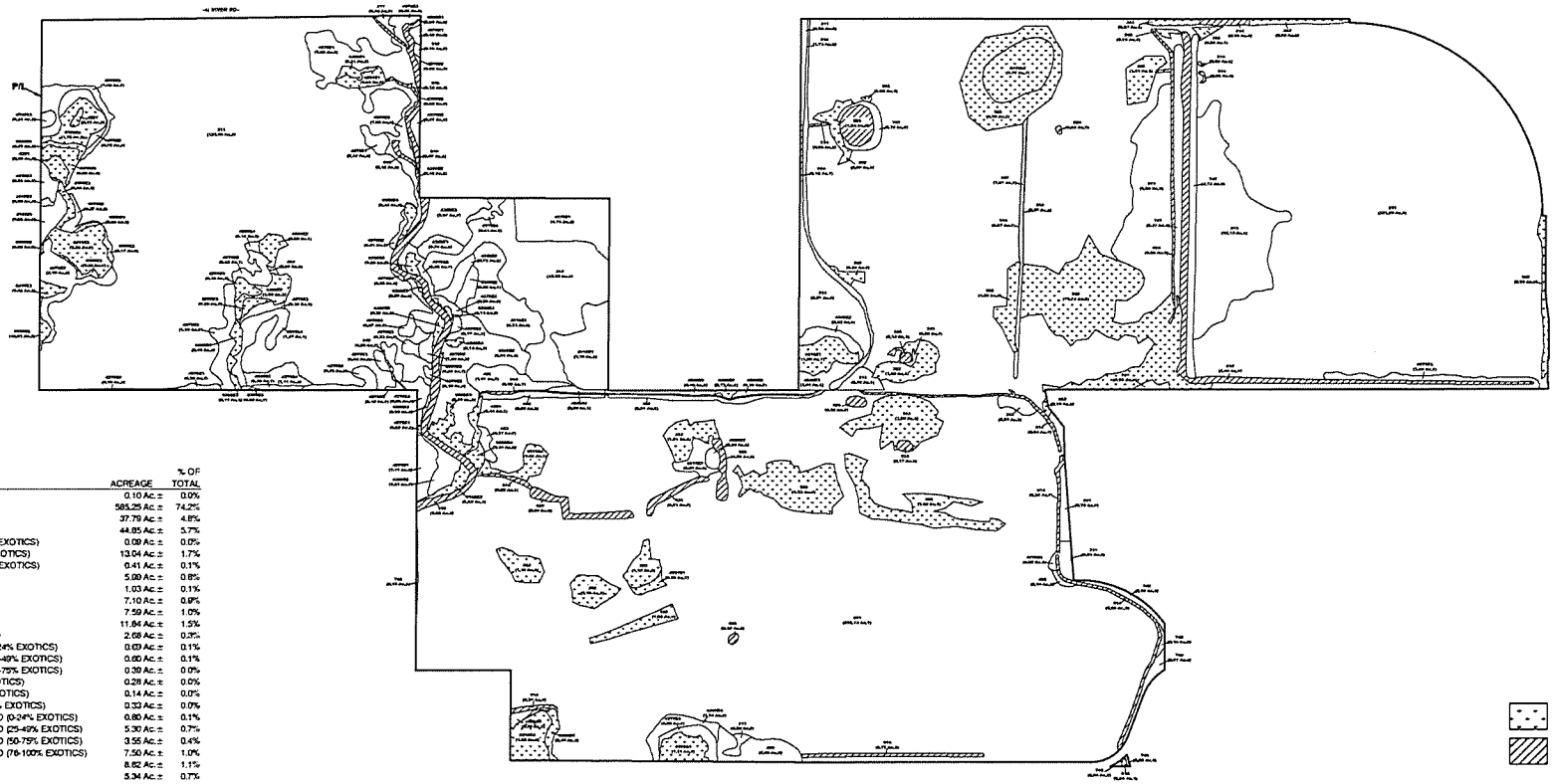
APPENDIX B

FLUCFCS AND WETLANDS MAP

SCALE: 1" = 400'



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	0.10 Ac.±	0.0%
211	IMPROVED PASTURE	565.25 Ac.±	74.2%
213	WOODLAND PASTURE	37.79 Ac.±	4.8%
202	LOW PASTURE	44.85 Ac.±	5.7%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	0.09 Ac.±	0.0%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	13.04 Ac.±	1.7%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	0.41 Ac.±	0.1%
422	BRAZILIAN PEPPER	5.09 Ac.±	0.8%
4221	BRAZILIAN PEPPER, HYDRIC	1.03 Ac.±	0.1%
4279 E1	LIVE OAK, DISTURBED (0-24% EXOTICS)	7.10 Ac.±	0.9%
4279 E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	7.59 Ac.±	1.0%
4279 E3	LIVE OAK, DISTURBED (50-75% EXOTICS)	11.64 Ac.±	1.5%
4279 E4	LIVE OAK, DISTURBED (76-100% EXOTICS)	2.68 Ac.±	0.3%
4281 E1	CABBAGE PALM, DISTURBED, HYDRIC (0-24% EXOTICS)	0.69 Ac.±	0.1%
4281 E2	CABBAGE PALM, DISTURBED, HYDRIC (25-49% EXOTICS)	0.80 Ac.±	0.1%
4281 E3	CABBAGE PALM, DISTURBED, HYDRIC (50-75% EXOTICS)	0.39 Ac.±	0.0%
4289 E2	CABBAGE PALM, DISTURBED (25-49% EXOTICS)	0.28 Ac.±	0.0%
4289 E4	CABBAGE PALM, DISTURBED (76-100% EXOTICS)	0.14 Ac.±	0.0%
4291 E1	WAX MYRTLE, DISTURBED, HYDRIC (0-24% EXOTICS)	0.33 Ac.±	0.0%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.80 Ac.±	0.1%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	5.30 Ac.±	0.7%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	3.55 Ac.±	0.4%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	7.50 Ac.±	1.0%
510	STREAMS AND WATERWAYS	8.62 Ac.±	1.1%
514	DITCH	5.34 Ac.±	0.7%
525	CATTLE POND	3.94 Ac.±	0.5%
6189 E2	WILLOW, DISTURBED (25-49% EXOTICS)	0.00 Ac.±	0.0%
6215 E3	CYPRESS, DRAINED, DISTURBED (50-75% EXOTICS)	0.90 Ac.±	0.1%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	1.89 Ac.±	0.2%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	1.85 Ac.±	0.2%
6309 E1	WETLAND FORESTED MIXED, DISTURBED (0-24% EXOTICS)	1.67 Ac.±	0.2%
6309 E2	WETLAND FORESTED MIXED, DISTURBED (25-49% EXOTICS)	3.59 Ac.±	0.5%
6309 E3	WETLAND FORESTED MIXED, DISTURBED (50-75% EXOTICS)	3.42 Ac.±	0.4%
6309 E4	WETLAND FORESTED MIXED, DISTURBED (76-100% EXOTICS)	1.70 Ac.±	0.2%
6319 E4	WETLAND SHRUB, DISTURBED (76-100% EXOTICS)	1.08 Ac.±	0.1%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	3.65 Ac.±	0.5%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	3.75 Ac.±	0.5%
740	DISTURBED LAND	1.35 Ac.±	0.2%
743	SPOIL AREAS	0.99 Ac.±	0.1%
747	BERM	6.10 Ac.±	0.8%
814	ROAD	1.73 Ac.±	0.2%
	TOTAL	762.56 Ac.±	100.0%

LEGEND:

SFWMD WETLANDS (70.31 Ac.±)

SFWMD "OTHER SURFACE WATERS" (18.10 Ac.±)

NOTES:

PROPERTY BOUNDARY PER JR EVANS ENGINEERING, DRAWING No. 00911-00 E0509 - DA MCP.DWG DATED MAY 21, 2024.

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

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

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

REVISIONS	DATE
Revised boundary	03/07/23
Revised boundary	04/01/24
Revised boundary	05/22/24

	DATE
DRAWN BY R.F.	11/29/22
DESIGNED BY B.B.	11/29/22
REVIEWED BY B.B.	11/29/22

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

PASSARELLA & ASSOCIATES INC

CARY + DUKE + POVIA RPD

FLUCFCS AND WETLANDS MAP

DRAWING No. 22NCC3903

SHEET No. APPENDIX B

J:\2022\22NCC3903\22C3903\PRP\App B FLUCFCS and Wetlands Map 032226.dwg Tab: 30x24-H May 23, 2024 - 11:41am Plotted by: rsoo

APPENDIX C

INDIGENOUS PRESERVE AND RESTORATION MANAGEMENT PLAN

SCALE: 1" = 400'

LEGEND:

- INDIGENOUS WETLAND PRESERVATION AND ENHANCEMENT (17.51 Ac.±)
- INDIGENOUS UPLAND PRESERVATION AND ENHANCEMENT (23.98 Ac.±)
- INDIGENOUS WETLAND RESTORATION (53.95 Ac.±)
- INDIGENOUS UPLAND RESTORATION (7.38 Ac.±)
- RARE AND UNIQUE UPLAND CREATION* (300.01 Ac.±)
- RARE AND UNIQUE UPLAND PRESERVATION* AND ENHANCEMENT (26.03 Ac.±)
- RARE AND UNIQUE UPLAND RESTORATION* (2.68 Ac.±)
- OSW PRESERVATION (8.66 Ac.±)
- LEE COUNTY DRAINAGE ACCESS DESIGNATION - NOT INCLUDED IN CONSERVATION AREA (1.11 Ac.±)
- MECHANICAL CLEARING AREAS (16.91 Ac.±)
- APPROXIMATE ACCESS POINTS FOR MECHANICAL CLEARING

*UTILIZED FOR ZONING DENSITY INCREASE

NOTES:

PROPERTY BOUNDARY, SITE PLAN AND CONSERVATION AREAS PER JR EVANS ENGINEERING, DRAWING No. 00911-00 E0509 - OA MCP.DWG DATED MAY 21, 2024.

REVISIONS	DATE	DRAWN BY	DATE
New site plan	01/24/24	R.F.	04/20/23
New site plan	03/26/24	DESIGNED BY J.S.	DATE 04/20/23
New site plan	05/22/24	REVIEWED BY S.J.	DATE 04/20/23

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

PASSARELLA & ASSOCIATES INC

CARY + DUKE + POVIA RPD

INDIGENOUS PRESERVE AND RESTORATION MANAGEMENT PLAN

DRAWING No. 22NCC3903

SHEET No. APPENDIX C

APPENDIX D

SOILS OVERLAY MAP

LEGEND

- CARY + DUKE + POVIA RPD
- RARE AND UNIQUE UPLAND CREATION (300.01 AC.±)
- RARE AND UNIQUE UPLAND RESTORATION (2.68 AC.±)
- LEE SOILS

SOILS THAT FALL WITHIN RARE AND UNIQUE CREATION AND RESTORATION AREAS		
Soil Unit	Description	Acres
11	Myakka fine sand, 0 to 2 percent slopes	4.69 Ac.±
13	Cypress Lake fine sand, 0 to 2 percent slopes	24.51 Ac.±
26	Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes	0.80 Ac.±
27	Pompano fine sand, frequently ponded, 0 to 1 percent slopes	0.79 Ac.±
28	Immokalee sand, 0 to 2 percent slopes	31.58 Ac.±
33	Oldsmar sand, 0 to 2 percent slopes	76.70 Ac.±
39	Isles fine sand, frequently ponded, 0 to 1 percent slopes	1.24 Ac.±
42	Wabasso sand, limestone substratum, 0 to 2 percent slopes	3.66 Ac.±
45	Copeland fine sandy loam, frequently ponded, 0 to 1 percent slopes	2.59 Ac.±
49	Felda fine sand, frequently ponded, 0 to 1 percent slopes	0.09 Ac.±
55	Cocoa fine sand, 0 to 2 percent slopes	2.54 Ac.±
144	Caloosa fine sand, 0 to 2 percent slopes	153.50 Ac.±
	TOTAL	302.69 Ac.±

NOTES:

PROPERTY BOUNDARY PER JR EVANS ENGINEERING DRAWING No. 00911-00 E0509 - OA MCP.DWG DATED MAY 21, 2024.

SOILS MAPPING WAS ACQUIRED FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE WEBSITE OCTOBER 2022.

REVISIONS	DATE	DRAWN BY	DATE
		H.H., R.F.	03/07/23
Revised boundary	04/01/24	DESIGNED BY C.R.	03/07/23
Revised boundary	05/22/24	REVIEWED BY S.J.	03/07/23

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES

CARY + DUKE + POVIA RPD
SOILS OVERLAY MAP

DRAWING No. 22NCC3903
SHEET No. APPENDIX D

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EXHIBIT C

CARY + DUKE + POVIA RPD
PROTECTED SPECIES MANAGEMENT
AND HUMAN-WILDLIFE COEXISTENCE PLAN

Revised April 2024

Prepared For:

Neal Communities
28100 Bonita Grande Drive
Bonita Springs, Florida 34135
(941) 328-1993

Prepared By:

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

Project No. 22NCC3903

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1.0 INTRODUCTION

The following outlines the Protected Species Management and Human-Wildlife Coexistence Plan for Cary + Duke + Povia RPD (Project). The Project site totals 788.98± acres and is located in Sections 16 and 17, Township 43 South, Range 26 East, Lee County (Appendix A). The surrounding land uses include single-family residential development, agricultural land, and undeveloped forested and non-forested lands.

The majority of the site supports active cattle grazing operations, while the remainder of the site contains native vegetation with varying amounts of disturbance and exotic vegetation. The native wetland habitats include hydric cabbage palm, hydric wax myrtle, willow, cypress, wetland forested mixed, wetland shrub, and freshwater marsh habitats. Native upland habitats on the Project site include palmetto prairie, pine flatwoods, live oak, cabbage palm, wax myrtle, and hardwood/conifer mixed habitat types. Two tributaries of the Caloosahatchee River are located on the Project site. Trout Creek bisects the property on the western portion of the Project site. Otter Creek, which has historically been channelized and is no longer a functioning stream, is located on the eastern portion of the Project site.

The management plan contained in this report pertains to the Eastern indigo snake (*Drymarchon corais couperi*); American alligator (*Alligator mississippiensis*); gopher tortoise (*Gopherus polyphemus*); Florida pine snake (*Pituophis melanoleucus*); crested caracara (*Caracara cheriway*); Everglade snail kite (*Rostrhamus sociabilis plumbeus*); Florida sandhill crane (*Grus canadensis pratensis*), Southeastern American kestrel (*Falco sparverius paulus*), and listed wading birds; Florida burrowing owl (*Athene cunicularia*); bald eagle (*Haliaeetus leucocephalus*); Florida black bear (*Ursus americanus floridanus*); and Florida bonneted bat (*Eumops floridanus*).

2.0 LEE COUNTY PROTECTED SPECIES SURVEYS

Passarella & Associates, Inc. conducted a Lee County protected species survey on April 27, 28, and 29, 2022; May 3, 2022; and October 11 and 12, 2022. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards. The protected wildlife species and/or their sign (i.e., nests, scat, burrows, etc.) documented on the Project site included 137 gopher tortoise burrows, 2 American alligators and 2 nests, 1 Everglade snail kite, 5 wood storks (*Mycteria americana*), 2 adult crested caracaras, 1 juvenile crested caracara, 4 adult Florida sandhill cranes, 1 juvenile Florida sandhill crane, 6 little blue herons (*Egretta caerulea*), 6 tri-colored herons (*Egretta tricolor*), 1 juvenile bald eagle, and 3 snowy egrets (*Egretta thula*).

Scattered occurrences of state-listed plant species were also documented on-site, including royal palm (*Roystonea regia*), golden leather fern (*Acrostichum aureum*), giant wild pine (*Tillandsia utriculata*), and Florida butterfly orchid (*Encyclia tampensis*).

Summaries of the protected wildlife and plants observed during the protected species survey are provided in Tables 1 and 2, respectively.

Table 1. Protected Species Documented on the Project Site

Common Name	Scientific Name	Listing Status	
		FWCC	USFWS
Reptiles			
American alligator	*Alligator mississippiensis*	FT(S/A)	FT(S/A)
Gopher tortoise	*Gopherus polyphemus*	ST	*
Birds			
Bald eagle	*Haliaeetus leucocephalus*	**	-
Crested caracara	*Caracara cheriway*	FT	T
Everglade snail kite	*Rostrhamus sociabilis plumbeus*	FE	E
Florida sandhill crane	*Grus canadensis pratensis*	ST	-
Little blue heron	*Egretta caerulea*	ST	-
Snowy egret	*Egretta thula*	***	-
Tri-colored heron	*Egretta tricolor*	ST	-
Wood stork	*Mycteria americana*	FT	T

FWCC – Florida Fish and Wildlife Conservation Commission
USFWS – U.S. Fish and Wildlife Service
E – Endangered
FE – Federally Endangered
FT – Federally Threatened
FT(S/A) – Federally Threatened Due to Similarity of Appearance to the American crocodile (*Crocodylus acutus*)
ST – State Threatened
T – Threatened
*Currently listed as a candidate species by the USFWS.
**Protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.
***Delisted at the state level but protected by an FWCC Management Plan.

Table 2. Listed Plant Species Documented on the Project Site

Common Name	Scientific Name	Status	
		FDACS	USFWS
Florida butterfly orchid	*Encyclia tampensis*	CE	-
Giant wild pine	*Tillandsia utriculata*	SE	-
Golden leather fern	*Acrostichum aureum*	ST	-
Royal palm	*Roystonea regia*	SE	-

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

3.0 CONSERVATION AREAS

The proposed conservation areas total 420.35± acres (Appendix B). The conservation areas will be maintained in accordance with the Indigenous Preservation, Restoration, and Management Plan provided under separate cover. The Project has been designed to minimize impacts to the listed species that have been identified on the property and other listed wildlife species that could potentially utilize the site. The site plan minimizes impacts to existing native vegetation habitats and concentrates development primarily within the existing agricultural lands.

The proposed conservation areas will contain the following elements:

- Preservation and enhancement of 67.39± acres of indigenous wetlands, indigenous uplands, and rare and unique uplands through the removal of exotic vegetation;

- Restoration of 44.36± acres of non-indigenous wetlands, indigenous uplands, and rare and unique indigenous uplands through the removal of exotic vegetation and installation of supplemental plantings;

- Creation of 299.94± acres of rare and unique indigenous uplands through the removal of exotic vegetation and supplemental planting in non-indigenous habitats; and

- Preservation of 8.66± acres of surface waters.

The rare and unique uplands that will be preserved, enhanced, restored, and created will be consistent with those community types identified in Chapter XII of the Lee Plan. This includes community types such as tropical hardwood, live oak hammock, and cabbage palm hammock which contain less than 75 percent coverage by exotic species in their current state.

The conservation areas will be managed for listed species based on habitat type and currently listed species utilization. Targeted listed species include the Eastern indigo snake, American alligator, gopher tortoise, Florida pine snake, crested caracara, Everglade snail kite, Florida sandhill crane, Southeastern American kestrel, listed wading birds, Florida burrowing owl, bald eagle, Florida black bear, and Florida bonneted bat.

The conservation areas will be placed in an easement with inspection, enforcement, and approval rights granted to Lee County and the South Florida Water Management District (SFWMD). The total preserve area to be placed under a conservation easement is 420.35± acres.

4.0 EASTERN INDIGO SNAKE MANAGEMENT PLAN

The Eastern indigo snake has not been documented on-site; however, the following plan outlines the protection guidelines that will be implemented for the Eastern indigo snake during clearing operations for the Project. The plan provides educational material and guidelines for construction personnel to follow in the event they encounter an Eastern indigo snake. The plan has been prepared following the guidelines established by the U.S. Fish and Wildlife Service (USFWS).

The Eastern indigo snake is a federally threatened species and is listed by the Endangered Species Act (ESA). It is unlawful for anyone to injure, harm, harass, or kill this species. Persons who knowingly violate provisions of the ESA that afford this species protection may be subject to a fine and/or imprisonment.

4.1 Biology

The Eastern indigo snake is a large, non-poisonous, glossy black snake with smooth iridescent scales. The chin and throat may be rusty or white-blotched. The juvenile snakes are similar to the adults but may be lighter and exhibit a blotched dorsal pattern. Adults can grow to lengths over eight feet. The Eastern indigo snake might be confused with the black racer (*Coluber constrictor*), but the black racer exhibits a white or brown throat and is smaller and lighter in build.

The Eastern indigo snake inhabits a range of habitat types including pine flatwoods and wet prairies. Individuals are wide ranging and may utilize an area of 250 acres or more. Eastern indigo snakes are known to shelter in gopher tortoise (*Gopherus polyphemus*) burrows. The Eastern indigo snake is diurnal (active only during the daytime) and will actively search for prey. Prey may include frogs, snakes, birds, and small mammals. Very little is known of the reproduction of this species in the wild. Breeding is believed to occur during the winter and early spring months with up to 11 large white eggs being deposited in late spring and early summer.

4.2 Management Plan

The USFWS's Standard Protection Measures for the Eastern Indigo Snake (2013) will be followed prior to and during construction activities. The Standard Protection Measures include the placement of posters at strategic locations on the construction site and along proposed access roads clearly visible to construction staff. The posters include a description and photograph of the Eastern indigo snake, its protection status, and instructions in the event that one is observed. In addition, informational brochures will be provided to all construction staff.

The Project will preserve, enhance, and restore existing vegetation on-site through the removal of exotic vegetation. In addition, uplands within the SFWMD and Lee County mitigation areas will be restored by converting existing agricultural lands to native habitats such as pine flatwoods. The SFWMD mitigation areas will be maintained per the SFWMD Mitigation, Monitoring, and Maintenance Plan and will provide habitat for the Eastern indigo snake.

Problematic encounters between future residents and Eastern indigo snakes are not anticipated. Construction personnel, maintenance staff, and homeowners will be informed that the Eastern indigo snake is a protected species and informational brochures will be provided (Appendix C).

5.0 AMERICAN ALLIGATOR MANAGEMENT PLAN

Two American alligator and two American alligator nests were observed during the 2022 protected species survey. The following plan outlines the protection guidelines that will be implemented for the American alligator during clearing operations for the Project. The American alligator is listed as threatened (due to similarity of appearance) by the USFWS and the FWCC.

5.1 Biology

The American alligator is a reptile with an elongated, armored, lizard-like body with a muscular flat tail. Adult alligators are dark with a pale underside while juveniles have bright yellow stripes and blotches. The average size for adults is 8.2 feet for females and 11.2 feet for males. The body weight can reach up to a half ton. American alligators inhabit all counties in the State of Florida and are most common in the major river drainage basins and large lakes in the central and southern portions of the state. They also can be found in marshes, swamps, ponds, drainage canals, phosphate-mine settling ponds, and ditches. Alligators are tolerant of poor water quality and occasionally inhabit brackish marshes along the coast. A few even venture into saltwater. Individuals are wide ranging, and some males may utilize an area of two square miles or more. Individuals of both sexes are most likely to become more active and extend their ranges during the April to May courtship and breeding season. Prey may include frogs, snakes, birds, and small mammals, although alligators are opportunistic feeders and may prey on what is readily available. Larger individuals often prefer carrion to fresh meat.

5.2 Management Plan

The proposed Project will not impact the alligator. Alligators commonly move from water body to water body in response to factors such as season, disturbances, food supply, etc. The American alligator is listed as a federally threatened species due to similarity of appearance to the American crocodile (*Crocodylus acutus*). Only representatives of the FWCC are authorized to handle nuisance alligators. If an alligator is present within the limits of construction at the time of clearing, work within the immediate vicinity of the alligator will be halted and the animal will be allowed to move out and into safer territory. Once the alligator has moved, work can be restarted. If an active alligator nest is found, it will be temporarily protected with an adequate buffer zone until the hatchlings leave the nest.

Extensive, high quality American alligator habitat will be provided throughout the property through wetland preservation, enhancement, and restoration. This includes exotic vegetation removal within 51.20± acres of existing wetlands on the property. These wetlands are predominantly cypress, mixed wetland forest, and freshwater marsh habitat types. Invasive exotic removal will result in wetland preserves that are more suitable to alligators and their prey species. In addition, the preservation of Trout Creek and other surface waters totaling 8.66± acres will benefit the American alligator. The preserve areas will be maintained per the Project's Indigenous Preservation, Restoration, and Management Plan.

To avoid problematic encounters between future residents and American alligators, the FWCC's educational brochure entitled "A Guide to Living with Alligators" (Appendix D) will be provided to homeowners and maintenance staff (see Section 11.1).

6.0 GOPHER TORTOISE MANAGEMENT PLAN

A total of 137 gopher tortoise burrows were documented during the 2022 protected species survey. The following plan outlines the management activities that will be implemented for the gopher tortoise prior to the implementation of site clearing. The gopher tortoise is listed as threatened by the FWCC.

6.1 Biology

The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 centimeters (9 to 11 inches) in shell length. Maximum length is around 38 centimeters (15 inches). The gopher tortoise is characterized by stumpy, elephantine hind feet and flattened, shovel-like forelimbs adapted for digging. The tan, brown, or gray carapace (top portion of the shell) is domed and oblong. The plastron (bottom portion of the shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 centimeters (1.7 inches) in length and are yellowish orange in color.

The gopher tortoise occurs in the southeastern coastal plain of the United States from eastern Louisiana to southeastern South Carolina and throughout Florida. In Florida, gopher tortoises occur in portions of all 67 counties. Gopher tortoises inhabit a wide variety of upland vegetative communities. Three environmental conditions are especially important for gopher tortoises: well-drained, sandy soil in which to burrow; adequate low-growing herbaceous ground cover for food; and relatively open, sunlit areas for nesting. The gopher tortoise is primarily associated with longleaf pine-scrub oak woodlands (sandhills), but it is also found in sand pine scrub, coastal strands, live oak hammocks, dry prairies, pine flatwoods, and mixed hardwood-pine communities. Disturbed habitats, such as roadsides, fencerows, clearings, and old fields, often support relatively high tortoise densities.

Gopher tortoises excavate burrows averaging 4.5 meters (14.8 feet) in length and 2 meters (6.6 feet) in depth and wide enough to allow them to turn around at any point. These burrows provide protection from temperature extremes, desiccation, and predators and serve as refuges for a variety of other animals. The placement and depth of burrows vary with the soil type, geographic location, and ground water levels. An individual tortoise may use more than one burrow and may excavate new burrows at any time during its life.

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover present. Generally, feeding activity is confined to within 50 meters (164 feet) of the burrow. Principal foods include grasses, legumes, and grass-like plants of the sedge and aster families. Legumes appear to be particularly important in the diet of juveniles. Fruits

such as blackberries (*Rubus* sp.), pawpaws (*Asimina* sp.), gopher apples (*Geobalanus oblongifolius*), and saw palmetto (*Serenoa repens*) drupes are also consumed.

6.2 Management Plan

Prior to commencement of clearing activities within the development footprint, a survey will be conducted to identify gopher tortoises or gopher tortoise burrows. If gopher tortoise burrows are located within the development footprint, the applicant will obtain a permit from the FWCC to relocate gopher tortoises to the on-site preserve area prior to initiating construction activities. If the FWCC determines on-site relocation is not feasible, the applicant will obtain a permit from the FWCC to relocate tortoises to an off-site protected recipient area consistent with Lee Plan Policy 123.8.1. The recipient site will be approved by the FWCC and managed in perpetuity, consistent with the FWCC's Gopher Tortoise Management Plan (2012).

7.0 FLORIDA PINE SNAKE MANAGEMENT PLAN

No Florida pine snakes were observed during the Project's protected species survey or other fieldwork. However, there is potential for the species to occur within gopher tortoise burrows or other underground refuges found in the pastureland and pine habitats on-site.

The following management plan outlines the protection guidelines that will be implemented for the Florida pine snake if they are to be found on-site. The Florida pine snake is listed as threatened by the FWCC.

7.1 Biology

The Florida pine snake is a diurnal, long-living serpent with records of individuals living up to 19 years of age. Most adult pine snakes range between 34 and 59 inches long but some can attain a total length of over 90 inches (Tennant 2003). The Florida pine snake is a secretive animal that spends most of its life underground, living primarily in small mammal and gopher tortoise burrows. Pocket gophers (*Geomys* sp.) are the main prey item of the Florida pine snake but a variety of other small mammals and birds are also eaten. Florida pine snakes are most often found in sandy habitats that contain open longleaf pine (*Pinus palustris*) and turkey oak (*Quercus laevis*) plant communities with a sustainable population of pocket gophers. Other preferred habitat types include abandoned field, open pine, scrub, and sandhills. Florida pine snakes can occasionally be found above ground from May through October (Hipes *et al.* 2000) but may surface in warmer conditions throughout the year in southern Florida. Breeding occurs in spring with pine snakes laying approximately eight eggs in their resident burrows between June and August (Ashton and Ashton 1981, Hipes *et al.* 2000).

7.2 Management Plan

Problematic encounters between future residents and the Florida pine snake are not anticipated. Construction personnel, maintenance staff, and homeowners will be informed that Florida pine snakes are a protected species.

If a Florida pine snake is observed during construction of the Project site, the snake will be allowed to leave safely on its own accord. In addition, it is recommended that sightings of Florida pine snakes be reported to the FWCC to further research efforts for this species.

8.0 CRESTED CARACARA MANAGEMENT PLAN

Three crested caracaras and a dilapidated crested caracara nest were observed during the 2022 protected species survey. No crested caracaras were observed utilizing the dilapidated nest during the protected species survey or other fieldwork. The nest is in disrepair and has become further degraded since Hurricane Ian in late September 2022.

The following management plan outlines the protection guidelines that will be implemented for the crested caracara prior to clearing activities on the Project and addresses habitat enhancement and restoration on the site. The crested caracara is listed as threatened by the USFWS and the FWCC.

8.1 Biology

The crested caracara is a large, non-migratory raptor that feeds both on prey and carrion and is often found with flocks of turkey vultures (*Cathartes aura*) and black vultures (*Coragyps atratus*). The population of crested caracara found in peninsular Florida is genetically isolated from other populations of crested caracara subspecies found in the southwestern United States and portions of Central and South America (USFWS 1999). While other subspecies of crested caracara are not listed as threatened or endangered, the crested caracara subspecies found in Florida was listed in July 1987 as threatened under the ESA.

Crested caracaras primarily use open habitats, including native prairies; grasslands and cattle pastures with their associated freshwater marshes; and small clumps of cabbage palms (*Sabal palmetto*), live oak (*Quercus* spp.) hammocks, and cypress (*Taxodium* spp.). Cabbage palms in open habitats are of high importance for nesting (Rodgers *et al.* 1996, Morrison 2001). The primary nesting season for the crested caracara is November through April. Egg laying typically occurs December through February. Clutch size is one to three eggs and incubation ranges from 28 to 32 days. Caracara young fledge at age seven to eight weeks, mostly in March and April (Wood 2001).

8.2 Management Plan

Prior to clearing activities, a qualified ecologist will survey the construction impact area and adjacent habitats for the presence of crested caracara nest trees. In the event that crested caracara nest trees are located within the development footprint, the removal of the nest trees will be coordinated with the USFWS and Lee County Department of Community Development staff once the Project ecologist has confirmed that the chicks have fledged or the nest is inactive. Any crested caracara nest trees discovered within the preserve areas during the pre-construction survey will be left undisturbed.

The completed Project will preserve, enhance, and restore 420.35± acres of native habitat. The conservation areas will contain open freshwater marsh and other open lands that will provide potential foraging opportunities for caracaras.

Problematic encounters between future residents and crested caracaras are not anticipated. Should a caracara choose to nest adjacent to the community or close to approved access areas within the preserves, the nest will be left undisturbed. If unanticipated nest disturbance is noted, then an appropriate no-entry buffer zone will be established around the nest with signage until the young fledge.

9.0 EVERGLADE SNAIL KITE MANAGEMENT PLAN

One Everglade snail kite was documented during the 2022 protected species survey. The following plan outlines the management activities that will be implemented for the Everglade snail kite prior to the implementation of site clearing. The Everglade snail kite is listed as endangered by the USFWS and the FWCC.

9.1 Biology

The Everglade snail kite is a non-migratory, medium-sized raptor (Sykes *et al.* 1995) that feeds almost exclusively on apple snails (*Pomacea paludosa*) (Cary 1985). Its current range encompasses six large freshwater watersheds including the Upper St. Johns, Kissimmee Valley, Lake Okeechobee, Loxahatchee Slough, the Everglades, and the Big Cypress Basin. Their habitats consist of freshwater marshes and the shallow vegetated edges of lakes (natural and man-made) where apple snails can be found (Bailey 1978). They require foraging areas that are relatively clear and open in order to visually search for apple snails. Therefore, dense growth of herbaceous or woody vegetation is not conducive to efficient foraging (Sykes 1979, Beissinger 1988).

Nesting almost always occurs over water, which deters predation (Sykes 1987a). Nesting substrates include small trees (usually less than ten meters in height), including willow (*Salix caroliniana*), bald cypress (*Taxodium distichum*), pond cypress (*Taxodium ascendens*), melaleuca (*Melaleuca quinquenervia*), sweetbay (*Magnolia virginiana*), swamp bay (*Persea palustris*), pond apple (*Annona glabra*), and dahoon holly (*Ilex cassine* var. *cassine*). Shrubs used for nesting include wax myrtle (*Morella cerifera*), cocoplum

(*Chrysobalanus icaco*), buttonbush (*Cephalanthus occidentalis*), sesbania (*Sesbania* sp.), elderberry (*Sambucus nigra* subsp. *canadensis*), and Brazilian pepper (*Schinus terebinthifolia*). Nesting also can occur in herbaceous vegetation, such as sawgrass (*Cladium jamaicense*), cattail (*Typha* sp.), bulrush (*Scirpus validus*), and reed (*Phragmites australis*) (Sykes *et al.* 1995). Nests are more frequently placed in herbaceous vegetation around Lake Kissimmee and Lake Okeechobee during periods of low water when dry conditions beneath the willow stands (which tend to grow to the landward side of the cattails, bulrushes, and reeds) prevent Everglade snail kites from nesting in woody vegetation. Nests constructed in herbaceous vegetation on the waterward side of the lake's littoral zones are more vulnerable to collapse due to the weight of the nests, wind, waves, and boat wakes, and are more exposed to disturbance by humans (Chandler and Anderson 1974; Sykes and Chandler 1974; Sykes 1987b; Beissinger 1986, Snyder *et al.* 1989). It is important to note that suitable nesting substrate must be close to suitable foraging habitat, so extensive areas of contiguous woody vegetation are generally unsuitable for nesting.

Roosting sites are almost always located over water. Roost sites are in taller vegetation among low profile marshes. Everglade snail kites tend to roost around small openings in willow stands at heights of 1.8 to 6.1 meters and in stand sizes of zero to five hectares. Roosting in melaleuca or pond cypress is in stands with tree heights of 4 to 12 meters (Sykes 1985). The breeding season varies widely from year to year depending on water levels and rainfall. Nesting has been observed year-round, but in general, Everglade snail kites breed from December to June in southern Florida (Rodgers *et al.* 1996). Clutches are typically one to five eggs and incubation is shared by both parents during the 24 to 30 day incubation period (USFWS 1999). Everglade snail kites will nest solitarily or in loose colonies, sometimes in association with other species of water birds. During the non-breeding season, the birds become gregarious and form communal roosts. The roosts may be used for many consecutive years if water levels and snail populations remain stable (Rodgers *et al.* 1996).

9.2 Management Plan

Prior to clearing activities, a qualified ecologist will survey the construction impact area and adjacent habitats for the presence of Everglade snail kite and Everglade snail kite nests. If there is evidence of nesting by the Everglade snail kite, the appropriate USFWS-recommended buffers will be provided around the nest to avoid disturbance by human activities. Removal of the nest will be coordinated with the USFWS as applicable. If Everglade snail kite nesting is discovered after construction has begun or if maintaining the buffers is not possible, the applicant will coordinate with USFWS staff regarding permitting requirements.

The completed Project will preserve, enhance, restore, and create 420.35± acres of native habitat. The conservation areas will include freshwater marsh and open-water habitats that will provide potential foraging opportunities for the Everglade snail kite.

Problematic encounters between future residents and Everglade snail kites are not anticipated. Should a snail kite choose to nest adjacent to the community or close to

approved access areas within the preserves, the nest will be left undisturbed. If unanticipated nest disturbance is noted, then an appropriate no-entry buffer zone will be established around the nest with signage until the young fledge.

10.0 FLORIDA SANDHILL CRANE, WADING BIRD, AND SOUTHEASTERN AMERICAN KESTREL MANAGEMENT PLAN

Three Florida sandhill cranes and several protected wading bird species, including the wood stork, little blue heron, tri-colored heron, and snowy egret were observed utilizing the Project site during the 2022 protected species survey. It is anticipated that these birds and others, including limpkin (*Aramus guarauna*), may utilize the wetlands and other native habitats on the property. Although no Southeastern American kestrels (*Falco sparverius paulus*) have been documented, the Project site contains habitat types considered suitable for the species. The following management plan has been prepared for the purpose of addressing the management of potential Florida sandhill crane, wading bird, and Southeastern American kestrel habitat on the site.

10.1 Management Plan

Prior to clearing activities, a qualified ecologist will survey the construction impact area and adjacent habitats for the presence of nesting Florida sandhill cranes, wading birds, or Southeastern American kestrels. If there is evidence of Florida sandhill crane, wading bird, or Southeastern American kestrel nesting, the appropriate FWCC-recommended buffer will be provided around the nest site(s) to avoid disturbance by human activities. If Florida sandhill crane, wading bird, or Southeastern American kestrel nesting is discovered after construction has begun or if maintaining the buffers is not possible, the applicant will coordinate with FWCC staff regarding permitting requirements.

The Project proposes preservation and enhancement of wading bird habitat. Foraging areas will be provided through the preservation, enhancement, and restoration of 51.20± acres of existing wetlands. Enhancement and restoration of the preserved wetlands through removal of invasive exotic plants and installation of native plantings will result in habitats that are more suitable for wading bird foraging and roosting. In addition to enhancing and restoring existing wetlands, the Project will restore wetlands from existing pastureland, which will benefit Florida sandhill cranes and wading bird species. The restoration of native woodlands and pine areas on the Project site will also provide improved nesting habitat for the Southeastern American kestrel.

Within the developed community, littoral shelves will be constructed along the lake edges and planted with native wetland vegetation per LDC requirements. Also, dry detention areas within the development will contribute to increased habitat support for wading birds by providing temporary foraging areas during the wet season. These additional wetland features will provide quality foraging habitat for wading bird species.

Problematic encounters between future residents and Florida sandhill cranes, wading birds, and/or Southeastern American kestrel are not anticipated. Construction personnel,

maintenance staff, and homeowners will be informed that the aforementioned species are protected. Additionally, informational pamphlets on wading birds will be provided to homeowners and maintenance staff (Appendix E) (see Section 16.3).

11.0 Florida Burrowing Owl Management Plan

No burrowing owls (*Athene cunicularia*) were observed on-site during the Project's protected species survey or other fieldwork. However, there is potential for the species to be found in the open pastureland on the Project site.

The following management plan outlines the protection guidelines that will be implemented for the burrowing owl if they are to be found on-site. The burrowing owl is listed as threatened by the FWCC.

11.1 Biology

The burrowing owl lives and breeds in varied habitats throughout the Florida peninsula with the primary natural habitat occurring in dry prairie and, during the dry season, the edges of depressional marshes. Presently, the burrowing owl inhabits several ruderal areas including pastures, golf courses, airports, athletic fields, school campuses, vacant areas in residential or industrial neighborhoods, and road Right-of-Ways (Hipes *et al* 2001). One of the largest sub-populations of burrowing owls is located on the Cape Coral peninsula in Lee County.

Burrowing owls nest and inhabit underground burrows that they excavate or adopt from other burrowing animals, such as gopher tortoises. Culverts, PVC pipes, and spaces underneath sidewalks and roofs also serve as nesting locations for the burrowing owl. Predominately, the burrowing owl is non-migratory and resides within the vicinity of the burrow. They are mostly monogamous and territorial around their burrows. During the nesting season, burrows are adorned with various materials such as grasses and palm fronds before egg laying. Subsequent to the laying of eggs, the entrance to the burrow is decorated with highly visible, non-natural objects such as tinfoil and plastics.

In South Florida, the burrowing owl feeds primarily on the brown anole (*Anolis sagrei*), marine toad (*Bufo marinus*), and Cuban treefrog (*Osteopilus septentrionalis*). To a lesser extent, other amphibians, small rodents, insects, arachnids, and crayfish provide supplemental sustenance. The majority of foraging occurs at dusk, but they also will hunt from perches or burrow entrances during the day. Fence posts serve as a main source for perching (Wood 2001).

11.2 Pre-Construction Surveys

Prior to clearing activities, a qualified biologist will survey the construction impact area and adjacent habitats for the presence of owl burrows. Inactive (i.e., contains no eggs or flightless chicks) nest burrows within the proposed impact area will be removed with an

FWCC permit and in accordance with state and federal regulations. Nest burrows can generally be considered inactive from July 10 to February 15, although some nesting occurs as early as October each year. Between February 15 and July 10, burrows attended by one or more burrowing owls are considered active nests unless information is available to suggest otherwise (i.e., proof that young fledged from the nest prior to July 10). Burrows within the impact area that are determined to be active will be temporarily protected from clearing by a 50-foot radius of undisturbed buffer (staked and/or roped-off) until the young fledge, as confirmed by a qualified biologist. These burrows will then be removed, with an FWCC permit and in accordance with state regulations.

11.3 Management Plan

Efforts will be made to leave existing burrows undisturbed, where feasible. The owls, burrows, and their eggs are protected from harassment and/or disturbance by state law. Burrowing owls are also protected by the federal Migratory Bird Treaty Act. Construction personnel and residents will be notified that the Florida burrowing owl is a protected species and instructed to report malicious destruction or harassment of burrowing owls or their nests to 888-404-FWCC (3922).

12.0 Bald Eagle Management Plan

No bald eagle nests have been documented on the Project site. However, one juvenile bald eagle was observed during the 2022 protected species survey. The bald eagle has been delisted at both the state and federal levels but is still protected under the Bald and Golden Eagle Protection Act and Lee County Bald Eagle Ordinance No. 08-25. As such, management activities for the bald eagle nest are included below.

12.1 Management Plan

Prior to clearing activities, a qualified ecologist will survey the construction impact area and adjacent habitats for the presence of bald eagle nests. If nests are found within 660 feet of the development footprint, the applicant will coordinate approval of a Bald Eagle Management Plan through Lee County's Eagle Technical Advisory Committee. Additionally, the applicant will coordinate with the USFWS to obtain the applicable permit, as necessary.

13.0 FLORIDA BLACK BEAR MANAGEMENT PLAN

Though no Florida black bear or their sign was documented on the Project site during the protected species survey, it is anticipated that Florida black bears are within the general vicinity of the Project. The following habitat management plan has been prepared for the purpose of addressing the conservation of Florida black bear habitat on the Project site. The Florida black bear is not listed by the FWCC or the USFWS. However, the FWCC and the Lee County LDC have specific management activities for this species.

13.1 Biology

The Florida black bear is a subspecies of the American black bear (*Ursus americanus*). The Florida black bear is a solitary animal that inhabits heavily wooded terrain and is most often found in large tracts of swamp forest and undisturbed upland forest. Some of the most important habitat types for the Florida black bear include pine flatwoods, hardwood swamps, cypress swamps, cabbage palm forests, sand pine scrub, and mixed hardwood hammocks. Denning often occurs in remote swamps or thickets with dense vegetation. Adult females breed in alternating years during the months of June and July. In Florida, hibernation may be restricted to females producing cubs. Hibernation most often occurs during the winter months. The diet of Florida black bears is highly variable and includes both plants and animals including saw palmetto drupes, honeybees (*Apis* sp.), ants (*Formicidae* sp.), armadillo (*Dasypus novemcinctus*), feral hog (*Sus scrofa*), and white-tailed deer (*Odocoileus virginianus*) (Humphrey 1992).

13.2 Management Plan

The proposed preservation and enhancement within the conservation areas will provide higher quality habitat for the Florida black bear and associated prey species than what currently exists on-site.

To help in avoiding problematic encounters between future residents and Florida black bears, the FWCC's educational brochure entitled "A Guide to Living in Bear Country" (Appendix F) will be provided to homeowners and maintenance staff (see Section 16.4).

14.0 FLORIDA BONNETED BAT MANAGEMENT PLAN

14.1 Biology

The Florida bonneted bat is the largest species of bat found in Florida with an average wingspan of 490 to 530 millimeters (19.3 to 20.9 inches) and an average length of 130 to 165 millimeters (5.1 to 6.5 inches). They are members of the Molossidae family, commonly referred to as free-tailed bats. Molossids, including Florida bonneted bats, have tails that extend well beyond their short tail membrane. Like other free-tailed bats, the Florida bonneted bat has small eyes; large upper lips; and long, narrow wings (Marks and Marks 2006). Their fur is short and glossy with sharply bicolored hairs with a white base (Timm and Genoways 2004). Their fur ranges from dark gray to brownish-gray or cinnamon brown on its dorsal side, with lighter, grayish fur underneath. The Florida bonneted bat is characterized by its large size and its large, broad ears that slant forward over the eyes and join together along the midline of the head. Their big ears protrude over their head like a bonnet, giving them their name (Marks and Marks 2006).

The current range of the Florida bonneted bat is known to include Central and South Florida, with lower probability of occurrence in areas where historical mean minimum temperatures drop below 15 degrees Celsius (59 degrees Fahrenheit) (USFWS 2020). Data

indicates that the core range may be located within Charlotte, Lee, Collier, Monroe, and Miami-Dade counties; along with portions of Okeechobee, Polk, DeSoto, Hendry, and Broward counties. Possible use of areas within Glades and Highlands counties is also indicated (USFWS 2019).

Habitat for the Florida bonneted bat consists mainly of foraging areas and roosting sites, including some artificial structures in both urban and forested areas (USFWS 2014). They are known to roost in rock crevices, tree cavities, buildings, and bat boxes (Marks and Marks 2008). South Florida bonneted bats roost primarily in trees and man-made artificial structures, with roost availability indicated as an important limiting factor (USFWS 2014). Foraging habitat includes areas over open freshwater such as ponds, streams, and wetlands; and they will drink when flying over open water (USFWS 2014). They will also forage for insects over treetops and other open areas such as golf courses (Marks and Marks 2006). During the dry season, the bonneted bat becomes more dependent upon the remaining open water habitats such as ponds, streams, and wetland areas for foraging activities (USFWS 2014).

14.2 Pre-Construction Cavity Tree and Roost Surveys

Prior to construction, a survey will be conducted to identify potential cavity trees and roosts that may be utilized by Florida bonneted bats. The survey will take place over the Project's development footprint and a 250-foot buffer from the development boundary. If any potential bonneted bat roosts are documented, the applicant will coordinate with the USFWS to obtain applicable permits, as necessary.

14.3 Management Plan

The SFWMD and Lee County preserve areas contain habitat that may be considered suitable for foraging and roosting by the Florida bonneted bat. Preservation, enhancement, and restoration, of wetlands and uplands within the SFWMD mitigation area will improve the overall quality of these habitats by increasing native vegetation and removing dense exotic understory vegetation. The creation of lakes intended for surface water management associated with the development will increase the Project's foraging potential for the bonneted bat, in tandem with littoral plantings required by Lee County.

Problematic encounters between future residents and bonneted bats are not anticipated. Should bonneted bats choose to roost adjacent to the community, the roost will be left undisturbed.

15.0 PRESCRIBED FIRE

Prescribed burning may be used as a management tool to maintain the native vegetation communities within the conservation areas. Prescribed burns help maintain vegetative communities in their natural state, reduce fuel loads and the danger of wildfire, aid with the eradication and control of exotic and nuisance vegetation species, and improve wildlife habitat.

The objectives of prescribed burning in the conservation areas will be to aid in the control of exotic vegetation and woody shrubs (i.e., wax myrtle and saltbush (*Baccharis halimifolia*)), and to stimulate the growth and diversity of herbaceous vegetation.

If utilized, the burning frequency for the conservation areas will be two to four years, which is consistent with the natural fire regime for mesic flatwoods, wet flatwoods, and upland hardwood forest described by Florida Natural Areas Inventory in the *Guide to the Natural Communities of Florida* (2010). The edges of the Project's freshwater marshes will be burned when the fire moves through the adjacent pine and prairie habitats. The fire will be allowed to extinguish naturally within the wetter marsh habitats.

Prescribed burning is typically conducted during the winter or early spring when temperatures are reduced and wind direction is more constant. The initial burn is anticipated to occur during the late winter. Winter burns are preferred to reduce high fuel loads. Growing season burns also may be conducted as conditions allow. Changes in annual weather cycles determine when burn permits will be available, and burns may be conducted only on the day(s) of Florida Forest Service (FFS) permission. Fires will be excluded from planted areas for at least ten years to allow plantings to mature enough to survive fires.

Controlled burns will be conducted only when authorized with a permit by the FFS. In addition, notice will be given to the Bayshore Fire District. Coordination with the SFWMD will occur before burning. Burning will not be conducted if smoke is anticipated to encroach upon North River Road or adjacent residences. Information on prescribed fire will be incorporated into the property owner association or developer's agreement documents (Appendix G).

16.0 HUMAN-WILDLIFE COEXISTENCE PLAN

The following Human-Wildlife Coexistence Plans will be incorporated into the declaration of covenants of the Project's Homeowners Association or Community Development District documents.

16.1 Eastern Indigo Snake

As previously noted, the USFWS's Standard Protection Measures for the Eastern Indigo Snake (2013) will be followed prior to and during construction activities. The USFWS's Standard Protection Measures, including the poster and brochure, can be found at http://www.fws.gov/verobeach/listedspeciesreptiles.html. A copy of the brochure is provided as Appendix C.

16.2 American Alligator

Signs will be posted on the Project to instruct on-site workers and homeowners not to feed or harass the American alligator. The signs will indicate that the offense is punishable by law. The typical signage is provided as Appendix H. Signs will be spaced a maximum of 300 feet apart. The FWCC's educational brochure entitled "A Guide to Living with

Alligators" (Appendix D) will be provided to homeowners and maintenance staff. The brochure can be found at http://myfwc.com/media/152524/Alligator_Brochure.pdf. Construction personnel and homeowners will be instructed that in the event there is a problem with a persistent nuisance alligator, they should contact the FWCC's Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). The FWCC is the only agency empowered to handle nuisance alligators.

16.3 Wading Bird

A wading bird informational brochure entitled "Wading Bird Informational Pamphlet" (Appendix E) will be provided to homeowners and maintenance staff. The brochure provides wading bird information and methods to prevent human-wading bird interactions. In addition, the brochure informs residents of the need to avoid disturbance around a nest(s), should a wading bird nest(s) be identified on the Project property in the future.

16.4 Florida Black Bear

Residents will be educated about the presence of black bears in their community. FWCC's educational brochure entitled "A Guide to Living in Bear Country" (Appendix F) will be provided to homeowners and maintenance staff. This brochure can be found at http://myfwc.com/wildlifehabitats/managed/bear/brochures/.

Garbage and recyclables will be stored in bear-resistant containers with appropriate locking mechanisms, and bear-resistant dumpsters will be used in areas where communal garbage is collected. A list of companies obtained from the FWCC that provide bear-resistant garbage containers for commercial and residential use is provided as Appendix I. Bear resistant receptacles will be required for each residential unit. Please note that Lee County Ordinance No. 11-27 requires individual trash receptacles for residential units of 40 gallons or less in size. In consultation with the local waste disposal company, bear-resistant dumpsters will be purchased from one of the listed companies or another company that is able to provide bear-resistant dumpsters which are compatible with local equipment. They will be incorporated at the time Lee County's waste collection sub-contractor makes them available for use. Units that have curbside garbage service will be required to place garbage containers curbside no earlier than the morning of the days of garbage pickup, and garbage containers will be returned to their permitted location no later than the evening of the days of garbage pickup. For units with curbside garbage service, all garbage, trash refuse, or rubbish will be required to be placed in appropriate garbage containers and stored inside an enclosed area except for the days when there is curbside garbage pickup service. For units without curbside garbage service, all garbage, trash refuse, or rubbish will be placed in bear-resistant dumpsters with the lid closed and secured.

17.0 PRESERVE SIGNAGE AND COMMUNITY EDUCATION PLAN

Signs identifying the conservation areas as a "nature preserve area" will be installed along the boundary of the preserve. The signage will include language stating, "No dumping allowed"

(Appendix H). The signs will be spaced a maximum of 300 feet apart, will be no closer than ten feet from residential property lines, and will be limited to a maximum height of four feet and a maximum size of two square feet.

Periodic seminars may be held to further educate the community about the conservation areas, wetland benefits, coexistence with and protection of wildlife, and the benefits of prescribed fire. Community informational and educational brochures, such as those describing the benefits of prescribed fire (Appendix G), may be created and provided as needed to keep residents in compliance with conservation easements, wildlife regulations, etc. Continued education will ensure that the community is well informed regarding the preserves and wildlife coexistence.

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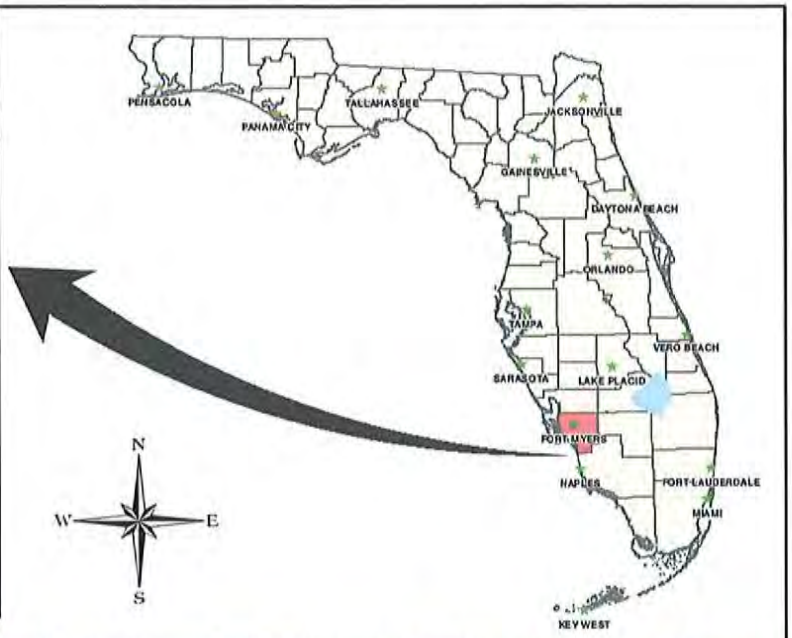
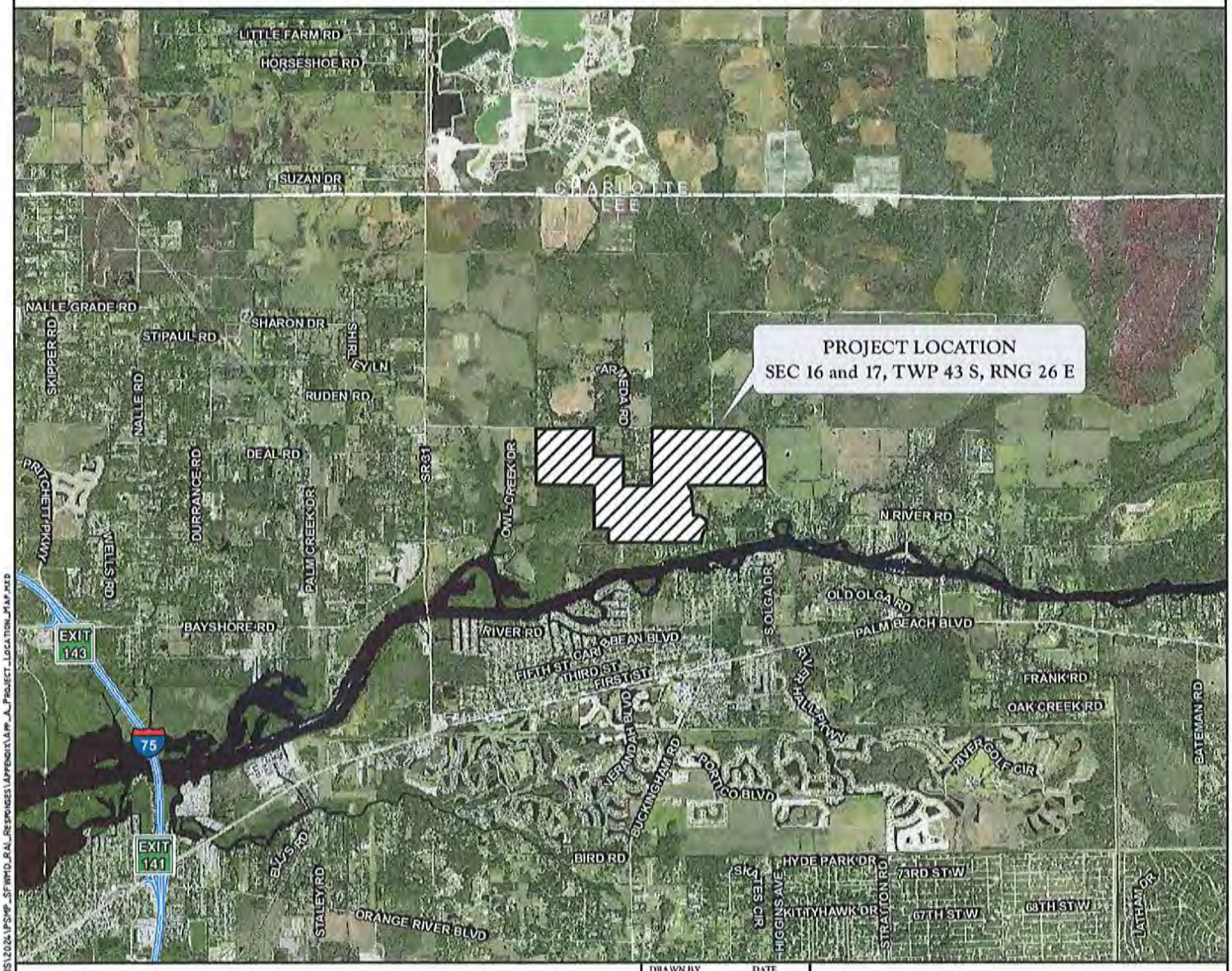
APPENDIX A

PROJECT LOCATION MAP





APPENDIX A. PROJECT LOCATION MAP
CARY + DUKE + POVIA RPD

DRAWN BY	DATE
P.F.	01/03/24
REVIEWED BY	DATE
J.S.	01/03/24
REVISED	DATE
R.F.	04/01/24

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

APPENDIX B

AERIAL WITH CONSERVATION AREAS MAP

REVISIONS	DATE	DRAWN BY	DATE
New boundary and site plan	03/26/24	R.F.	04/20/23
		DESIGNED BY J.S.	DATE 04/20/23
		REVIEWED BY S.J.	DATE 04/20/23

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

PASSARELLA & ASSOCIATES INC
Consultant Ecologists

CARY + DUKE + POVIA RPD

AERIAL WITH CONSERVATION AREAS MAP

DRAWING No. 22NCC3903

SHEET No. APPENDIX B

APPENDIX C

EASTERN INDIGO SNAKE INFORMATIONAL PAMPHLET

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

LEGAL STATUS: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of $25,000 for civil violations and up to $50,000 and/or imprisonment for criminal offenses, if convicted.

August 12, 2013

ATTENTION:

THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON THIS SITE!!!

Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant's designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida ES Office – (904) 731-3336
Panama City ES Office – (850) 769-0552
South Florida ES Office – (772) 562-3909

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

APPENDIX D

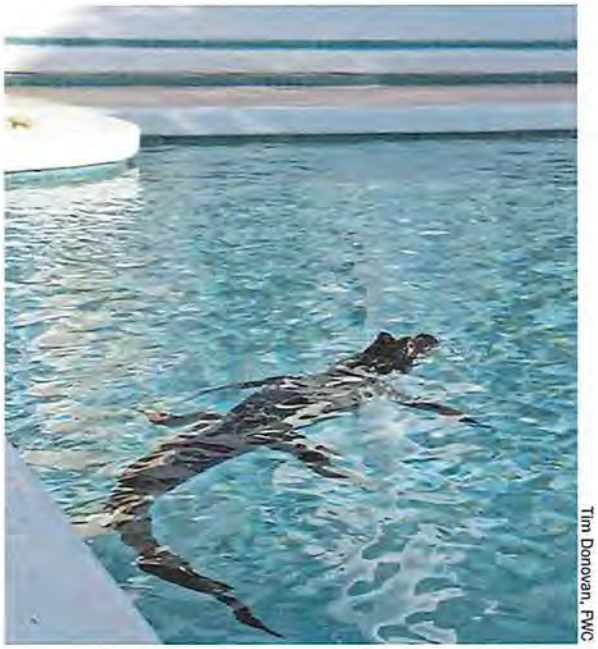
AMERICAN ALLIGATOR INFORMATIONAL PAMPHLET

- Never feed alligators – it's dangerous and illegal. When fed, alligators can overcome their natural wariness and learn to associate people with food. When this happens, some of these alligators have to be removed and killed.

- Dispose of fish scraps in garbage cans at boat ramps and fish camps. Do not throw them into the water. Although you are not intentionally feeding alligators when you do this, the result can be the same.

- Seek immediate medical attention if you are bitten by an alligator. Alligator bites can result in serious infections.

- Observe and photograph alligators only from a distance. Remember, they're an important part of Florida's natural history as well as an integral component of aquatic ecosystems.



Tim Donovan, FWC

Call 866-FWC-GATOR (392-4286) to report nuisance alligators.

Janice Plain

To report nuisance alligators call
866-FWC-GATOR (866-392-4286).

MyFWC.com/Alligator

REWARD
Report Fish & Wildlife Violations
1-888-404-3922

Printed on recycled content. 02/2012

A Guide to Living with **Alligators**

Jamie Feddersen

Florida Fish and Wildlife Conservation Commission
MyFWC.com

Lizabeth West, FWC

Do not swim outside of posted swimming areas or in waters that may be inhabited by alligators.

Living with Alligators

In Florida, the growing number of people living and recreating near water has led to a steady rise in the number of alligator-related complaints. The majority of these complaints relate to alligators being where they simply aren't wanted. Because of these complaints, the Florida Fish and Wildlife Conservation Commission's Statewide Nuisance Alligator Program permits the killing of approximately 7,000 nuisance alligators each year. Using this approach, and through increased public awareness, the rate of alligator bites on people has remained constant despite the increased potential for alligator-human interactions as Florida's human population has grown.

Alligators are an important part of Florida's landscape and play a valuable role in the ecology of our state's wetlands. Alligators are predators and help keep other aquatic animal populations in balance. A better understanding of the facts and information presented in this brochure will help ensure that people and alligators can continue to coexist.

Visit MyFWC.com/Gators for more information about alligators and the latest nuisance alligator program statistics.

Tim Donovan, FWC

Alligators and People

Alligators are a fundamental part of Florida's wetlands, swamps, rivers and lakes, and they are found in all 67 counties. Florida continues to experience human population growth. Many new residents seek waterfront homes, resulting in increased interactions between people and alligators.

Although most Floridians understand that we have alligators living in our state, the potential for conflict exists. Because of their predatory nature, alligators may target pets and livestock as prey. Unfortunately, people also are occasionally bitten. Since 1948, Florida has averaged about five unprovoked bites per year. During that period, a little more than 300 unprovoked bites to people have been documented in Florida, with 22 resulting in deaths.

In the past 10 years, the Florida Fish and Wildlife Conservation Commission has received an average of nearly 16,000 alligator-related complaints per year. Most of these complaints deal with alligators occurring in places such as backyard ponds, canals, ditches and streams, but other conflicts occur when alligators wander into garages, swimming pools and golf course ponds. Sometimes, alligators come out of the water to bask in the sun or move between wetlands. In many cases, if left alone, these alligators will eventually move on to areas away from people.

Safety Tips

- Generally, alligators less than four feet in length are not large enough to be dangerous unless handled. However, if you encounter any alligator that you believe poses a threat to people, pets or property, call the Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). Please be aware, nuisance alligators are killed, not relocated.

- Be aware of the possibility of alligators when you are in or near fresh or brackish water. Bites may occur when people do not pay close enough attention to their surroundings when working or recreating near water.

- Do not swim outside of posted swimming areas or in waters that might be inhabited by large alligators.

- Alligators are most active between dusk and dawn. Therefore, avoid swimming at night.

- Dogs and cats are similar in size to the natural prey of alligators. Don't allow pets to swim, exercise or drink in or near waters that may contain alligators. Dogs often attract an alligator's interest, so do not swim with your dog.

- Leave alligators alone. State law prohibits killing, harassing or possessing alligators. Handling even small alligators can result in injury.

Tim Donovan, FWC

A young alligator wanders onto a porch in a residential neighborhood.

APPENDIX E

WADING BIRD INFORMATIONAL PAMPHLET

Action to be taken if you observe someone harassing a wading bird:

Promptly notify the FWCC 1-888-404-FWCC

Tips for living with wading birds

- Do not feed wading birds.
- Keep out of vegetated areas surrounding lakes and marshes.
- Keep pets leashed to avoid coming into contact with wading birds.
- Properly dispose of fishing line to avoid bird entanglement.

Prepared By:

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

WADING BIRD INFORMATIONAL PAMPHLET

Cary + Duke + Povia RPD

Description:

Wading birds are a diverse group of birds which utilize shallow marsh areas as foraging and breeding habitats. They are typically characterized as having long necks, legs and bills, which allows them to feed in shallow water. Wading birds can be found in Florida year round. Examples of wading birds include: great egrets, great blue herons, white ibises, little blue herons and snowy egrets.

Habitat:

Wading birds inhabit all counties in the state of Florida and are most common in the shallow marsh or wetland areas throughout the state. They can also be found in both coastal and inland areas, salt marshes, swamps, ponds, drainage canals, and ditches. Wading birds breed and nest in colonies which consist of various species of other wading birds. Breeding generally occurs just prior to or during the wet season. Stick nests are built in trees or bushes near wetland areas and above the water line.

Wading birds feed in shallow water areas where prey is most concentrated. They feed by spearing prey with their bills or by straining small species out of the water and sediment. Prey may include small fish, invertebrates or other aquatic organisms. Wading birds have also been known to consume snakes, frogs and small rodents.

Protection:

Most wading birds are listed as species of special concern by the State of Florida. Some species such as wood storks are listed as endangered by both the State of Florida and the U.S. Fish and Wildlife Service. It is unlawful for anyone to disturb or take nests or eggs, feed, injure, harm, harass, or kill any wading birds species. Persons who knowingly violate the law may be subject to fines and/or jail time.

If wading birds form a nesting colony on the property in the future, avoid activities within 330 feet of the colony during the nesting season (March 1 to August 1).

APPENDIX F

FLORIDA BLACK BEAR INFORMATIONAL PAMPHLET

Eddy Alfa

Secure your garbage

- Store garbage in a secure area, such as a sturdy shed or garage, until the morning of pickup, or
- Build a small shed to store trash cans. Be sure there are no gaps along the shed's edges and use screws. If the shed is curbside, call your waste service provider to ensure it will still service your trash cans, or
- Modify your regular trash can to make it bear-resistant by adding hardware. To be successful, the lid must not be flexible and the can must not collapse when you stand on its side. Call your waste service provider to ensure it will service a modified trash can, or
- Request a commercially manufactured bear-resistant trash can from your waste service provider. If they do not provide these cans, you can special order one from a hardware store, but ensure your waste service provider will service it.

Funds from Florida's "Conserve Wildlife" license plate help conserve bears and reduce human-bear conflicts. Buy one today through your local tax collector's office or online at BuyAPlate.com.

Mitt Fox

How FWC responds to conflicts

The FWC addresses human-bear conflicts in a variety of ways, including providing technical assistance over the phone, conducting an in-person visit with the resident, using deterrents (such as an electric fence), attempting to scare the bear away, or, in rare cases, attempting to trap the bear.

While most conflicts can be avoided by securing attractants, biologists assess each situation on a case-by-case basis and use FWC policies and guidelines to help decide on the most appropriate response.

The earlier the FWC is notified, the more response options are available.

The longer a conflict situation continues, the more likely the bear will develop behaviors that present a risk to public safety, such as entering a dwelling, harming a leashed dog or injuring a person.

Once this happens, it is too late to try to change the bear's behavior and it must be humanely killed.

Warning! It is illegal to take, possess, injure, shoot, collect or sell black bears under Florida state law unless authorized by an FWC-issued permit. If you are found guilty, you could face fines and/or jail time.

Where bears live in Florida

If you are experiencing bear conflicts, please contact the nearest FWC regional office. The sooner the FWC knows about bear activity, the more options are available to prevent a bear from becoming a public safety risk.

North Central	**Lake City**	**(386) 758-0525**
Northeast	**Ocala**	**(352) 732-1225**
Northwest	**Panama City**	**(850) 265-3676**
South	**West Palm Beach**	**(561) 625-5122**
Southwest	**Lakeland**	**(863) 648-3200**

In an emergency or if you suspect illegal activity, call the Wildlife Alert Hotline at 888-404-FWCC (3922).

Follow us on:

YouTube flickr

Florida Fish and Wildlife Conservation Commission
MyFWC.com/Bear

printed on recycled paper

8/2018

A guide to living in **bear country**

Ashley Hockenberry

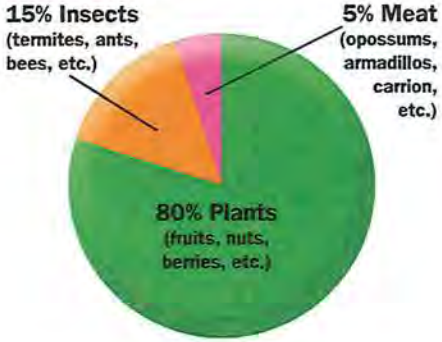
Florida Fish and Wildlife Conservation Commission
MyFWC.com/Bear

Ashley Hockenberry

The bear facts

- Black bears are the only species of bear in Florida.
- Biologists estimate approximately 4,000 black bears roam Florida today, compared to as few as 300 bears in the 1970s.
- Bears can pick up scents from over a mile away: that's seven times better than a bloodhound and the best of any land mammal.
- Adult bears typically weigh between 150 to 400 pounds, with males often twice the size of females.
- Females have their first litter around 3 years of age, with one to three cubs born every other year.
- Breeding occurs from June to August, with cubs born around February 1.
- On average, females range over 15 square miles and males range over 60 square miles.

A bear's diet



Bear behavior and you

Black bears are shy and generally not aggressive. When seen near homes or workplaces, bears are often just passing through. When frightened, bears typically run away or climb a tree. If a bear is in a tree, it is either feeding or trying to escape danger. Keep people and pets away, and the bear will leave on its own, usually after dark.

When a bear stands on its hind legs, it is trying to get a better view or scent. Black bears may huff, snap their jaws, swat the ground or "bluff charge" when cornered, threatened or defending food or young. If this happens, stop, hold your ground and then slowly back away.

Remember bears are large, powerful, wild animals that can act unpredictably and become dangerous. Bears who receive food from people may lose their natural fear of them and are more likely to damage property or become a public safety risk. NEVER feed or attract bears. If a bear is eating something on your property, take note of what it is and secure it after the bear has left the area.

Learn all about Florida's bears and being BearWise at *MyFWC.com/BearWise*.

BearWise tips:

- Never approach a bear. Keep as much distance between you and the bear as possible.
- If a bear changes its behavior because you're there, you are too close.
- If you encounter a bear at close range, stand with arms raised, back up slowly and speak to the bear in a calm, assertive voice.
- Do not turn your back, play dead or run from a black bear.
- Make sure you are in a secure area, such as a car or building, and the bear has a clear escape route, then scare the bear away with loud noises, like yelling, blowing a whistle, or using an air or car horn.
- Install a motion-activated device, such as flood lights, a water sprinkler or audio alarm, to scare a bear away from a location when you are not present.
- Report any bear threatening the safety of people, pets or livestock, or causing property damage, to the FWC (see back cover).
- Walk dogs on a non-retractable leash and be aware of your surroundings. Dogs can trigger defensive behaviors from bears.

Encourage your school system to use the *Florida Black Bear Curriculum Guide*. The guide is designed for grades 3 to 8 and is correlated to state education standards.

Avoid attracting bears

Bears do not hang around people if they do not find food. Properly storing or securing garbage and other attractants is a proven method of preventing bear conflicts. However, it takes a community-wide effort to keep bears wild and away from neighborhoods.

- Use electric fencing to protect gardens, garbage, compost piles, beehives, fruit trees and livestock.

John Bailey

- Keep garage doors closed when not in use.
- Feed pets indoors or bring food dishes (even empty ones) inside at night.
- Store pet and livestock feed in bear-resistant containers or inside a secure area.
- Remove or modify bird and wildlife feeders and ensure the ground is free of all feed debris.
- Properly harvest ripe nuts, fruits, and vegetables and remove rotten fruits and vegetables.
- Create an "unwelcome" mat by driving finishing nails, heads up, into a sheet of anchored plywood to keep bears away from a specific area, such as under a window, door or fence.
- Keep outdoor refrigerators and freezers in a secure location or lock up with super-adhesive anchors, like Marine Locks™.
- Clean meat smokers and barbeque grills with a degreasing detergent and store in a secure area. Dispose of food remnants/grease after each use.

A screened-in porch will not keep bears out!

APPENDIX G

PRESCRIBED BURNING INFORMATION

Florida Landowner Assistance Program

Practice Standard - Prescribed Burning

Definition

The controlled application of fire in accordance with a written prescription for vegetative fuels under specified environmental conditions while following appropriate precautionary measures that insure that the fire is contained to a predetermined area to improve habitat for resident and migratory wildlife species.

Purposes

This practice may be applied as part of a conservation management system to support one or more of the following purposes:

- To improve habitat for various wildlife species, including imperiled species.
- To control invasive and/or exotic vegetation.
- To control plant diseases affecting native vegatation.
- To reduce wildfire hazards.
- To enhance native ground cover plants and seed production.
- To restore and maintain fire dependent ecological sites.

Conditions Where Practice Applies

This practice may be applied on any private land, where deemed needed, to improve overall wildlife habitat conditions.

Criteria

I. General Criteria Applicable to All Purposes

The method(s) of prescribed burning to improve wildlife habitat structure and composition shall be determined by the assigned biologist conducting the Needs Assessment. Application of the prescribed treatment will be based on the GIS analysis, site examination, and local wildlife species present. The landowner shall obtain all necessary burn authorizations and/or permits before implementation of the practice. Planning and application shall compy with all Federal, State, and local laws, rules, and regulations. The procedure, equipment, and number of trained personnel shall be adequate to accomplish the intended purposes as stated in the burn plan. The expected weather conditions, human and vehicular trafifc that may be impeded by heat or smoke, liability, and safety and health precautions shall be integrated into the timing, location and expected intensity of the burn. Timing of burning will be commensurate with soil and site conditions to maintain site productivity and minimize effects on soil erosion and soil properties. Firebreak construction and maintenance are not included as a cost-shared treatment.

II. Specific Criteria to Improve Wildlife Habitat

The appropriate season of burning, burning technique, burning frequency, and size of burn shall be selected based on the wildlife habitat needs and site limitations. Where practical, prescribed burning shall be planned and applied in a manner that creates a "patchy" mosaic of burned and unburned vegetation.

III. Specific Critera to Control Undesirable Vegetation

Prescribed burns to control brush or other undesirable vegetation shall consider the anticipated seed production and re-sprouting response of the targeted species. The frequency and intensity of the planned burn shall be based on the re-growth of the target species, weighed against wildlife habitat considerations. Prescribed burns planned for areas with known infestations of invasive and/or exotic species shall address anticipated response of those species during and following the prescribed burn. Re-establishment of native vegetation shall be planned for burned areas, where needed, to prevent encroachment of undesirable plants, control soil erosion, and restore historic plant commmunities.

IV. Specific Criteria to Improve Native Plant Production Quantity and/or Quality

Prescribed burns shall be planned to provide optimum benefit to the native plant species of concern. When possible, prescribed burns shall be conducted during periods of adequate soil moisture to encourage desirable plant recovery following the burn. Appropriate protection from livestock, human, and wildlife activities shall be implemented to allow desirable vegetation to recover from the stress of the burn. Burned areas shall be protected until the vegetation has recovered sufficiently to allow use to be restored without damaging the vegetation.

Considerations

Prescribed burns should be cost-effective and efforts to protect any threatened and endangered species, cultural resources, wildlife habitat, water resources, and identified unique natural areas should be considered. Personal safety should also be considered during all prescribed burning activities. Where practical, the season, frequency, duration, and intensity of prescribed burns should mimic the natural occurrence of fire typical of the ecological communty being managed. Consider the use of existing barriers, such as lakes, streams, wetlands, roads, and existing firebreaks in the design and layout of the burn. To minimize smoke related issues, burn frequently under acceptable weather conditions and complete all burns as quickly as practical.

Operation and Maintenance

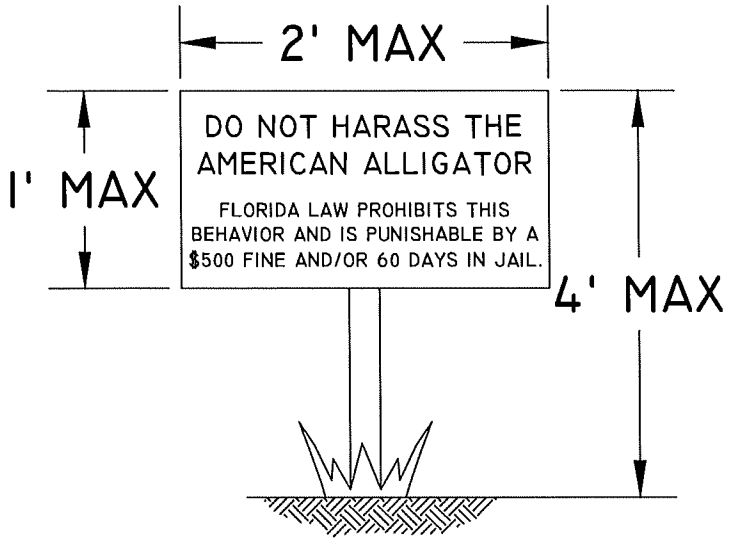
The following actions shall be carried out to insure that this practice functions as intended throughout its expected life: 1) Evaluations to determine if the stated objectives were met and to improve coordination of future burns, 2) Initial evaluations should be conducted within 2 weeks following the burn, 3) Long term evaluations should be conducted during or after the first growing season following the burn.

Items to consider in these evaluations include:

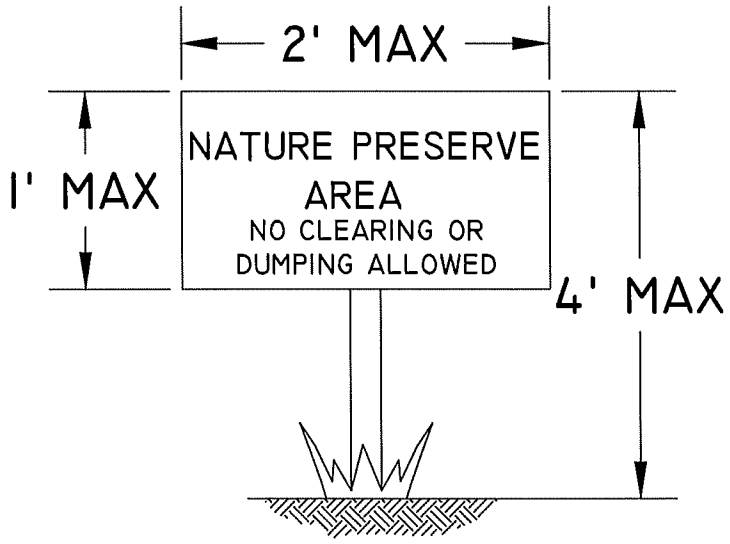
a. Were the pre-burn preparations properly completed?
b. Were the intial objectives met?
c. Was the burn prescription followed?
d. Were deviations from the burn prescription documented?
e. Was the burning technique(s) adequate to meet the planned objectives?
f. Were weather conditions, fire behavior, and smoke dispersion within the planned limits of the prescription?
g. What were the effects on the soil, vegetation, water, and wildlife resources?
h. Did the fire escape the planned area?
i. How could future burns be improved?
j. Were the post-burn activities applied correctly to meet the stated purpose or objective of the burn?

APPENDIX H

AMERICAN ALLIGATOR MANAGEMENT AND PRESERVE SIGNAGE



TYPICAL AMERICAN
ALLIGATOR SIGNAGE
N.T.S.



TYPICAL
PRESERVE SIGNAGE
N.T.S.

APPENDIX I. AMERICAN ALLIGATOR MANAGEMENT AND PRESERVE SIGNAGE
CARY + DUKE + POVIA RPD

DRAWN BY	DATE
P.F.	01/03/24
REVIEWED BY	DATE
J.S.	01/03/24
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2022\2NCS903\2024\PSHP SFWMD RAI RESPONSES\APP H ALLIGATOR MANAGEMENT AND PRESERVE SIGNAGE.DWG TAB: 8X11-H APR 16, 2024 - 12:30PM PLOTTED BY: LUCYC

APPENDIX I

BEAR-RESISTANT CONTAINER LIST

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Residential Poly Carts and Cans

BearProofInc
234 S. Golden Dr.
Silt, CO 81652
Ph: (970) 309-2460
Fax: (970) 876-0420
E-mail: Info@BearProofInc.com
Website: http://www.bearproofinc.com/

Metal Roll Away Container
95 gallon

* Metal food and trash lockers also available

Bear Proofing-R-US
(no address available)
Ph: (865) 430-8902
E-mail: akruk@charter.net
Website: http://www.bearproofing-r-us.com/

Residential Street-side Trash Can
96 gallon
*dumpster lids, loaders, and bird feeders also available

Bear Proof Systems, LLC
7855 E. Lark Dr.
Parker, CO 80138
Phone: (303) 840-3390/1-800-944-7973
Fax: (303) 840-3460
E-mail: solidws@comcast.net
Website: http://www.bearproofsystems.com/

Curbside Carts
64 gallon
94 gallon
*Also make various metal containers

BearSaver – USA Sales

Steve Thompson

Ph: 1-800-851-3887
Fax: 909-605-7780
E-mail: sales@bearsaver.com
Website: http://www.bearsaver.com/

Bear Resistant Residential Poly Carts
Model PC-95
95 gallon (min order 24)
Model PC-65
65 gallon (min order 20)
Model PC-32
32 gallon (min order 20)
*Commercial Yard Dumpsters also available

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Cascade Industries
The Learning Community
3400 Innovation Court SE
Grand Rapids, MI 49512-2085
Ph. (616)-975-4800

Fax: (616) 254-4174
E-mail: info@cascadeng.com
http://www.cascadeng.com/markets/waste/index.htm

"Cascade Cart"
35 gallons
64 gallons
96 gallons
Bear Resistant Cascade Cart
96 gallons

DAWG, Inc.
25 Lassy Court
Terryville, CT 06786
Phone: 1-800-YEL-DAWG (935-3294)
Fax: 1-800-LIL-PAWS (545-7297)
website: www.dawginc.com

Bearicuda Bin
"Critter Can" Model
Mobile Screw Top Model
Mobile Bearicuda Bin
BEARier Bins

Residential Trash Storage Containers

BearGuard Co. Ltd.
P.O. Box 89
Tahoe City, CA. 96145-0089
Phone/Fax (530) 581-2211
E-mail: **sales@BearGuardInfo.com**
Website: http://www.bearguardinfo.com/index.html

Green and Brown Containers
Various sizes

Carson Valley Welding
1046 Mallory Way
Carson City NV. 89701
PH: (775) 884-9353
Cell: (530) 318-1136
Fax: (775) 884-9354
Email:Don@nobearcan.com
Website: http://www.nobearcan.com/index.html

"No Bear Can"
Model B-5030 $999.00
Model B-5036 $1149.00

See also the following companies:
Bear Proof Inc.
Bear Proofing-R-US
Bear Proof Systems

Info. above

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Animal Resistant Dumpsters

Capital Industries, Inc.
5801 Third Avenue South
Seattle WA 98108
Phone: (206) 762-8585/1-800-967-8585
FAX: (206) 762-5455
E-mail: sales@capitalind.com
Website: http://www.capitalind.com/main/

Bear Resistant Metal Containers & Lids
Various designs

Haul-All Equipment Systems
(no address available)
Phone: 1-888-428-5255
Fax: (403) 328-9956
E-mail: solutions@haulall.com
Website: http://www.haulall.com/index.htm

Hyd-A-Way Model
Several options available for garbage disposal and storage

See also the following companies:
Bear Proof Inc.
Bear Proofing-R-US
Bear Proof Systems
BearSaver-USA Sales

Info. above

Recreational Storage Containers
Panniers (for cooler storage)

Bear-Aware
(no address available)
Phone: 800-568-8990 / 818-504-3518
Contact Jeff Berns
E-mail: jmberns@bear-aware.comor
Website: http://www.bear-aware.com/

Dry & Ice Panniers
24" Medium Dry
28" Large Dry
28" Slim Dry
24" Medium Ice
28" Large Ice

Outfitters Supply
7373 US Highway 2E
Columbia Falls, MT 59912
Phone: 888-467-2256/ 406-892-3650
Fax: 406-892-4234
E-mail: gopackn@outfitterssupply.com
Website: http://www.outfitterssupply.com/

Pack Panniers

Pack Saddle Shop
3071 West Twin Rd
Moscow Idaho 83843
Phone: 208-882-1791
E-mail: support@packsaddleshop.com
Website:
http://www.packsaddleshop.com/Bearpan.html

Aluminum Panniers
Medium
Large
Sold with and without hardware

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Food Storage Lockers

See the following companies:
BearProofInc
BearSaver – USA Sales
Haul-All Equipment Systems (product shown)

Info. above

Ask your local waste service provider if they offer wildlife resistant canisters. For example, Waste Pro Inc. and Waste Management Inc. have offered wildlife resistant containers for both residential and commercial locations. In some areas the Waste Service Provider has retrofitted the existing dumpster to a wildlife resistant design.

All images/photos are copyright of their respective company/website.

ATTACHMENT O

Date: July 29, 2024

To: Dirk Danley Jr., Principal Planner

From: Nic DeFilippo, Senior Environmental Planner
239.533.8983
ndefilippo@leegov.com

Subject: DCI2022-00067
Natural Resources Staff Report and Conditions for Cary + Duke + Povia RPD

The request is to rezone 788± acres from Agricultural (AG-2) to Residential Planned Development (RPD) to allow for a maximum of 1,099 dwelling units. The proposed project intends to utilize the Rare and Unique Upland incentives outlined in Lee Plan policy 123.2.17 to achieve the requested density. To do so, the property must connect to public utilities. In accordance with this requirement, the applicant requested that the property be added to Lee Plan Maps 4A and 4B of the Lee Plan. This amendment was adopted and expanded the Water and Sewer Service Area Maps to include the Cary + Duke + Povia property.

Surface Water

The subject property currently conveys offsite flows from under North River Road through the property and into the Caloosahatchee River. The applicant has indicated that these offsite flows will be allowed to remain unimpeded through existing conveyance flow ways or rerouted around the proposed Surface Water Management (SWM) system with equal or greater conveyance capacity. Additional details must be provided to support this claim and demonstrate compliance with Lee Plan policy 126.1.4 regarding the design requirement to maintain or improve surface water flows. Staff is recommending a condition to ensure the proposed development complies with this policy prior to issuance of local development order.

The applicant has indicated that two creeks can be found on the subject property. Trout Creek is a large natural flow-way, flowing north-south, that bisects the proposed project. The applicant's proposed design eliminates impacts to Trout Creek and adjacent wetlands by providing two separate development pods. Otter Creek was significantly altered prior to 1968 and only a remnant portion of Otter Creek remains, which consists of a manmade ditch in the southeastern portion of the project. The applicant has indicated their design will maintain the existing north-south Otter Creek surface water flows.

The stormwater management system will consist of both wet and dry detention prior to discharging into the onsite preserve before reaching onsite creeks and ultimately the Caloosahatchee River. The proposed development is within the Trout Creek watershed which is impaired for E. coli, has a FDEP adopted Total Maximum Daily Load (TMDL) for Fecal Coliform, and is part of the Caloosahatchee River and Estuary Basin Management Action Plan (BMAP). The portion of the Caloosahatchee River that Trout Creek outfalls into is impaired for Enterococci, Dissolved Oxygen, Total Phosphorus, Total Nitrogen Iron and Chlorophyll-a. In addition, there is a FDEP adopted TMDL for Total Nitrogen, Dissolved Oxygen, Total Phosphorus and Chlorophyll-a. A TMDL represents the maximum amount of a given pollutant that a waterbody can assimilate and still meet water quality standards, including its applicable water quality criteria and its designated uses. TMDLs are developed for waterbodies that are verified as not meeting their water quality standards. To address consistency with Lee Plan policies 125.1.2 and 125.1.4 the applicant provided a surface water quality monitoring plan within the attached Water Quality Monitoring Plan (Attachment 1).

Groundwater

There are seven future public water supply well locations along the north side of North River Road, as depicted by Lee Plan Map 4C. As a result, portions of the proposed development fall within the 1-year, 5-year and 10-year Wellfield Protection Zone travel times. Future development within these wellfield protection zones must comply with the wellfield protection zone ordinance. To address consistency with Lee Plan Goal 63 as well as Policies 125.1.2 and 125.1.4, the applicant provided a groundwater quality monitoring plan within the attached Water Quality Monitoring Plan (Attachment 1).

The applicant is proposing to use surface water from the onsite wet detention lakes to irrigate the community because reuse water is not available to serve the proposed development. The stated irrigation source is consistent with Lee Plan policy 61.1.6. The irrigation withdrawal lakes will then be resupplied utilizing groundwater from the Sandstone Aquifer on a 1:1 basis. Many of the surrounding residential homes rely on the Sandstone Aquifer as a domestic water source. To address consistency with Lee Plan policy 126.1.4 regarding groundwater levels and to ensure that groundwater levels are not adversely affected, the applicant has included a groundwater level monitoring plan within the Water Quality Monitoring Plan (Attachment 1).

To ensure that surface water conveyance capacity, surface water quality, groundwater quality, and groundwater levels are not adversely impacted by the proposed development staff recommends the following conditions:

Prior to local development order approval, the developer must provide the attached Water Quality Monitoring Plan with the following modifications:

i) **The groundwater withdrawal locations used to resupply the irrigation withdrawal lakes must be identified in the Water Quality Monitoring Plan.**
ii) **Baseline monitoring events must be completed prior to commencement of construction and a baseline report must be provided to Lee County Division of Natural Resources**
iii) **Surface water quality, groundwater quality, and groundwater level monitoring locations must be finalized and identified in the Water Quality Monitoring Plan. Surface water quality monitoring sites must be located at each proposed outfall. Groundwater level monitoring locations must be located to ensure surrounding residential uses are not adversely affected by Sandstone Aquifer withdrawal.**
iv) **Water quality and groundwater level monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years. Annual monitoring reports must include a with a comparison of State surface water quality standards, plots of parameters, and recommendations. After five years of meeting or exceeding state water quality monitoring standards, the developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.**
v) **A contingency plan in the event an exceedance of State Water Quality Standards is discovered. This plan must include notification to impacted residents, Lee County Division of Natural Resources and applicable authorities.**

Prior to local development order approval, the developer must provide a Stormwater Report with models and calculations demonstrating that offsite flow conveyance capacity will be maintained during and following construction of the development.

Prior to local development order approval, the development order plans must depict connection to public water and sewer service.

Prior to local development order approval, the development order plans must demonstrate that irrigation will be provided via a master-controlled central irrigation system. The master-controlled system must be designed to comply with the Water Conservation Ordinance #24-01, as amended. The Property Owner Association documents, including Declarations and Covenants (submitted prior to Development Order approval and recorded prior to issuance of Certificate of Compliance), must prohibit the installation of single-family use wells for potable or irrigation water.

Drainage and Access Easement

Land Development Code section 10-328 requires that the developer provide a drainage and access easement granting Lee County the right, but not the obligation, to maintain the waterway when a proposed development is traversed or abuts a waterway. As outlined above, Trout Creek traverses the property and therefore the developer is required to provide a drainage and access easement dedicated to Lee County. The applicant has requested a deviation from LDC 10-328 to allow the following:

> A 20-foot-wide easement at the southern portion of Trout Creek from the internal right-of-way to Trout Creek to ensure adequate access and staging capabilities as well as a 10-foot-wide easement to accommodate maintenance activities directly adjacent to the Creek, as depicted on the Master Concept Plan.

Staff supports the deviation request and recommends the following condition to ensure compliance with LDC 10-328.

Prior to issuance of a local development order, a drainage and access easement that complies with the Master Concept Plan must be submitted for review and approval. The easement must permit Lee County the right, but not the obligation, to maintain Trout Creek and must be dedicated to Lee County prior to issuance of a Certificate of Compliance for the first Development Order.

Attachments

I. Draft Water Quality Monitoring Plan, May 2024

Attachment 1

Water Quality Monitoring Plan

Cary-Duke-Povia
DCI2022-00067

PREPARED FOR:

NEAL COMMUNITIES
28100 BONITA GRANDE DR, STE 106
BONITA SPRINGS, FLORIDA 34135

Water Science Associates
An Apex Company

13620 Metropolis Avenue, Suite 110
Fort Myers, Florida 33912
O 239.204.5300 ◊ F 866.398.2426
www.waterscienceassociates.com

MAY 2024
(REVISED PER REVIEW COMMENTS DATED MAY 17TH, 2024)

Water Quality Monitoring Plan

Cary-Duke-Povia
DCI2022-00067

Water Science Associates
An Apex Company

Evan Lentz
Staff Scientist

Michael Alfieri P.G. 2476
Senior Managing Hydrogeologist

MAY 2024

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FIGURE 1 Regional Location Map
FIGURE 2 Proposed Surface Water Quality Monitoring Site Locations

TABLES

TABLE 1 Proposed Monitoring Parameters and Schedule

EXHIBITS

EXHIBIT A Excerpt from Rezoning Application DCI2022-00067

1.0 INTRODUCTION AND BACKGROUND

The Cary-Duke-Povia project is an approximately 790-acre proposed residential community development located within Section 17 and 16, Township 43S, Range 26 in Lee County, Florida. The proposed Cary-Duke-Povia development is situated approximately one mile east of State Road 31 on the south side of State Road 78 (North River Road). The project is currently seeking approval to change the zoning category from Agricultural (AG-2) to a Residential Planned Development (RPD) under Application DCI2022-00067. Refer to **Figure 1** for a regional location map showing the Cary-Duke-Povia boundary.

2.0 GOALS AND OBJECTIVES

This Water Quality Monitoring Plan provides a response to the Lee County Comment Letter, dated January 19, 2023, Comment No. 6 of the Natural Resources Review section regarding the proposed outflow to Trout Creek. Specifically, the main objective of the Water Quality Monitoring Plan is to establish baseline conditions and to quantify potential impacts of the proposed residential development on Trout Creek. The first task is identification of outfall locations, establishing a water quality monitoring parameter list, and establishment of a schedule for the monitoring program. The second objective of the monitoring plan is to provide documentation of the analytical results to the Lee County Division of Natural Resources (LCDNR) through regular reporting and data transfer such that the water quality database maintained by Lee Country accurately identifies and characterizes any contribution of contamination to Trout Creek. This Water Quality Monitoring Plan includes sampling locations, sampling frequency, reporting requirements, and evaluations of the water quality within the project site.

3.0 MONITORING SITES

The existing topography of the Cary-Duke-Povia project site generally directs stormwater runoff from the northeast to the southwest and from the northwest to the southeast into surrounding wetlands/preserves within the site property boundary. Development plans for the project indicate that there are five proposed outfall control structures where water can flow out of the proposed stormwater management system and leave the project site. These control structures, CS A, CS B-1, CS B-2, CS C, and CS D are identified in **Figure 2**. Flow leaving the proposed stormwater management system from the five outfall locations will enter the onsite wetland preserve areas and continue through existing wetlands to Trout Creek, located in the eastern portion of the project area.

The proposed Water Quality Monitoring Plan includes the installation of seven surface water sampling locations five at outfall locations and two staff gages installed in the irrigation withdrawal lakes (SG-1 & SG-2), two shallow monitor wells tapping the upper portion of the Water Table Aquifer (WT-1 & WT-2), and a deeper monitor well tapping the upper portion of the Sandstone Aquifer (SS-1) to record stage and ground water elevations and obtain surface and ground water samples. Sampling at CS A through CS D is proposed at the downstream end of the outfall structure from within the adjoining wetland. The seven surface water samples will be measured in the field and the Sandstone Aquifer wells will be outfitted with electronic water level transducers set to record water levels every 6 hours. Water quality data will be collected from the shallow Water Table wells and outfall locations. The water level elevations will be referenced to the North American Vertical Datum of 1988 (NAVD 88). Proposed sampling locations at the individual control structures, CS A, CS B-1, CS B-2, CS C, and CS D are shown in **Figure 2**.

4.0 PARAMETERS AND REPORTING SCHEDULE

The proposed monitoring parameter list is provided in **Table 1**. Monitoring includes a baseline sampling event prior to construction commencement followed by semi-annual sampling events. The sampling events are proposed to occur twice per year during the wet season (June through October). The early wet season monitoring event is proposed to occur in June, while the late wet season event is proposed to occur in October. Monitoring will include stage measurements using previously established benchmarks and the discharge condition will be recorded as either a "yes or no" depending on whether or not water is flowing through the control structures at the time of sampling. Water Quality samples will be collected from the water table monitor wells, staff gauge monitoring stations, and outfall locations. One field blank and a field duplicate will be collected during each sampling event for quality assurance purposes. Chain of custody forms and laboratory analysis reports will be provided in corresponding quarterly reports.

Table 1. Summary of Surface Water and Groundwater Sampling Parameters

PARAMETER	UNITS	BASELINE	Semi-Annualy	Groundwater Target Level	Surface Water Target Levels	ANALYSIS TYPE
Total Kjeldahl Nitrogen (TKN)	mg/L as N	x	x	NA	1.54	Laboratory
Ammonia (un-ionized)	mg/L as N	x	x	NA	0.02	Laboratory
Nitrite+Nitrate as Nitrogen (NOX)	mg/L as N	x	x	10	NON-NUMERIC	Laboratory
Nitrite	mg/L as N	x		1	NON-NUMERIC	Laboratory
Nitrate	mg/L as N	x		10	10	Laboratory
Total Phosphorus	mg/L	x	x	NA	0.12	Laboratory
Chloride	mg/L	x	x	250	250	Laboratory
Total Dissolved Solids (TDS)	mg/L	x	x	500	500 Average	Laboratory
Florida PRO (TRPH)	µg/L	x	x (Annualy)	5000	5000	Laboratory
Arsenic	µg/L	x		10	10	Laboratory
Copper	µg/L	x	x	1000	2.72	Laboratory
Mercury	µg/L	x	x	2	0.012	Laboratory
Lead	mg/L	x	x	0.015	0.0085	Laboratory
E. coli	MPN/100mL	x	x	NA	126 Average	Laboratory
Total Hardness	mg/l	x	x	NA	NA	Laboratory
Temperature	C	x	x	NA	NA	Field
Specific Conductance	mhos/cm	x	x	NA	1275 or <50% Increase	Field
pH	pH units	x	x	6.5-8.5	1 unit from background	Field
Dissolved Oxygen (DO)	mg/L	x	x	NA	>5.0	Field
Lake Stage	ft NAVD	x	x	NA	NA	Field/Recorder
Water Table Aquifer Elevation	ft NAVD	x	x	NA	NA	Field/Recorder
Sandstone Aquifer Elevation	ft NAVD	x	x	NA	NA	Field/Recorder

NA=Not Applicable
Note - Groundwater Target Levels per Chapter 62-550 and Rule 62-520.420, FAC with exception of FL-PRO. FL-PRO is a petroleum screening parameter with a target level of 5 mg/l listed in Chapter 62-777, FAC. Surface Water Target Levels per Chapter 62-302.

Quality Assurance

Water samples will be collected and handled following protocols contained in Florida Department of Environmental Protection (FDEP) Quality Assurance Rule F.A.C. 62-160 and adopted as the 2014 FDEP Standard Operating Procedures for Field Activities (DEP-SOP-001/01), effective July 30, 2014. Water Quality samples will be collected at surface water monitoring stations documented on **Figure 2**. One field blank and a field duplicate will be collected during each sampling event for quality assurance purposes. A chain of custody form and laboratory analysis reports will be provided in corresponding annual reports.

Water samples will be tested by a certified laboratory under the National Environmental Laboratory Accreditation Program (NELAP) using approved test methods and QA testing requirements (i.e. blanks, sample duplicates, surrogates, matrix spikes etc.) as contained in F.A.C 62-160 QA Rules.

Water Monitoring Reporting and Analysis

An annual report, which will include a comparison of State water quality standards, plots of parameters, and any conclusions or recommendations will be provided to the LCDNR annually for at least 5 years. The monitoring reports will be submitted once per year as an Electric Data Deliverable (EDD) in a comma delimited text format approved by the within 60 days of receipt of the laboratory reports. Conclusions and recommendations will be based on applicable target levels, statistical analyses, and trends of measured constituents.

Results of each water quality sampling events will be compared to applicable target levels, if listed and deviation from the initial baseline sampling. Parameters that do not have numeric target levels will be evaluated for trends. The surface water and groundwater laboratory results will undergo statistical analyses for the development of conclusions and recommendations within the annual reports.

Water quality reporting will continue for a minimum of 5 years from the date of completion of the stormwater management system. After 5 years of meeting or exceeding state water quality monitoring standards, the developer may amend or discontinue water quality monitoring and reporting after submitting a written request, review, and approval by LCDNR.

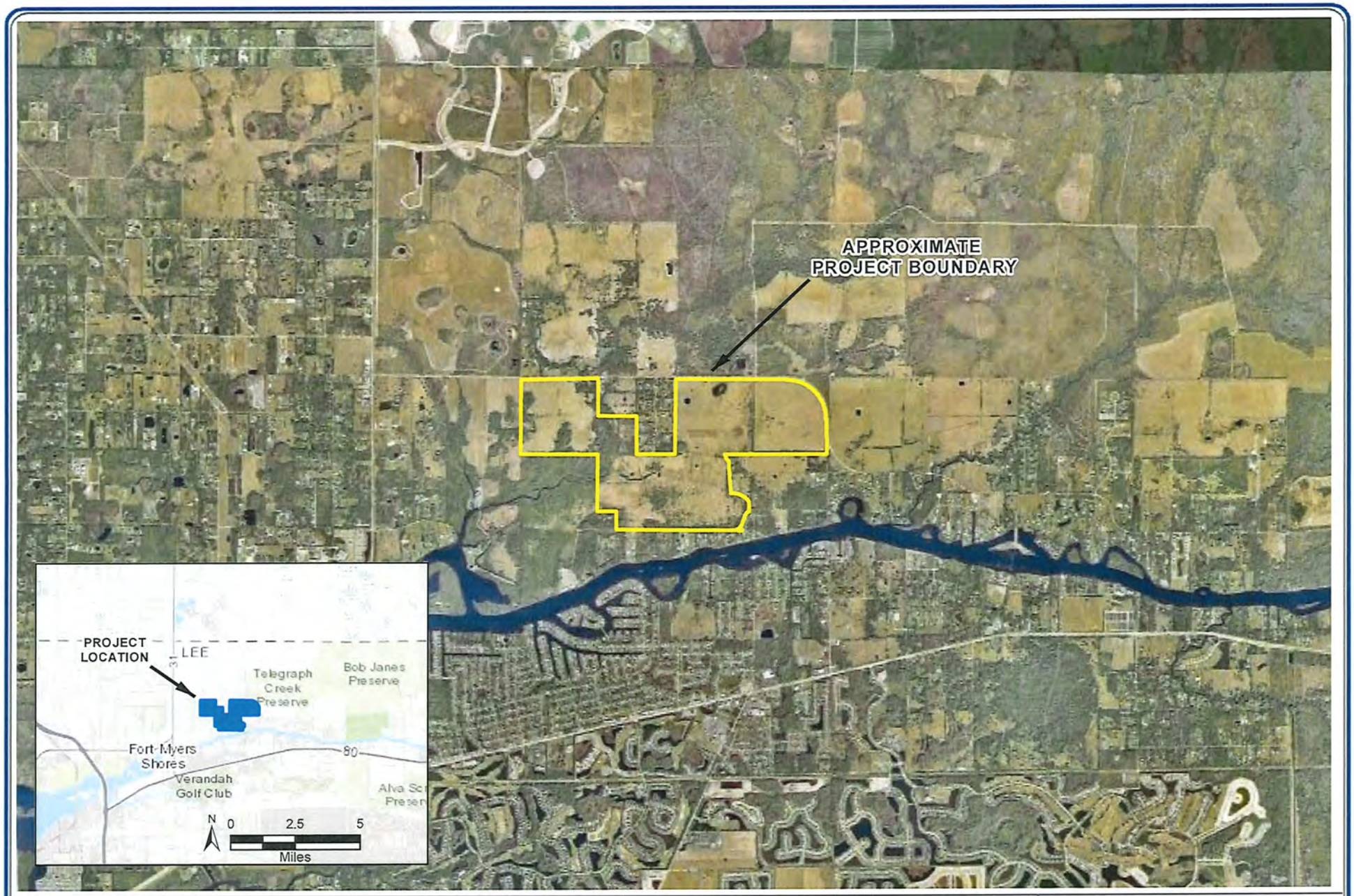
5.0 CONTINGENCY PLAN

Should water quality concentrations be identified as exceeding target levels, deviations from baselines, or through statistical trend analyses, site conditions will be reviewed for possible onsite and offsite incidents that could contribute to elevated readings. If no incident or cause can be identified, the samples will be re-collected and re-analyzed for the parameter of concern. Following any re-sampling event, the Applicant will coordinate with the LCDNR to aid in identifying potential causes and/or the potential need to modify monitoring parameters, frequency, and/or reporting. If re-sampling shows water quality concerns, LCDNR will be notified to discuss potential corrective actions.

Potential investigative and corrective actions may include:

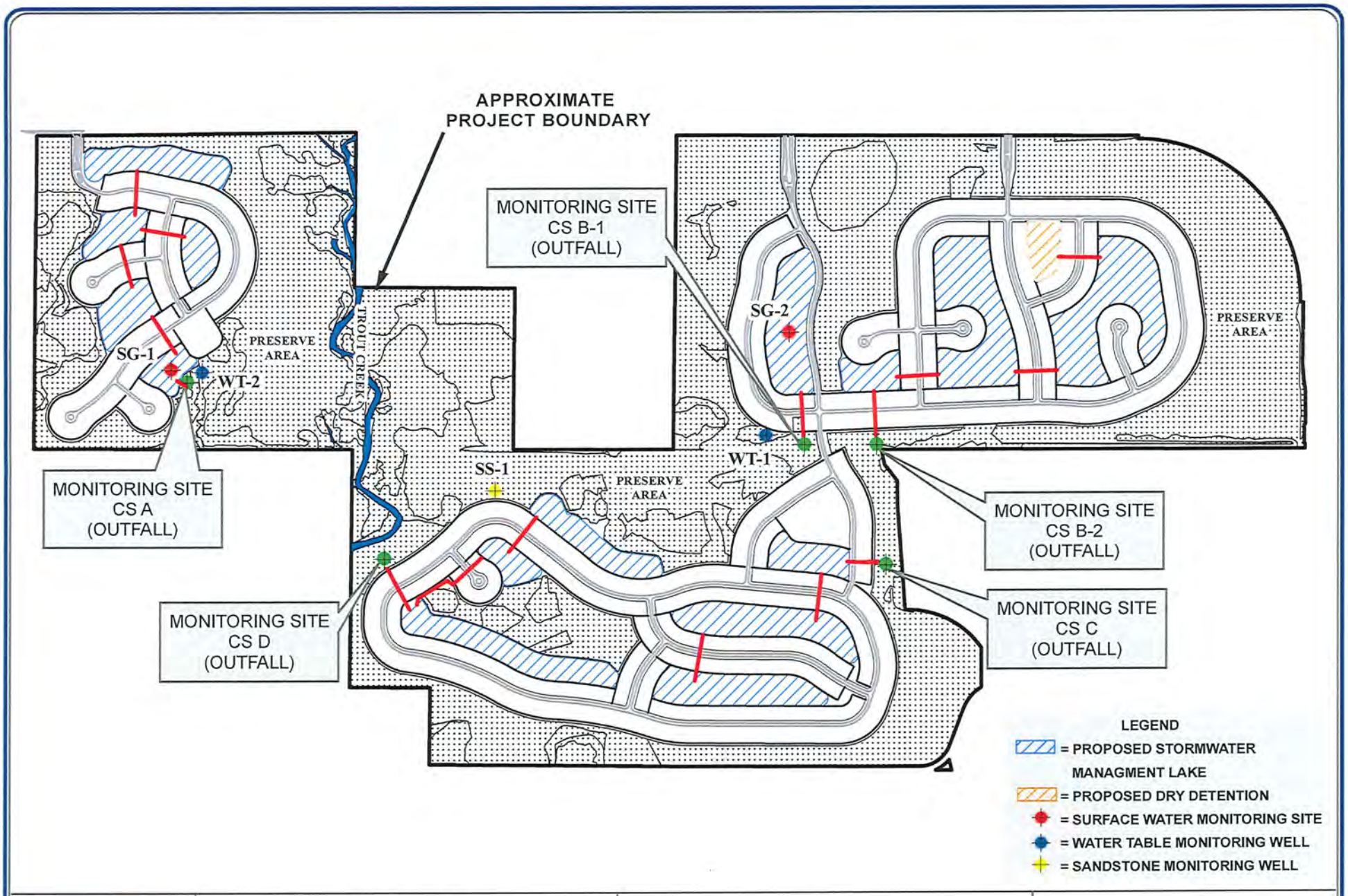
- Review potential for contamination from the nearest upgradient facility's lakes;
- Review and revision of community lake management, stormwater management, and fertilizer application procedures and schedules;
- Include additional surface water sampling sites; and/or
- Notification to impacted residents and applicable authorities as needed.

FIGURES



Water Science Associates	PROJECT NAME: CARY DUKE POVIA	COA 30437	N 0 2,500 5,000 Feet
	PROJECT NUMBER: 16823-02	JULY 2023	

FIGURE 1. REGIONAL LOCATION MAP



Water Science Associates	PROJECT NAME: CARY DUKE POVIA	COA 30437	
	PROJECT NUMBER: 16823-02	DECEMBER 2023	

FIGURE 2. PROPOSED SURFACE WATER QUALITY MONITORING SITES

ATTACHMENT P

TR TRANSPORTATION CONSULTANTS, INC

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

CARY + DUKE + POVIA RPD

(PROJECT NO. F2210.18)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

Revised:
February 6, 2023

TRANSPORTATION CONSULTANTS, INC

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VII. PROJECTED LEVEL OF SERVICE

VIII. INTERSECTION ANALYSIS

IX. CONCLUSION

TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking rezoning approval. The proposed development is located along the south side of North River Road approximately 1 mile east of SR 31 in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

The applicant is proposing to rezone the approximate 788-acre subject site from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a development of up to 1,099 residential dwelling units. Access to the subject site is proposed to North River Road via three (3) connections.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is currently vacant. The overall site is generally bordered by vacant land to the west, North River Road to the north and east, and by residential uses and Duke Highway to the south.

North River Road is a two-lane undivided arterial that borders the subject site to the north. North River Road has a posted speed limit of 55 mph adjacent to the site and is under the jurisdiction of the Lee County Department of Transportation.

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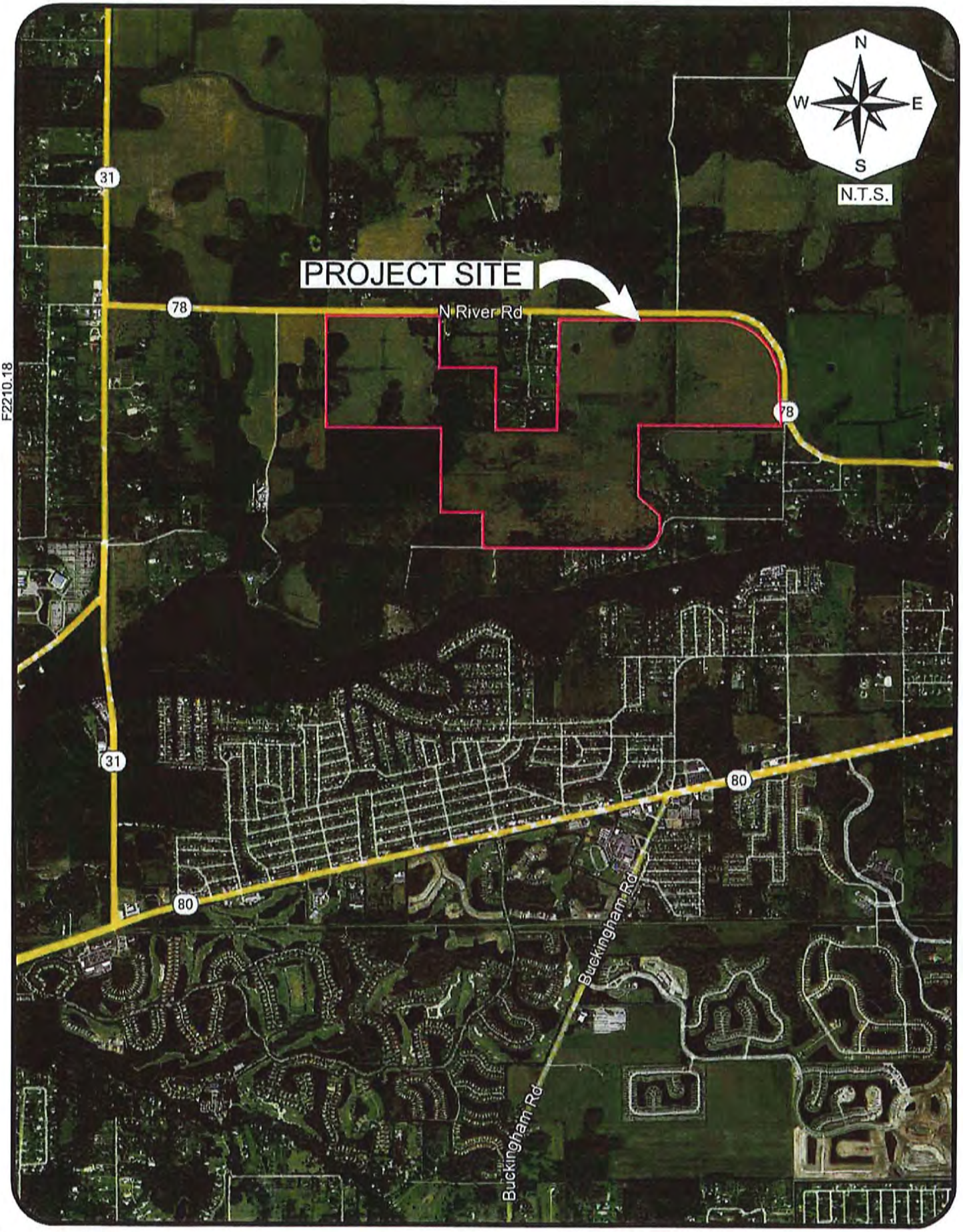


TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
CARY + DUKE + POVIA RPD

Figure 1

SR 31 is currently a north/south two-lane undivided arterial within the vicinity of the subject site. SR 31 has a posted speed limit of 60 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT).

SR 31 is funded to be widened to a four-lane facility from SR 78 to Cook Brown Road by the Babcock Ranch Community Independent Special District (ISD). This four-lane improvement will be expandable to a future six-lane facility. Improvements to the signalized intersection of SR 31 and North River Road will be also provided as part of the widening project. The construction of the four-lane improvement is scheduled to be completed by 2025.

FDOT is also currently conducting PD&E studies on SR 31 from SR 80 to SR 78 as well as on SR 78 from I-75 to SR 31 to evaluate the future widening of these roadways to multi-lane facilities.

III. PROPOSED DEVELOPMENT

The approximate 788-acre subject site is currently zoned as Agricultural (AG-2), which allows the site to be developed with up to one unit per acre, or 788 residential dwelling units. The applicant is proposing to rezone the site to Residential Planned Development (RPD) to permit a development of up to 1,099 residential dwelling units. **Table 1** summarizes the land uses utilized for the purposes of this analysis.

Table 1
Land Uses
Cary + Duke + Povia RPD

Land Use	Permitted	Proposed
Residential	788 Dwelling Units	1,099 Dwelling Units

Access to the subject site is proposed to North River Road via three (3) connections.

IV. TRIP GENERATION

The trip generation for the approved and proposed zoning was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation Manual***, 11th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the residential uses. Using this land use ensures that the analysis is completed based on the worst-case trip generation scenario. The trip generation equations utilized from these land uses are attached to the Appendix for reference.

Table 2 outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the development as currently permitted on site. **Table 3** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the development as currently proposed.

Table 2
Trip Generation – Permitted
Cary + Duke + Povia RPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Residential (788 Units)	122	365	487	436	256	692	6,741

Table 3
Trip Generation – Proposed
Cary + Duke + Povia RPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Residential (1,099 Units)	165	495	660	596	350	946	9,154

Table 4 illustrates the trip change when comparing the trip generation of the permitted uses to the trip generation of the proposed uses (Table 2 vs Table 3).

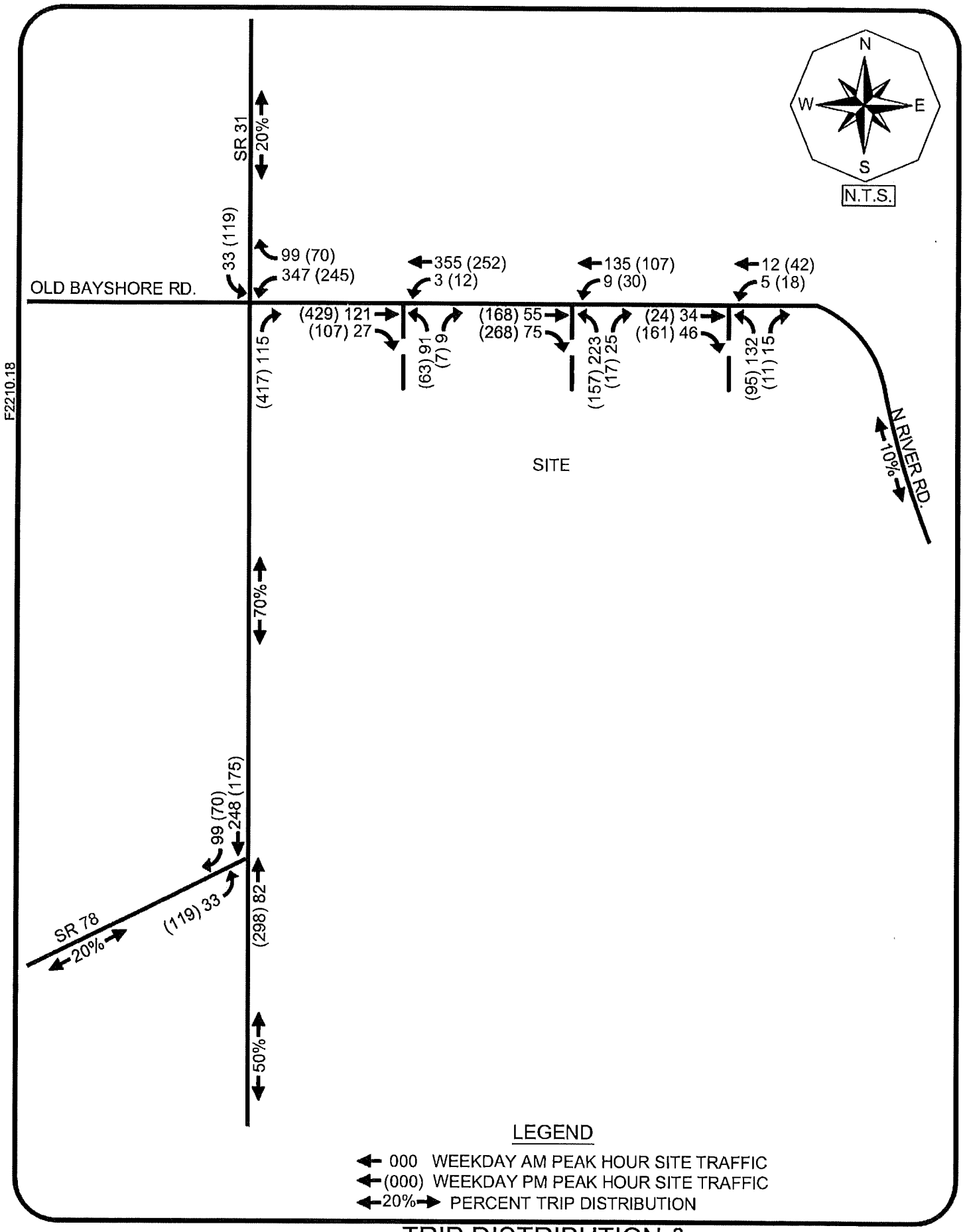
Table 4
Trip Generation Comparison– Approved Zoning vs Proposed Zoning
Table 2 vs Table 3

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Proposed Zoning	165	495	660	596	350	946	9,154
Approved Zoning	-122	-365	-487	-436	-256	-692	-6,741
Trip Change	**+43**	**+130**	**+173**	**+160**	**+94**	**+254**	**+2,413**

V. TRIP DISTRIBUTION

The trips the proposed development is anticipated to generate, as shown in the Table 3, were assigned to the surrounding roadway network. The trips were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure 2** illustrates the anticipated trip distribution. Also shown in Figure 2, is the site traffic assignment of the proposed development to the proposed site access drives on North River Road.

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service "C" volumes. The Level of Service thresholds for the County maintained roadways were obtained from the Lee County's ***Generalized Peak Hour Directional Service Volumes*** table. The Level of Service thresholds for the FDOT maintained roadways were obtained from the FDOT's ***Generalized Peak Hour Directional Volumes, Table 7 and Table 9*** consistent with the ***FDOT's District One Level of Service Report.*** Based on Table 1A, North River Road west of site, SR 31 between SR 80 and North River Road as well as SR 78 west of SR 31 are the only roadway segments in the study area that are projected to be significantly impacted as a result of the proposed development.



TRANSPORTATION CONSULTANTS, INC

TRIP DISTRIBUTION &
SITE TRAFFIC ASSIGNMENT
CARY + DUKE + POVIA RPD

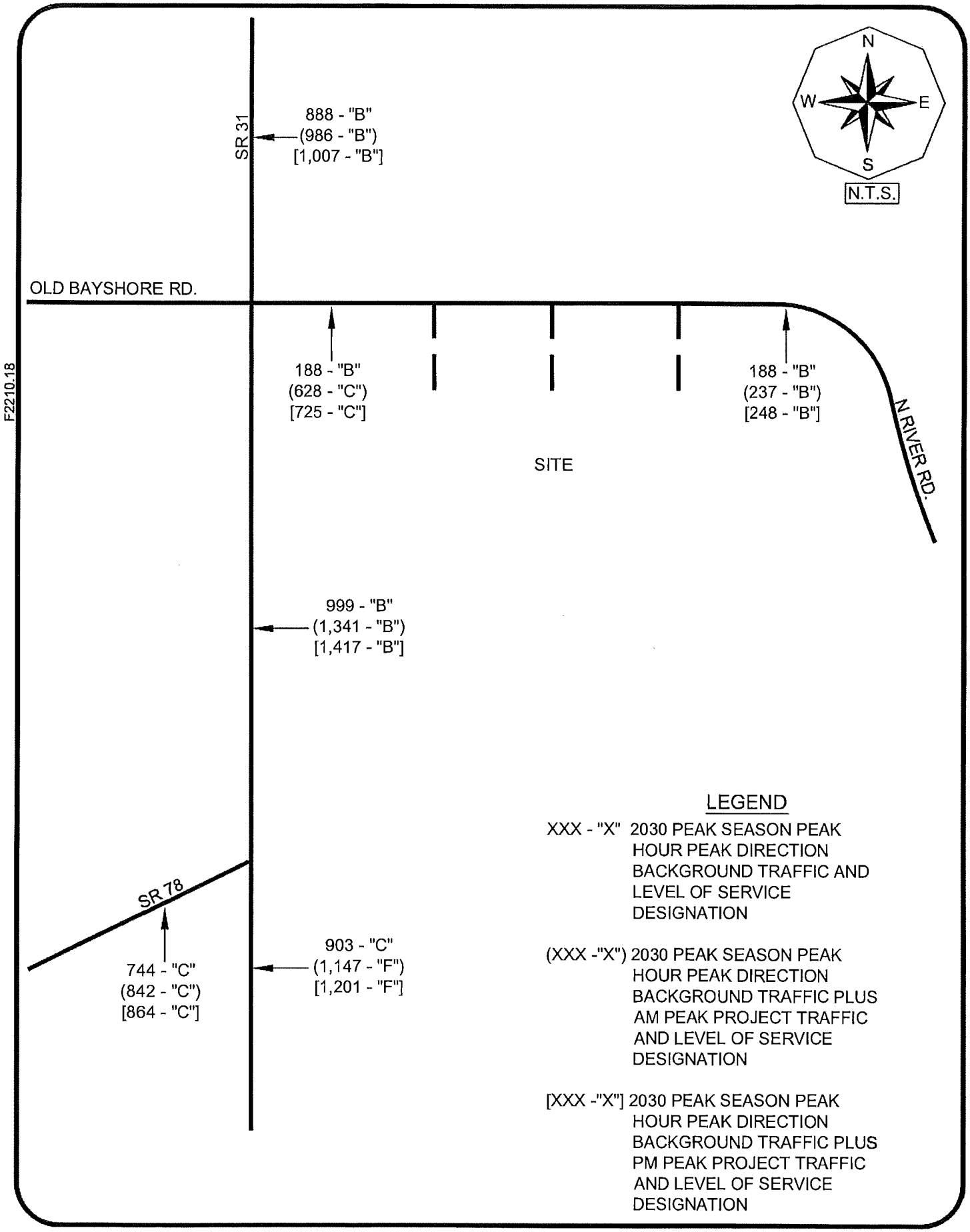
Figure 2

VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2030 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links in the study area. The growth rates were obtained through comparisons of annual traffic data obtained from the ***Lee County's Traffic Count Database System (TCDS)*** and ***FDOT's Florida Traffic Online*** webpage. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2030 without the development and year 2030 with the development.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2030 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes for County maintained roadways were obtained from the latest ***Lee County Public Facilities Level of Service and Concurrency Report.*** The base year traffic volumes for FDOT maintained roadways were calculated by adjusting the 2021 AADT by the appropriate K and D factors as obtained from the FDOT's ***Florida Traffic Online*** webpage and growing the resultant volumes by the appropriate growth rates for each roadway segment as indicated within Table 2A.

Figure 3 indicates the year 2030 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday P.M. peak hour with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.



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TR TRANSPORTATION CONSULTANTS, INC

2030 LEVEL OF SERVICE ANALYSIS
CARY + DUKE + POVIA RPD

Figure 3

VII. PROJECTED LEVEL OF SERVICE

Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service Thresholds for those links as indicated in Table 1A. In comparing the links' functional classification and calculated 2030 traffic volumes to the Service Volume Tables, it was determined that all analyzed roadways, except for SR 31 between SR 78 and SR 80, are projected to operate at or above the minimum adopted Level of Service in 2030 both with and without the proposed development. SR 31 between SR 78 and SR 80 is projected to operate at a poor Level of Service in 2030 with the proposed development traffic added to this roadway. However, as previously mentioned, FDOT is currently conducting a PD&E study on SR 31 from SR 78 to SR 80 to evaluate future widening from the current two-lane undivided facility to a six-lane divided facility. This future improvement would address the projected SR 31 capacity deficiency that was shown as part of this analysis. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

VIII. INTERSECTION ANALYSIS

Intersection analysis was performed at the proposed site access drives on North River Road utilizing the latest version of the ***Highway Capacity Software*** (***HCS©***). Intersection analysis was also conducted at the future signalized intersections of SR 31 with SR 78 and North River Road utilizing the latest version of the program ***SYNCHRO©***. The analysis was based on the projected 2030 weekday A.M. and P.M. peak hour traffic conditions with the project traffic conditions. Traffic counts were conducted at the North River Road and Serenoa Court intersection between the hours of 7:00 to 9:00 A.M. and 4:00 to 6:00 P.M. on November 8, 2022. The 2025 peak hour peak season background traffic volumes at the SR 31 intersections with SR 78 and North River Road were obtained from the attached FDOT's ***SR 31 Project Development & Environmental (PD&E) Study***.

The peak hour turning movements were then adjusted for peak season conditions based on the peak season factor data as provided by FDOT in their ***Florida Traffic Online*** resource. The FDOT peak season correction factor is included in the Appendix of this report for reference.

The existing weekday peak hour traffic volumes were then increased by a growth rate factor to determine the projected 2030 background turning movement volumes. The turning volumes projected to be added to the intersection as illustrated on Figure 2 were then added to the 2030 background volumes to estimate the future 2030 traffic volumes with the project. These volumes are based on the data from the spreadsheets contained in the Appendix of this report titled *Development of Future Year Background Turning Volumes.*

The results of the intersection analysis at the proposed site access drives along North River Road indicate all major movements on North River Road to operate at an acceptable Level of Service in 2030 with the project trips added to the intersections in the AM and PM peak hour traffic conditions. ***HCS©*** summary sheets are attached to the Appendix of this report for reference.

The results of the intersection analysis at the future signalized intersection of SR 31 with North River Road indicate the intersection to operate at an acceptable Level of Service "D" or better in 2030 AM and PM peak hour conditions both with and without the proposed development.

The results of the intersection analysis at the future signalized intersection of SR 31 with SR 78 indicate the intersection to operate at an acceptable Level of Service "D" in 2030 AM and PM peak hour conditions without the proposed development scenario. Under the proposed development traffic scenario, this intersection was shown to operate at a poor Level of Service in the 2030 AM and PM peak hour conditions. However, this intersection is considered as an off-site intersection for which the impacts are mitigated

by the project through the payment of the road impacts fees. Therefore, no intersection improvements will be warranted as a result of the proposed development. HCS© and SYNCHRO© summary sheets are attached to the Appendix of this report for reference.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval.

IX. CONCLUSION

The proposed development is located along the south side of North River Road approximately 1 mile east of SR 31 in Lee County, Florida. The Level of Service analysis conducted as part of this report indicates all analyzed roadways, except for SR 31 between SR 78 and SR 80, to operate at or above the minimum adopted Level of Service in 2030 both with and without the proposed development. SR 31 between SR 78 and SR 80 is projected to operate at a poor Level of Service in 2030 with the proposed development traffic added to this roadway. However, as previously mentioned FDOT is currently conducting a PD&E study on SR 31 from SR 78 to SR 80 to evaluate future widening from the current two-lane undivided facility to a six-lane divided facility. This future improvement would address the projected SR 31 capacity deficiency that was shown as part of this analysis. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

The results of the intersection analysis at the proposed site access drives on North River Road indicate all major movements on North River Road to operate at an acceptable Level of Service in 2030 with the project trips added to the intersections in the AM and PM peak hour traffic conditions.

The results of the intersection analysis at the future signalized intersection of SR 31 with SR 78 indicate the intersection to operate at an acceptable Level of Service "D" in 2030

AM and PM peak hour conditions without the proposed development scenario. Under the proposed development traffic scenario, this intersection was shown to operate at a poor Level of Service in the 2030 AM and PM peak hour conditions. However, this intersection is considered as an off-site intersection for which the impacts are mitigated by the project through the payment of the road impacts fees. Therefore, no intersection improvements will be warranted as a result of the proposed development.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval.

APPENDIX

TABLE 1A & 2A

TABLE 1A
LEVEL OF SERVICE THRESHOLDS
CARY + DUKE + POVIA RPD

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	660 VPH	IN=	172	OUT=	488
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	946 VPH	IN=	596	OUT=	350

ROADWAY	ROADWAY SEGMENT	# LANES	ROADWAY DESIGNATION	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
N. River Rd	E. of Site	2LU	Uninterrupted Flow Highway	130	420	850	1,210	1,640	10%	60	7.0%
	W. of Site	2LU	Uninterrupted Flow Highway	130	420	850	1,210	1,640	90%	536	63.1%
SR 31	N. of N. River Rd.	4LD	Highway	0	1,530	2,210	2,820	3,220	20%	119	5.4%
	S. of N. River Rd.	4LD	Highway	0	1,530	2,210	2,820	3,220	70%	417	18.9%
	S. of SR 78	2LU	Arterial	0	0	915	970	970	50%	298	32.6%
SR 78 (Bayshore Rd)	W. of SR 31	2LU	Arterial	0	0	872	924	924	20%	119	13.7%
	W. of I-75	4LD	Arterial	0	0	2,005	2,100	2,100	10%	60	3.0%
SR 80 (Palm Beach Blvd)	W. of SR 31	6LD	Arterial	0	0	3,087	3,171	3,171	35%	209	6.8%
	E. of SR 31	4LD	Arterial	0	0	2,006	2,100	2,100	10%	60	3.0%
I-75	N. of SR 78	6LF	Freeway	0	3,520	4,670	5,610	5,870	5%	30	0.6%
	S. of SR 78	6LF	Freeway	0	4,280	5,570	6,620	7,130	5%	30	0.5%

☐ - Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials/collectors taken from the Lee County Generalized Peak Hour Directional Service Volume Tables.
* Level of Service Thresholds for State mantained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes Table 7 and Table 9.

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
CARY + DUKE + POVIA RPD

TOTAL PROJECT TRAFFIC AM =	660	VPH	IN =	172	OUT=	488
TOTAL PROJECT TRAFFIC PM =	946	VPH	IN=	596	OUT=	350

FDOT Sta. #	K	D
120273	0.095	0.523
121001	0.095	0.528
120030	0.090	0.528
121002	0.090	0.528

ROADWAY	ROADWAY SEGMENT	LCDOT PCS OR FDOT SITE #	BASE YR ADT	2021 ADT	YRS OF GROWTH.[1]	ANNUAL RATE	2021 PK HR PK SEASON PEAK DIR.[2]	2030 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	V/C Ratio	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2030 BCKGRND + AM PROJ VOLUME	LOS	V/C Ratio	2030 BCKGRND + PM PROJ VOLUME	LOS	V/C Ratio
N. River Rd	E. of Site	348	2,693	3,400	8	2.96%	145	188	B	0.11	10%	49	60	237	B	0.14	248	B	0.15
	W. of Site	348	2,693	3,400	8	2.96%	145	188	B	0.11	90%	439	536	628	C	0.38	725	C	0.44
SR 31	N. of N. River Rd.	120273	5,719	11,660	15	4.86%	579	888	B	0.40	20%	98	119	986	B	0.45	1,007	B	0.46
	S. of N. River Rd.	121001	11,100	16,000	15	2.47%	803	999	B	0.45	70%	342	417	1,341	B	0.61	1,417	B	0.64
	S. of SR 78	120030	12,500	15,900	15	2.00%	756	903	C	0.93	50%	244	298	1,147	F	1.18	1,201	F	1.24
SR 78 (Bayshore Rd)	W. of SR 31	121002	8,400	12,400	15	2.63%	589	744	C	0.81	20%	98	119	842	C	0.91	864	C	0.93

1 AGR for all roadways was calculated based the historical traffic data obtained from Lee County Traffic Count Report and Florida Traffic Online webpage.

2 Current peak hour peak season peak direction traffic volumes for all County roadways were obtained from the 2021 Lee County Public Facilities Level of Service and Concurrency Report

2 Current peak hour peak season peak direction traffic volumes for state mantained roadways were obtained by adjusting the 2021 AADT by the appropriate K and D factors.

FDOT GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES TABLE 7 AND TABLE 9

TABLE 7

Generalized **Peak Hour Directional** Volumes for Florida's Urbanized Areas

January 2020

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Class I (40 mph or higher posted speed limit)

Lanes	Median	B	C	D	E
1	Undivided	*	830	880	**
2	Divided	*	1,910	2,000	**
3	Divided	*	2,940	3,020	**
4	Divided	*	3,970	4,040	**

Class II (35 mph or slower posted speed limit)

Lanes	Median	B	C	D	E
1	Undivided	*	370	750	800
2	Divided	*	730	1,630	1,700
3	Divided	*	1,170	2,520	2,560
4	Divided	*	1,610	3,390	3,420

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
1	Divided	Yes	No	+5%
1	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding directional volumes in this table by 1.2

BICYCLE MODE[2]

(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	150	390	1,000
50-84%	110	340	1,000	>1,000
85-100%	470	1,000	>1,000	**

PEDESTRIAN MODE[2]

(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	140	480
50-84%	*	80	440	800
85-100%	200	540	880	>1,000

BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	> 5	≥ 4	≥ 3	≥ 2
85-100%	> 4	≥ 3	≥ 2	≥ 1

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Core Urbanized

Lanes	B	C	D	E
2	2,230	3,100	3,740	4,080
3	3,280	4,570	5,620	6,130
4	4,310	6,030	7,490	8,170
5	5,390	7,430	9,370	10,220
6	6,380	8,990	11,510	12,760

Urbanized

Lanes	B	C	D	E
2	2,270	3,100	3,890	4,230
3	3,410	4,650	5,780	6,340
4	4,550	6,200	7,680	8,460
5	5,690	7,760	9,520	10,570

Freeway Adjustments

Auxiliary Lane	Ramp Metering
+ 1,000	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

Lanes	Median	B	C	D	E
1	Undivided	580	890	1,200	1,610
2	Divided	1,800	2,600	3,280	3,730
3	Divided	2,700	3,900	4,920	5,600

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
1	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

[1]Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of Service Manual.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of vehicles, not number of bicyclists or pedestrians using the facility.

[3] Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Implementation Office
https://www.fdot.gov/planning/systems/

TABLE 9

Generalized **Peak Hour Directional** Volumes for Florida's Rural Undeveloped Areas **and** Developed Areas Less Than 5,000 Population[1]

January 2020

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Lanes	Median	B	C	D	E
1	Undivided	*	670	740	**
2	Divided	*	1,530	1,580	**
3	Divided	*	2,360	2,400	**

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
1	Divided	Yes	No	+5%
1	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding directional volumes in this table by 1.2

BICYCLE MODE[2]

(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Rural Undeveloped

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	70	110	170
50-84%	60	120	180	580
85-100%	140	210	1,000	>1,000

Developed Areas

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	120	260	840
50-84%	100	240	720	1,000
85-100%	320	1,000	>1,000	**

PEDESTRIAN MODE[2]

(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	120	460
50-84%	*	80	430	770
85-100%	180	520	860	>1,000

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Lanes	B	C	D	E
2	2,010	2,770	3,270	3,650
3	2,820	3,990	4,770	5,470
4	3,630	5,220	6,260	7,300

Freeway Adjustments

Auxiliary Lane
+ 1,000

UNINTERRUPTED FLOW HIGHWAYS

Rural Undeveloped

Lanes	Median	B	C	D	E
1	Undivided	240	450	730	1,490
2	Divided	1,630	2,350	2,910	3,280
3	Divided	2,450	3,530	4,360	4,920

Developed Areas

Lanes	Median	B	C	D	E
1	Undivided	540	820	1,110	1,490
2	Divided	1,530	2,210	2,820	3,220
3	Divided	2,300	3,320	4,240	4,830

Passing Lane Adjustments

Alter LOS B-D volumes in proportion to the passing lane length to the highway segment length

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
1	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

[1]Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of Service Manual.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of vehicles, not number of bicyclists or pedestrians using the facility.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Implementation Office
https://www.fdot.gov/planning/systems/

LEE COUNTY GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES TABLE

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

April 2016 c:\input5

Uninterrupted Flow Highway

Lane	Divided	A	B	C	D	E
		Level of Service				
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380

Arterials

Class I (40 mph or higher posted speed limit)

Lane	Divided	A	B	C	D	E
		Level of Service				
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940

Class II (35 mph or slower posted speed limit)

Lane	Divided	A	B	C	D	E
		Level of Service				
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340

Controlled Access Facilities

Lane	Divided	A	B	C	D	E
		Level of Service				
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180

Collectors

Lane	Divided	A	B	C	D	E
		Level of Service				
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

TRAFFIC DATA FROM FDOT

FLORIDA TRAFFIC ONLINE

2021 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: COUNTY
CATEGORY: 1200 LEE COUNTYWIDE

MOCF: 0.96

WEEK	DATES	SF	PSCF
1	01/01/2021 - 01/02/2021	0.96	1.00
2	01/03/2021 - 01/09/2021	1.00	1.04
3	01/10/2021 - 01/16/2021	1.04	1.08
4	01/17/2021 - 01/23/2021	1.02	1.06
5	01/24/2021 - 01/30/2021	1.01	1.05
6	01/31/2021 - 02/06/2021	0.99	1.03
* 7	02/07/2021 - 02/13/2021	0.98	1.02
* 8	02/14/2021 - 02/20/2021	0.97	1.01
* 9	02/21/2021 - 02/27/2021	0.96	1.00
*10	02/28/2021 - 03/06/2021	0.95	0.99
*11	03/07/2021 - 03/13/2021	0.94	0.98
*12	03/14/2021 - 03/20/2021	0.93	0.97
*13	03/21/2021 - 03/27/2021	0.94	0.98
*14	03/28/2021 - 04/03/2021	0.95	0.99
*15	04/04/2021 - 04/10/2021	0.96	1.00
*16	04/11/2021 - 04/17/2021	0.96	1.00
*17	04/18/2021 - 04/24/2021	0.97	1.01
*18	04/25/2021 - 05/01/2021	0.98	1.02
*19	05/02/2021 - 05/08/2021	0.99	1.03
20	05/09/2021 - 05/15/2021	1.00	1.04
21	05/16/2021 - 05/22/2021	1.01	1.05
22	05/23/2021 - 05/29/2021	1.02	1.06
23	05/30/2021 - 06/05/2021	1.02	1.06
24	06/06/2021 - 06/12/2021	1.03	1.07
25	06/13/2021 - 06/19/2021	1.04	1.08
26	06/20/2021 - 06/26/2021	1.06	1.10
27	06/27/2021 - 07/03/2021	1.07	1.11
28	07/04/2021 - 07/10/2021	1.08	1.13
29	07/11/2021 - 07/17/2021	1.10	1.15
30	07/18/2021 - 07/24/2021	1.09	1.14
31	07/25/2021 - 07/31/2021	1.09	1.14
32	08/01/2021 - 08/07/2021	1.09	1.14
33	08/08/2021 - 08/14/2021	1.08	1.13
34	08/15/2021 - 08/21/2021	1.08	1.13
35	08/22/2021 - 08/28/2021	1.08	1.13
36	08/29/2021 - 09/04/2021	1.07	1.11
37	09/05/2021 - 09/11/2021	1.07	1.11
38	09/12/2021 - 09/18/2021	1.06	1.10
39	09/19/2021 - 09/25/2021	1.04	1.08
40	09/26/2021 - 10/02/2021	1.03	1.07
41	10/03/2021 - 10/09/2021	1.01	1.05
42	10/10/2021 - 10/16/2021	0.99	1.03
43	10/17/2021 - 10/23/2021	0.98	1.02
44	10/24/2021 - 10/30/2021	0.98	1.02
45	10/31/2021 - 11/06/2021	0.97	1.01
46	11/07/2021 - 11/13/2021	0.97	1.01
47	11/14/2021 - 11/20/2021	0.96	1.00
48	11/21/2021 - 11/27/2021	0.96	1.00
49	11/28/2021 - 12/04/2021	0.96	1.00
50	12/05/2021 - 12/11/2021	0.96	1.00
51	12/12/2021 - 12/18/2021	0.96	1.00
52	12/19/2021 - 12/25/2021	1.00	1.04
53	12/26/2021 - 12/31/2021	1.04	1.08

* PEAK SEASON

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0273 - SR-31,202' NORTH OF FOXHILL ROAD,LEE CO.

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	11660 C	N 5695	S 5965	9.50	52.30	21.20
2020	9182 C	N 4508	S 4674	9.50	52.70	23.40
2019	9292 C	N 4645	S 4647	9.50	52.10	25.30
2018	7959 C	N 4032	S 3927	9.50	54.10	26.90
2017	7337 C	N 3712	S 3625	9.50	53.40	28.20
2016	6620 C	N 3338	S 3282	9.50	53.90	26.60
2015	5216 C	N 2618	S 2598	9.50	55.60	28.00
2014	4653 C	N 2325	S 2328	9.50	55.60	27.00
2013	4195 C	N 2099	S 2096	9.50	55.90	29.00
2012	4217 C	N 2149	S 2068	9.50	56.40	26.90
2011	4126 C	N 2094	S 2032	9.50	55.10	25.60
2010	4034 C	N 2041	S 1993	9.79	54.46	26.00
2009	3964 C	N 1994	S 1970	9.81	52.26	25.10
2008	4232 C	N 2124	S 2108	9.88	55.53	23.50
2007	6039 C	N 3027	S 3012	10.95	51.84	43.50
2006	5719 C	N 2850	S 2869	10.95	51.84	43.50

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1001 - SR 31, SOUTH OF CR 78/NORTH RIVER ROAD (LC393)

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	16000 C	N 8000	S 8000	9.50	52.80	23.30
2020	11000 C	N 5500	S 5500	9.50	53.70	23.40
2019	11000 C	N 5500	S 5500	9.50	54.00	25.30
2018	9400 C	N 4700	S 4700	9.50	55.20	26.90
2017	8800 C	N 4500	S 4300	9.50	54.40	20.20
2016	8600 F	N 4200	S 4400	9.50	57.70	20.20
2015	7800 C	N 3800	S 4000	9.50	57.50	20.20
2014	7200 F	N 3600	S 3600	9.50	56.80	20.50
2013	7000 C	N 3500	S 3500	9.50	56.50	20.50
2012	7500 C	N 3800	S 3700	9.50	54.20	22.60
2011	7300 F	N 3700	S 3600	9.50	56.20	17.60
2010	7300 C	N 3700	S 3600	9.91	56.34	17.60
2009	7100 C	N 3600	S 3500	9.98	55.90	19.70
2008	7700 C	N 3900	S 3800	10.16	57.01	23.50
2007	9200 C	N 4600	S 4600	10.16	54.76	32.60
2006	11100 C	N 5500	S 5600	8.81	55.95	43.90

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0030 - SR 31, NORTH OF SR 80/PALM BEACH BOULEVARD LC391

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	15900 C	N 7900	S 8000	9.00	52.80	14.20
2020	13800 C	N 6600	S 7200	9.00	53.70	17.80
2019	13500 C	N 6600	S 6900	9.00	54.00	20.80
2018	11500 C	N 5600	S 5900	9.00	55.20	18.60
2017	11200 C	N 5500	S 5700	9.00	54.40	19.00
2016	11100 F	N 5500	S 5600	9.00	57.70	12.50
2015	10100 C	N 5000	S 5100	9.00	57.50	12.50
2014	8700 F	N 4300	S 4400	9.00	56.80	14.90
2013	8500 C	N 4200	S 4300	9.00	56.50	14.90
2012	8700 C	N 4400	S 4300	9.00	54.20	13.80
2011	8500 F	N 4200	S 4300	9.00	56.20	13.70
2010	8500 C	N 4200	S 4300	9.91	56.34	13.70
2009	7800 C	N 3800	S 4000	9.98	55.90	13.40
2008	8500 C	N 4200	S 4300	10.16	57.01	12.80
2007	8700 C	N 4300	S 4400	10.16	54.76	10.80
2006	12500 C	N 6100	S 6400	10.23	54.38	33.20

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1002 - SR 78/BAYSHORE ROAD, SOUTHWEST OF SR 31

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	12400 C	E 6400	W 6000	9.00	52.80	21.80
2020	11000 C	E 5700	W 5300	9.00	53.70	18.90
2019	10600 C	E 5500	W 5100	9.00	54.00	22.00
2018	9600 C	E 5000	W 4600	9.00	55.20	21.60
2017	9200 C	E 4600	W 4600	9.00	54.40	13.00
2016	8600 F	E 4300	W 4300	9.00	57.70	13.00
2015	7800 C	E 3900	W 3900	9.00	57.50	13.00
2014	7300 F	E 3700	W 3600	9.00	56.80	14.00
2013	7100 C	E 3600	W 3500	9.00	56.50	14.00
2012	7500 C	E 3800	W 3700	9.00	54.20	16.40
2011	6800 F	E 3500	W 3300	9.00	56.20	14.90
2010	6800 C	E 3500	W 3300	9.91	56.34	14.90
2009	6900 C	E 3500	W 3400	9.98	55.90	17.00
2008	7500 C	E 3800	W 3700	10.16	57.01	19.30
2007	8400 C	E 4300	W 4100	10.16	54.76	23.30
2006	8400 C	E 4300	W 4100	10.23	54.38	21.60

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

Table 21 b): Link-Level Service Volumes and LOS Table

Table 21 b) 4 of 7

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)															
Link No.	NAME	ROADWAY LINK		F. Class	ROAD TYPE	PERFORMANCE STANDARD		2021 100TH HIGHEST HOUR			FUTURE FORECAST (2026)			Notes
		FROM	TO			LOS	DIRECTIONAL CAPACITY	LOS	VOL	V/C	LOS	VOL	V/C	
13900	JOEL BLVD	18TH ST	SR 80	P. Art	2LN	E	1,010	C	482	0.48	D	506	0.50	
14000	JOHN MORRIS RD	BUNCHE BEACH	SUMMERLIN RD	Min. Col	2LN	E	860	C	62	0.07	C	72	0.08	old count projection
14100	JOHN MORRIS RD	SUMMERLIN RD	IONA RD	Maj. Col	2LN	E	860	C	256	0.30	C	269	0.31	*
14200	KELLY RD	McGREGOR BLVD	SAN CARLOS BLVD	Maj. Col	2LN	E	860	C	264	0.31	C	277	0.32	
14300	KELLY RD	SAN CARLOS BLVD	PINE RIDGE RD	Maj. Col	2LN	E	860	C	106	0.12	C	120	0.14	old count projection(2010)
14500	LAUREL DR	BUS 41	BREEZE DR	Maj. Col	2LN	E	860	C	384	0.45	C	404	0.47	
14600	LEE BLVD	SR 82	ALVIN AVE	P. Art	6LD	E	2,840	B	2,084	0.73	B	2,190	0.77	
14700	LEE BLVD	ALVIN AVE	GUNNERY RD	P. Art	6LD	E	2,840	B	1,957	0.69	B	2,136	0.75	
14800	LEE BLVD	GUNNERY RD	HOMESTEAD RD	P. Art	6LD	E	2,840	B	2,093	0.74	B	2,200	0.77	
14900	LEE BLVD	HOMESTEAD RD	WILLIAMS AVE	P. Art	4LD	E	1,980	B	898	0.45	B	943	0.48	
14930	LEE BLVD	WILLIAMS AVE	LEELAND HEIGHTS	P. Art	2LN	E	1,020	C	898	0.88	C	943	0.92	
15000	LEE RD	SAN CARLOS BLVD	ALICO RD	Maj. Col	2LN	E	860	C	544	0.63	D	614	0.71	old count projection(2015)
15100	LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	P. Art	4LN	E	1,800	B	832	0.46	B	867	0.48	*
15200	LEONARD BLVD	GUNNERY RD	WESTGATE BLVD	M. Art	2LN	E	860	D	753	0.89	D	819	0.95	
15300	LITTLETON RD	CORBETT RD	US 41	Maj. Col	2LN	E	860	C	528	0.61	C	555	0.65	
15400	LITTLETON RD	US 41	BUS 41	Maj. Col	2LN	E	860	C	437	0.51	C	459	0.53	
15500	LUCKETT RD	ORTIZ AVE	I-75	M. Art	2LN	E	880	B	317	0.36	B	392	0.45	4 Ln design & ROW
15600	LUCKETT RD	I-75	COUNTRY LAKES DR	Maj. Col	2LN	E	860	B	285	0.33	C	299	0.35	
15700	MAPLE DR*	SUMMERLIN RD	2ND AVE	Min. Col	2LN	E	860	C	77	0.09	C	89	0.10	old count projection
15800	McGREGOR BLVD	SANIBEL T PLAZA	HARBOR DR	P. Art	4LD	E	1,960	B	1,173	0.60	B	1,233	0.63	
15900	McGREGOR BLVD	HARBOR DR	SUMMERLIN RD	P. Art	4LD	E	1,960	B	1,180	0.60	B	1,240	0.63	
16000	McGREGOR BLVD	SUMMERLIN RD	KELLY RD	M. Art	4LD	E	1,960	A	927	0.47	A	983	0.50	
16100	McGREGOR BLVD	KELLY RD	GLADIOLUS DR	M. Art	4LD	E	1,960	A	927	0.47	A	975	0.50	
16200	McGREGOR BLVD (SR 867)	OLD McGREGOR /GLADIOLUS DR	IONA LOOP RD	State	4LD	D	2,100	C	1,465	0.70	C	1,635	0.78	
16300	McGREGOR BLVD (SR 867)	IONA LOOP RD	PINE RIDGE RD	State	4LD	D	2,100	C	1,465	0.70	C	1,635	0.78	
16400	McGREGOR BLVD (SR 867)	PINE RIDGE RD	CYPRESS LAKE DR	State	4LD	D	2,100	C	1,674	0.80	C	1,873	0.89	
16500	McGREGOR BLVD (SR 867)	CYPRESS LAKE DR	COLLEGE PKWY	State	4LD	D	2,100	C	1,674	0.80	C	1,873	0.89	
16600	McGREGOR BLVD (SR 867)	COLLEGE PKWY	WINKLER RD	State	2LN	D	924	C	726	0.79	C	797	0.86	Constrained
16700	McGREGOR BLVD (SR 867)	WINKLER RD	TANGLEWOOD BLVD	State	2LN	D	970		1,039	1.07		1,143	1.18	Constrained
16800	McGREGOR BLVD (SR 867)	TANGLEWOOD BLVD	COLONIAL BLVD	State	2LN	D	970		1,039	1.07		1,143	1.18	Constrained
16900	METRO PKWY (SR 739)	SIX MILE PKWY	DANIELS PKWY	State	6LD	D	3,171	C	1,136	0.36	C	1,492	0.47	
17000	METRO PKWY (SR 739)	DANIELS PKWY	CRYSTAL DR	State	4LD	D	2,100	C	1,184	0.56	C	1,446	0.69	
17100	METRO PKWY (SR 739)	CRYSTAL DR	DANLEY DR	State	4LD	D	2,100	C	1,665	0.79	D	2,092	1.00	
17200	METRO PKWY (SR 739)	DANLEY DR	COLONIAL BLVD	State	4LD	D	2,100	C	1,665	0.79	D	2,092	1.00	
	MICHAEL RIPPE PKWY	US41	SIX MILES PKWY	State	6LD	D	3,171	C	1,397	0.44	C	1,875	0.59	
17600	MILWAUKEE BLVD	ALABAMA BLVD	BELL BLVD	Maj. Col	2LN	E	860	C	168	0.20	C	176	0.20	*
17700	MILWAUKEE BLVD	BELL BLVD	COLUMBUS BLVD	Min. Col	2LN	E	860	C	168	0.20	C	181	0.21	*
17800	MOODY RD	HANCOCK B. PKWY	PONDELLA RD	Min. Col	2LN	E	860	C	182	0.21	C	206	0.24	old count projection(2009)
17900	NALLE GRADE RD	SLATER RD	NALLE RD	Min. Col	2LN	E	860	C	69	0.08	C	72	0.08	
18000	NALLE RD	SR 78	NALLE GRADE RD	Min. Col	2LN	E	860	C	128	0.15	C	147	0.17	*
18100	NEAL RD	ORANGE RIVER BLVD	BUCKINGHAM RD	Min. Col	2LN	E	860	C	130	0.15	C	137	0.16	*
18200	NORTH RIVER RD	SR 31	FRANKLIN LOCK RD	M. Art	2LN	E	1,140	A	145	0.13	B	264	0.23	
18300	NORTH RIVER RD	FRANKLIN LOCK RD	BROADWAY RD	M. Art	2LN	E	1,140	A	145	0.13	B	286	0.25	
18400	NORTH RIVER RD	BROADWAY RD	COUNTY LINE	M. Art	2LN	E	1,140	A	100	0.09	A	133	0.12	
18900	OLGA RD*	SR 80 W	SR 80 E	Min. Col	2LN	E	860	C	82	0.10	C	95	0.11	old count projection
19100	ORANGE GROVE BLVD	CLUB ENTR.	HANCOCK B. PKWY	Min. Col	2LN	E	860	C	393	0.46	C	488	0.57	old count(2009)
19200	ORANGE GROVE BLVD	HANCOCK B. PKWY	PONDELLA RD	Min. Col	4LN	E	1,790	C	528	0.29	C	555	0.31	
19300	ORANGE RIVER BLVD	SR 80	STALEY RD	Maj. Col	2LN	E	1,000	D	477	0.48	D	502	0.50	

County-Maintained Collector Roadway - Unincorporated Lee County

County-Maintained Collector Roadway - Incorporated Lee County

County-Maintained Arterial Roadway - Unincorporated Lee County

County-Maintained Arterial Roadway - Incorporated Lee County

State-Maintained Arterial Roadway - Unincorporated Lee County

County Maintained Controlled Access Aterial Facility

County Maintained Expressway

TRAFFIC DATA FROM LEE COUNTY'S TCDS

LEE COUNTY

MS2

Traffic Count Database System (TCDS)

List View | All DIRs

Record 1 of 1 Goto Record go

Location ID	348	MPO ID	
Type	SPOT	HPMS ID	
On NHS		On HPMS	
LRS ID		LRS Loc Pt.	
SF Group	2	Route Type	
AF Group		Route	
GF Group		Active	Yes
Class Dist Grp		Category	
Seas Clss Grp			
WIM Group			
QC Group	Default		
Fnct'l Class	-	Milepost	
Located On	N River Rd		
Loc On Alias			
EAST OF	SR-31		
More Detail			

STATION DATA

Directions: [redacted] EB WB

AADT

Year	AADT	DHV-30	K %	D %	PA	BC	Src
2021	3,400						
2019	2,900	354	12				
2017	3,100	316	10				
2015	2,900	301	10				
2013	2,693						

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Travel Demand Model

	Model Year	Model AADT	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV

VOLUME COUNT

	Date	Int	Total
	Thu 4/22/2021	15	3,996
	Wed 4/21/2021	15	3,746
	Tue 4/20/2021	15	3,534
	Thu 2/14/2019	15	3,744
	Wed 2/13/2019	15	3,262
	Tue 2/12/2019	15	3,758
	Thu 4/27/2017	15	3,599
	Wed 4/26/2017	15	3,487
	Tue 4/25/2017	15	3,433
	Thu 4/16/2015	15	3,233

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mm / dd / yyyy To Date

VOLUME TREND

Year	Annual Growth
2021	8%
2019	-3%
2017	3%
2015	4%
2013	6%
2011	-4%
2006	4%
2005	-10%
2004	15%
2003	8%

FDOT DISTRICT ONE LOS REPORT

12060000	SR 78	PINE ISLAND RD	SR 45/US 41 (Cleveland Ave)	14.741	SR 739/US 41 Bus	15.858	1.117		C3C	Principal Arterial-other	40	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,590	C		4	D	2,100
12060000	SR 78	BAYSHORE RD	SR 739/US 41 Bus	15.858	New Post Rd/Hart Rd	17.015	1.157		C3R	Principal Arterial-other	50	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,975	C	New Capacity	4	D	2,100
12060000	SR 78	BAYSHORE RD	New Post Rd/Hart Rd	17.015	Coon Rd/Slater Rd	18.235	1.220		C3R	Principal Arterial-other	50	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,621	C		4	D	2,100
12060000	SR 78	BAYSHORE RD	Coon Rd/Slater Rd	18.235	W of Patchett Pkwy	21.179	2.944		C2	Principal Arterial-other	50	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,222	C		4	D	2,100
12060000	SR 78	BAYSHORE RD	W of Patchett Pkwy	21.179	SR 31	24.404	3.225		C3R	Minor Arterial	50	UA	A	D	D		1	U	2W	WL	WR	2	924	741	C		2	D	924
12070000	SR 82	DR M L KING JR BLVD	US 41/SR 45	0.000	SR 739 (Fowler St)	0.645	0.645		C4	Minor Arterial	30	UA	A	D	D	E	2	D	2W	WL	WR	2	827	421	D		2	D	827
12070000	SR 82	DR M L KING JR BLVD	SR 739 (Fowler Ave)	0.645	Michigan Link Ave	2.968	2.321		C4	Principal Arterial-other	30	UA	A	D	D	E	2	D	2W	WL	WR	4	1,712	1,888	F	Over Capacity	4	D	1,712
12070000	SR 82	DR M L KING JR BLVD	Michigan Link Ave	2.968	W of Tater Rd/I-75 NB On Ramp	4.507	1.541		C3C	Principal Arterial-other	50	UA	A	D	D	E	1	D	2W	WL	WR	6	3,171	2,194	C		6	D	3,171
12070000	SR 82	IMMOKALEE ROAD	W of Tater Rd/I-75 NB On Ramp	4.507	Buckingham Rd	6.154	1.647	SIS	C3C	Principal Arterial-other	50	UA	A	D	D	D	1	D	2W	WL	WR	6	3,171	1,906	C		6	D	3,171
12070000	SR 82	IMMOKALEE ROAD	Buckingham Rd	6.154	SR 45/US 41 (Cleveland Ave)	7.906	1.752	SIS	C2	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,882	C		6	D	3,171
12070000	SR 82	IMMOKALEE ROAD	Gateway Blvd	7.906	Gatlin Dr/Ray Ave S	9.314	1.408	SIS	C3R	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,362	C		6	D	3,171
12070000	SR 82	IMMOKALEE ROAD	Gatlin Dr/Ray Ave S	9.314	Daniels Pkwy/Gunnery Rd S	11.123	1.809	SIS	C3R	Principal Arterial-other	60	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,290	C		6	D	3,171
12070000	SR 82	IMMOKALEE ROAD	Daniels Pkwy/Gunnery Rd S	11.123	Alabama Rd	14.709	3.586	SIS	C3R	Principal Arterial-other	60	UA	H	D	D			D	2W	WL	WR	6	4,920	1,326	E		6	D	4,920
12070000	SR 82	IMMOKALEE ROAD	Alabama Rd	14.709	Bell Blvd S	18.929	4.220	SIS	C3R	Principal Arterial-other	60	UA	H	D	D			D	2W	WL	WR	4	3,280	750	E		4	D	3,280
12070000	SR 82	IMMOKALEE ROAD	Bell Blvd S	18.929	Hendry County Line	21.551	2.622	SIS	C3R	Principal Arterial-other	60	UA	H	D	D			D	2W	WL	DR	4	3,280	707	E		4	D	3,280
12070001	SR 82	MONROE ST	MLK Jr Blvd	0.000	SR 80 (Main St)	0.148	0.148		C5	Minor Arterial	30	UA	A	D	D	E	2	D	2W	WL	DR	2	788	363	C		2	D	788
12075000	I-75	SR 93A/I-75	Collier County Line	0.000	CR 865/Bonita Beach Rd	1.029	1.029	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D	D	F	D	2W		DA	6	5,620	5,608	D	Near Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	CR 865/Bonita Beach Rd	1.029	CR 850/Corkscrew Rd	8.667	7.638	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D	D	F	D	2W		DA	6	5,620	5,608	D	Near Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	CR 850/Corkscrew Rd	8.667	Alico Rd	12.614	3.947	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D		F	D	2W		DA	6	5,620	5,818	E	Over Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	Alico Rd	12.614	Terminal Access Rd	13.884	1.270	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D		F	D	2W		DA	6	5,620	5,058	E	Over Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	Terminal Access Rd	13.884	Daniels Pkwy	16.442	2.558	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D		F	D	2W		WA	6	5,620	5,038	D	Near Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	Daniels Pkwy	16.442	SR 884/CR 884/Colonial Blvd	20.687	4.245	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D	D	F	D	2W		DA	6	5,620	5,063	D	Near Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	SR 884/CR 884/Colonial Blvd	20.687	SR 82/Immokalee Rd	22.624	1.937	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D	D	F	D	2W		DA	6	5,620	4,388	C		6	D	5,620
12075000	I-75	SR 93A/I-75	SR 82/Immokalee Rd	22.624	Luckett Rd	24.139	1.515	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D	D	F	D	2W		DA	6	5,620	5,297	D	Near Capacity	6	D	5,620
12075000	I-75	SR 93A/I-75	Luckett Rd	24.139	SR 80	26.047	1.908	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D		F	D	2W		WA	6	5,620	5,063	C		6	D	5,620
12075000	I-75	SR 93A/I-75	SR 80	26.047	SR 78 (Bayshore Rd)	28.363	2.316	SIS	LA	Principal Arterial-Interstate	70	UA	F	D	D		F	D	2W		WA	6	5,620	3,557	B		6	D	5,620
12075000	I-75	SR 93A/I-75	SR 78 (Bayshore Rd)	28.363	Charlotte County Line	34.108	5.745	SIS	LA	Principal Arterial-Interstate	70	UA	F	C	C		F	D	2W		DA	6	4,670	3,241	B		6	C	4,670
12080000	SR 31	ARCADIA RD	SR 80	0.000	Old Rodeo Dr	1.640	1.640	SIS	C2	Minor Arterial	40	UA	A	D	D		1	D	2W	WL	WR	2	970	783	C		2	D	970
12080000	SR 31	ARCADIA RD	Old Rodeo Dr	1.640	Charlotte County Line	4.684	3.044	SIS	C2	Principal Arterial-other	50	RDA	H	C	C			U	2W	WL	WR	2	820	655	C		4	C	2,290

current capacity

2027 Capacity

12010000	US 41	CLEVELAND AVE	LM Del Almondello Rd	25.881	Linlerton Rd	27.984	2.103		C3R	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,362	C		4	D	2,100
12010000	US 41	N TAMIAMI TR/CLEVELAND AVE	Linlerton Rd	27.984	Del Prado Blvd	29.992	2.028		C3R	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,087	C		4	D	2,100
12010000	US 41	N TAMIAMI TRAIL	Del Prado Blvd	29.992	Sun Seekers RV Park Entrance	31.915	1.923		C3C	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,577	C		4	D	2,100
12010000	US 41	N TAMIAMI TRAIL	Sun Seekers RV Park Entrance	31.915	Charlotte County Line	33.409	1.494		C2	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	4	2,100	1,075	C		4	D	2,100
12011000	SR 739	MICHAEL GRIFFE PKWY	US 41/S Tamiami Tr	0.215	SR 865/Six Mile Cypress Pkwy	3.000	2.785		C2	Principal Arterial-other	55	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,397	C		6	D	3,171
12011000	SR 739	METRO PARKWAY	SR 865/Six Mile Cypress Pkwy	3.000	Daniels Pkwy	4.257	1.257		C3C	Principal Arterial-other	45	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,136	C		6	D	3,171
12011000	SR 739	METRO PARKWAY	Daniels Pkwy	4.257	Crystal Dr	5.509	1.252		C3C	Principal Arterial-other	45	UA	A	D	D	E	1	D	2W	WL	WR	4	2,100	1,184	C		4	D	2,100
12011000	SR 739	METRO PARKWAY	Crystal Dr	5.509	SR 884/Colonial Blvd	7.815	2.306		C3C	Principal Arterial-other	45	UA	A	D	D	E	1	D	2W	WL	WR	4	2,100	1,865	C		4	D	2,100
12011000	SR 739	METRO PARKWAY	SR 884/Colonial Blvd	7.815	Winkler Ave	8.320	0.505		C3C	Principal Arterial-other	45	UA	A	D	D	E	1	D	2W	WL	WR	4	2,100	1,018	C		4	D	2,100
12011003	SR 739	METRO PARKWAY	Winkler Ave	0.000	E of Forest Lake Blvd	0.547	0.547		C3C	Principal Arterial-other	40	UA	A	D	D	E	1	D	2W	WL	WR	6	3,171	1,018	C		6	D	3,171
12011003	SR 739	OLD METRO PARKWAY	E of Forest Lake Blvd	0.547	Warehouse Rd	0.578	0.031		C3C	Principal Arterial-other	40	UA	A	D	D	E	1	D	2W	OL	OR	2	704	284	C		2	D	704
12011000	SR 739	METRO PARKWAY	Warehouse Rd	8.516	SR 739 (Hanson St)	9.574	0.658		C3C	Principal Arterial-other	40	UA	A	D	D	E	1	D	2W	OL	OR	2	704	284	C		2	D	704
12014000	US 41	FOWLER ST	SR 739 (Hanson St)	2.295	SR 82 (MLK Jr Blvd)	3.556	1.261		C4	Principal Arterial-other	35	UA	A	D	D	E	2	D	2W	WL	OR	4	1,548	1,063	D		4	D	1,548
12014000	US 41	FOWLER ST	SR 82 (MLK Blvd)	3.556	SR 80 (First St)	4.000	0.444		C4	Principal Arterial-other	35	UA	A	D	D	E	2	D	1W	WL	WR	3	3,175	2,204	D		3	D	3,175
12015000	SR 739	EVANS AVE	Hanson St	8.733	SR 82 (MLK Jr Blvd)	10.000	1.267		NO DATA	Principal Arterial-other	40	UA	A	D	D	E	1	D	1W	WL	WR	3	3,805		F	#VALUE!	3	D	3,805
12017000	SR 739	EVANS AVE	Hanson St	1.060	SR 82 (MLK Jr Blvd)	2.330	1.270		C3C	Principal Arterial-other	40	UA	A	D	D	E	1	D	1W	WL	WR	3	3,805		F	#VALUE!	3	D	3,805
12020000	SR 80	MAIN ST	US 41 (Cleveland Ave)	0.000	SR 82 (Monroe St)	0.168	0.168		C5	Principal Arterial-other	30	UA	A	D	D	E	2	D	2W	WL	WR	3	1,207	387	C		3	D	1,207
12020000	SR 80 WE	1ST ST	SR 739/US 41 Bus (Fowler St)	0.658	SR 80/Seaboard St	1.666	1.008		C3C	Principal Arterial-other	35	UA	A	D	D	E	2	D	1W	WL	WR	2	2,054	726	C		2	D	2,054
12020000	SR 80	PALM BEACH BLVD	SR 80/Seaboard St	1.666	CR 808 (Ortiz Ave)	4.364	2.698		C3C	Principal Arterial-other	45	UA	A	D	D	E	1	D	2W	WL	WR	4	2,100	1,098	C		4	D	2,100
12020000	SR 80	PALM BEACH BLVD	CR 808 (Ortiz Ave)	4.364	I-75	5.546	1.182		C3C	Principal Arterial-other	45	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,243	C		6	D	3,171
12020000	SR 80	PALM BEACH BLVD	I-75	5.546	SR 31 (Arcadia Rd)	8.249	2.703	SIS	C3C	Principal Arterial-other	45	UA	A	D	D		1	D	2W	WL	WR	6	3,171	1,616	C		6	D	3,171
12020000	SR 80	PALM BEACH BLVD	SR 31 (Arcadia Rd)	8.249	CR 80A/Buckingham Rd/Old Olga	10.741	2.492	SIS	C3C	Principal Arterial-other	45	UA	A	D	D		1	D	2W	WL	WR	4	2,100	2,043	D	New Capacity	4	D	2,100

current capacity

2027 capacity

FDOT SR 31 WIDENING INFORMATION

Florida Department of
TRANSPORTATION

442027-2 SR 31 from Bayshore Road (SR 78) to Horseshoe Road/Lake Babcock Drive

Project Details

Work Type: Widening

Phase: Design

Limits: SR 78 to Horseshoe Road/Lake Babcock Drive

Length: 4.95 miles

City: Fort Myers

County: Charlotte
Lee

Road: SR 31

Estimated Costs

Construction Cost: $55.4 million

About

Project Description

On May 26, 2021, the Florida Department of Transportation (FDOT) approved the SR 31 State Environmental Impact Report for SR 31 from SR 78 (Bayshore Road) to Cook Brown Road in Lee and Charlotte Counties. This project has now proceeded to the next phase of development.

Babcock Ranch Community Independent Special District (ISD) has entered a progressive design-build contract to implement interim proposed improvements to SR 31 from SR 78 in Lee County to Horseshoe Road/Lake Babcock Drive in Charlotte County. These interim improvements include building a new 4-lane roadway east of the existing SR 31 roadway (in Lee County), transitioning to the existing roadway and widening the existing road to a divided 4-lane section (in Charlotte County). This interim 4-lane road will be expandable to 6-lanes, from SR 78 in Lee County to Cypress Parkway in Charlotte County. Within Lee County, the existing roadway will become an access road. As part of the interim project, roundabouts are proposed at four intersections. Right of way will be acquired for the roadway between SR 78 and CR 78 (North River Road).

Babcock Ranch Community ISD will manage the design-build project, including both the design and construction phases, with FDOT oversight. FDOT will administer right of way acquisition, as well as Construction Engineering Inspection.

Design is ongoing. Construction is anticipated to be completed in 2025.

Send a comment or ask a question about this project

View Factsheet

Contact Information

Design Project Manager
Chris Mollitor
Christopher.Mollitor@dot.state.fl.us

For Media Inquiries Only
d1-pio@dot.state.fl.us

Last Updated

08/19/2022

FDOT SR 31 PD&E

Southwest Florida
Florida Department of Transportation

State Road (SR) 31 from SR 80 (Palm Beach Boulevard) to SR 78 (Bayshore Road) Project Development and Environment (PD&E) Study 441942-1

Project Details	
Work Type	Widening
Phase	Study
Limits	SR 31 from SR 80 (Palm Beach Boulevard) to SR 78 (Bayshore Road)
Length	1.4 miles
City	Fort Myers
County	Lee
Road	SR 31 SR 78 SR 80
Study Cost	$2,000,000

Contact Information
PD&E Project Manager Patrick Bateman, PE 863-519-2792

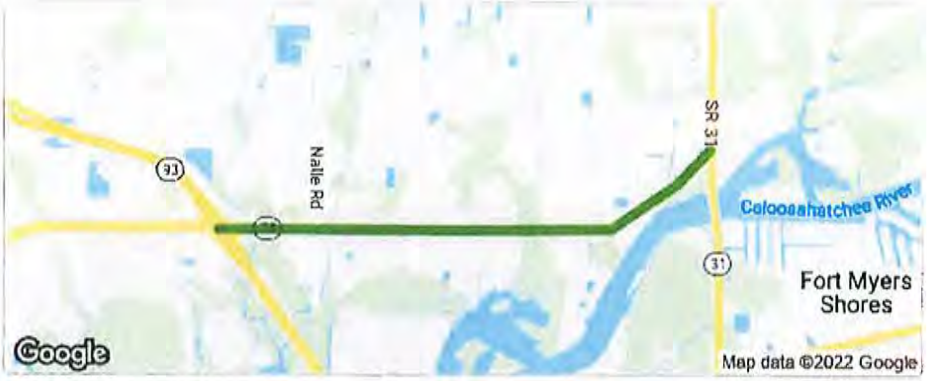
FDOT SR 78 PD&E

Southwest Florida
Florida Department of Transportation

State Road 78/Bayshore Road Capacity Study from I-75 to State Road 31 in Lee County

444937-1

Project Details	
Work Type	Widening
Phase	Study
Limits	SR 78/Bayshore Road from I-75 to SR 31, approximately 3.3 miles in length
Length	3.3 miles
County	Lee
Road	I-75 SR 31 SR 78
Study Cost	$1.5 million



Contact Information
PD&E Project Manager Steven A. Andrews 863-519-2270 steven.andrews@dot.state.fl.us

TRAFFIC COUNTS

NORTH RIVER RD @ SERENOA CT

N River Rd @ Serenoa Ct 11-8-22 AM

File Name: N River Rd @ Serenoa Ct 11-8-22 AM
Location:

Site Code:
Study Date: 11/08/2022

Cars and Peds

	Southbound						N River Rd Westbound						Serenoa Ct Northbound						N River Rd Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
07:00						0		0	91	0	0	91		1	0	2	0	3		0	23	0	0	23	117
07:15						0		0	70	0	0	70		0	0	0	0	0		1	22	0	0	23	93
07:30						0		0	78	0	0	78		0	0	1	0	1		0	25	0	0	25	104
07:45						0		0	72	0	0	72		0	0	1	0	1		1	22	0	0	23	96
Total	0	0	0	0	0	0	0	0	311	0	0	311	0	1	0	4	0	5	0	2	92	0	0	94	410
08:00						0		0	62	0	0	62		1	0	0	0	1		0	30	0	0	30	93
08:15						0		0	36	0	0	36		0	0	1	0	1		1	20	0	0	21	58
08:30						0		0	32	0	0	32		0	0	1	0	1		0	19	0	0	19	52
08:45						0		0	50	0	0	50		0	0	1	0	1		0	21	0	0	21	72
Total	0	0	0	0	0	0	0	0	180	0	0	180	0	1	0	3	0	4	0	1	90	0	0	91	275
Grand Total	0	0	0	0	0	0	0	0	491	0	0	491	0	2	0	7	0	9	0	3	182	0	0	185	685
Appr %		-2	-2	-2	-2			0	100	0	0			22.2	0	77.8	0			1.6	98.4	0	0		
Total %		0	0	0	0			0	71.7	0	0			0.3	0	1	0			0.4	26.6	0	0		
AM Pk Hr		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00	07:00
AM Pk Vol		0	0	0	0	0		0	311	0	0	311		1	0	4	0	5		2	92	0	0	94	410
AM PHF		NaN	NaN	NaN	NaN	NaN		NaN	0.854	NaN	NaN	0.854		0.250	NaN	0.500	NaN	0.417		0.500	0.920	NaN	NaN	0.940	0.876

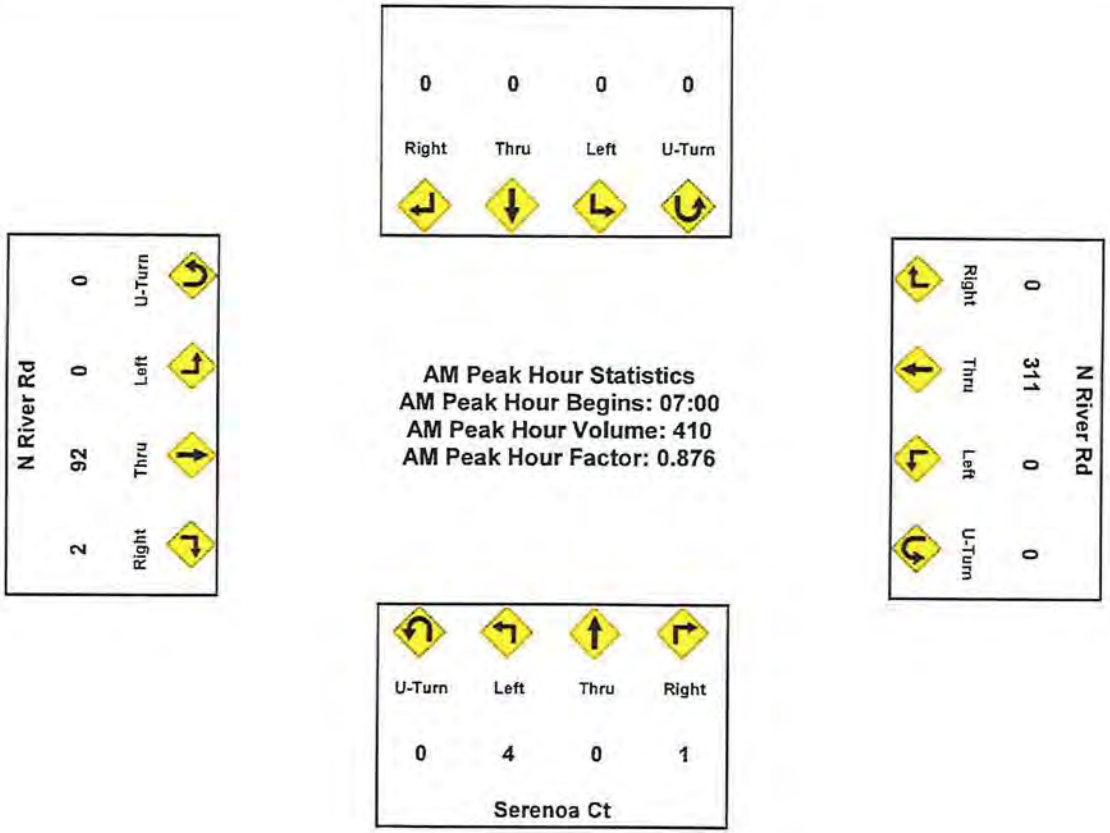
CountingCars.com

N River Rd @ Serenoa Ct 11-8-22 AM

File Name: N River Rd @ Serenoa Ct 11-8-22 AM
Location:

All Vehicles

Site Code:
Study Date: 11/08/2022



AM Peak Hour Statistics
AM Peak Hour Begins: 07:00
AM Peak Hour Volume: 410
AM Peak Hour Factor: 0.876

CountingCars.com

N River Rd @ Serenoa Ct 11-8-22 PM

File Name: N River Rd @ Serenoa Ct 11-8-22 PM
Location:

Site Code:
Study Date: 11/08/2022

Cars and Peds

	Southbound						N River Rd Westbound						Serenoa Ct Northbound						N River Rd Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
16:00						0		0	30	1	0	31		2	0	2	0	4		0	63	0	0	63	98
16:15						0		0	27	1	0	28		1	0	0	0	1		1	72	0	0	73	102
16:30						0		0	23	0	0	23		1	0	1	0	2		2	68	0	0	70	95
16:45						0		0	34	0	0	34		0	0	1	0	1		0	104	0	0	104	139
Total	0	0	0	0	0	0	0	0	114	2	0	116	0	4	0	4	0	8	0	3	307	0	0	310	434
17:00						0		0	38	0	0	38		0	0	0	0	0		0	92	0	0	92	130
17:15						0		0	30	0	0	30		0	0	1	0	1		1	66	0	0	67	98
17:30						0		0	40	0	0	40		0	0	0	0	0		1	98	0	0	99	139
17:45						0		0	30	1	0	31		0	0	1	0	1		0	52	0	0	52	84
Total	0	0	0	0	0	0	0	0	138	1	0	139	0	0	0	2	0	2	0	2	308	0	0	310	451
Grand Total	0	0	0	0	0	0	0	0	252	3	0	255	0	4	0	6	0	10	0	5	615	0	0	620	885
Appr %		-2	-2	-2	-2			0	98.8	1.2	0			40	0	60	0			0.8	99.2	0	0		
Total %		0	0	0	0			0	28.5	0.3	0			0.5	0	0.7	0			0.6	69.5	0	0		
PM Pk Hr		16:45	16:45	16:45	16:45	16:45		16:45	16:45	16:45	16:45	16:45		16:45	16:45	16:45	16:45	16:45		16:45	16:45	16:45	16:45	16:45	16:45
PM Pk Vol		0	0	0	0	0		0	142	0	0	142		0	0	2	0	2		2	360	0	0	362	506
PM PHF		NaN	NaN	NaN	NaN	NaN		NaN	0.888	NaN	NaN	0.888		NaN	NaN	0.500	NaN	0.500		0.500	0.865	NaN	NaN	0.870	0.910

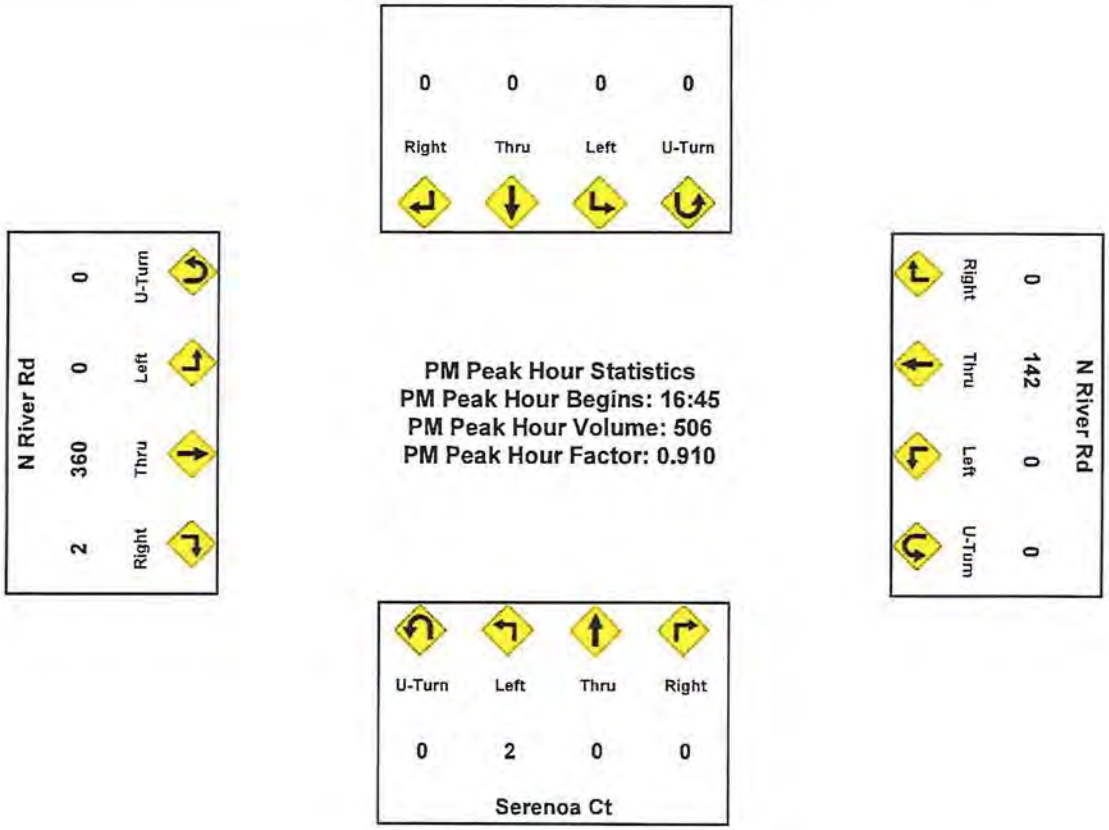
CountingCars.com

N River Rd @ Serenoa Ct 11-8-22 PM

File Name: N River Rd @ Serenoa Ct 11-8-22 PM
Location:

All Vehicles

Site Code:
Study Date: 11/08/2022



CountingCars.com

SR 31 PD&E

2025 AM & PM PEAK HOUR

TRAFFIC VOLUMES

Figure 3-4
Opening Year (2025) AM Peak Hour Volumes

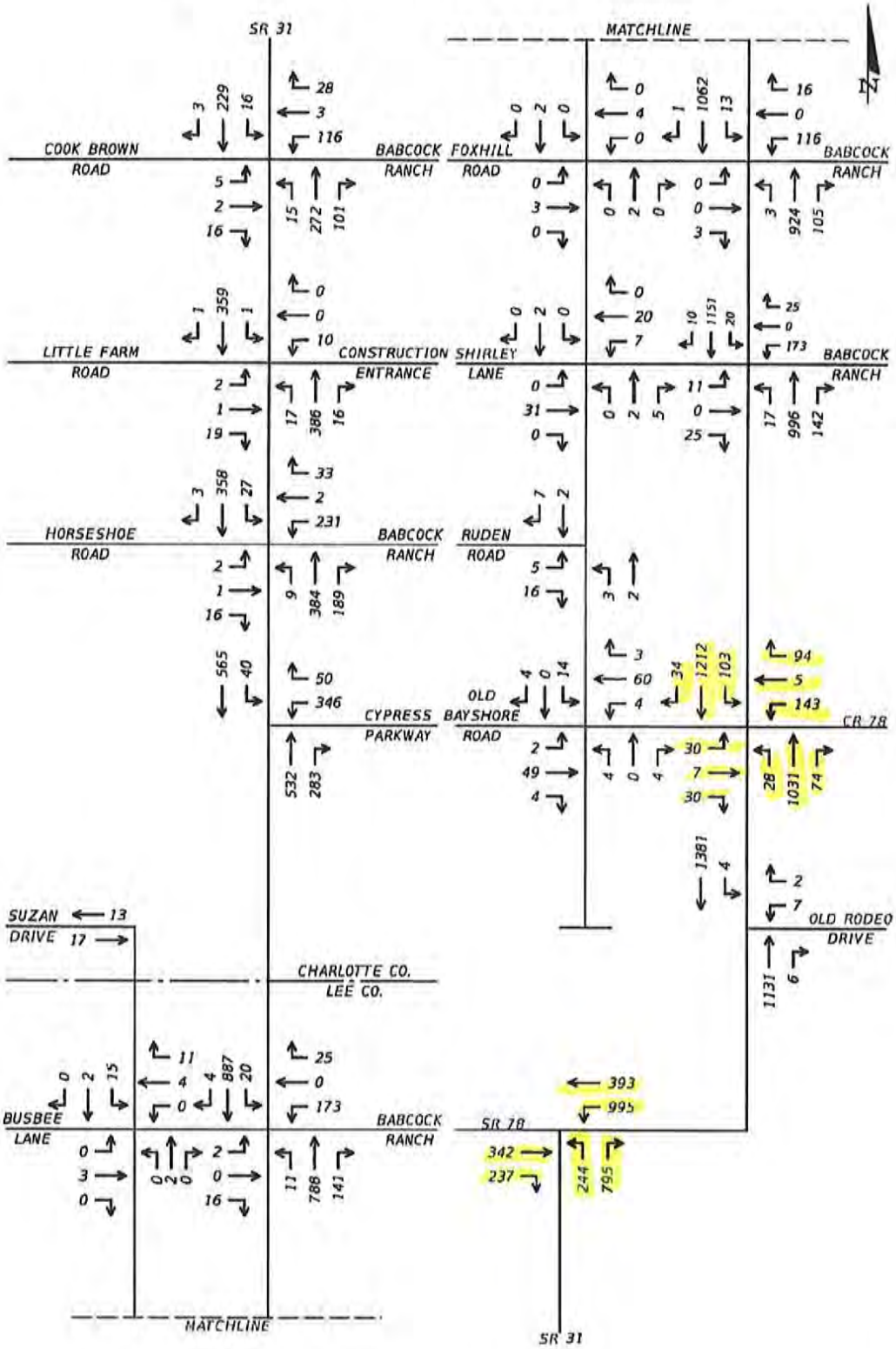
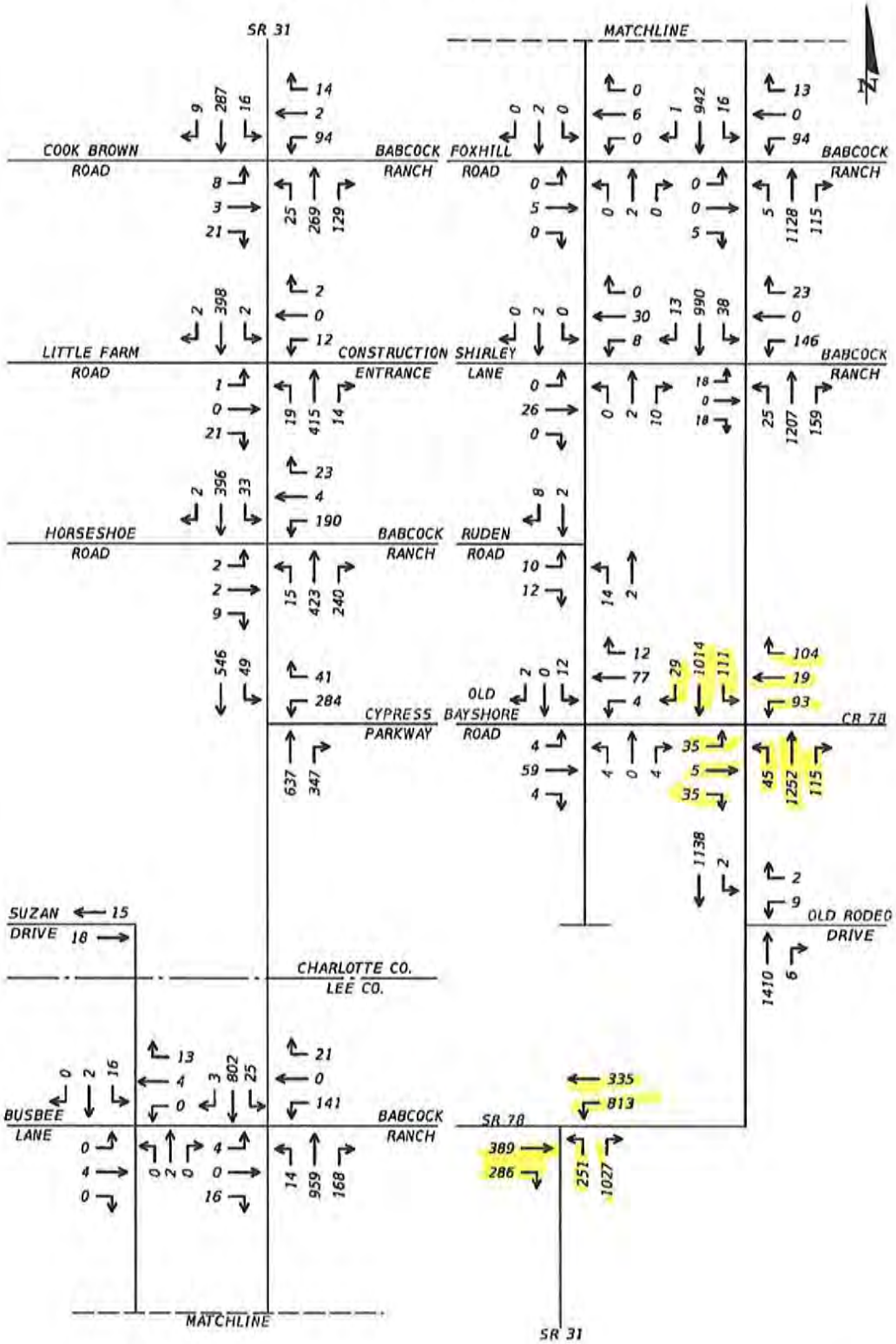


Figure 3-5
Opening Year (2025) PM Peak Hour Volumes



DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

Development of Future Year Background Turning Volumes

Intersection	**North River Rd @ Western Site Access**
Count Date	November 8, 2022
Build-Out Year	2030

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	94	0	0	315	0
Peak Season Correction Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Current Peak Season Volumes	0	0	0	0	0	0	0	95	0	0	318	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.96%	0.00%	0.00%	2.96%	0.00%
Years to Build-out	8	8	8	8	8	8	8	8	8	8	8	8
2030 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**120**	**0**	**0**	**402**	**0**
Project Turning Volumes	91		9					121	27	3	355	
2030 Background + Project	**91**	**0**	**9**	**0**	**0**	**0**	**0**	**241**	**27**	**3**	**757**	**0**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	362	0	0	144	0
Peak Season Correction Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Current Peak Season Volumes	0	0	0	0	0	0	0	366	0	0	145	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.96%	0.00%	0.00%	2.96%	0.00%
Years to Build-out	8	8	8	8	8	8	8	8	8	8	8	8
2030 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**462**	**0**	**0**	**183**	**0**
Project Turning Volumes	63		7					429	107	12	252	
2030 Background + Project	**63**	**0**	**7**	**0**	**0**	**0**	**0**	**891**	**107**	**12**	**435**	**0**

Development of Future Year Background Turning Volumes

Intersection	**N. River Rd @ Middle Site Access**
Count Date	November 8, 2022
Build-Out Year	2030

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	93	0	0	311	0
Peak Season Correction Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Current Peak Season Volumes	0	0	0	0	0	0	0	94	0	0	314	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.96%	0.00%	0.00%	2.96%	0.00%
Years to Build-out	8	8	8	8	8	8	8	8	8	8	8	8
2030 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**119**	**0**	**0**	**397**	**0**
Project Turning Volumes	223		25					55	75	9	135	
2030 Background + Project	**223**	**0**	**25**	**0**	**0**	**0**	**0**	**174**	**75**	**9**	**532**	**0**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	360	0	0	142	0
Peak Season Correction Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Current Peak Season Volumes	0	0	0	0	0	0	0	364	0	0	143	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.96%	0.00%	0.00%	2.96%	0.00%
Years to Build-out	8	8	8	8	8	8	8	8	8	8	8	8
2030 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**460**	**0**	**0**	**181**	**0**
Project Turning Volumes	157		17					168	268	30	107	
2030 Background + Project	**157**	**0**	**17**	**0**	**0**	**0**	**0**	**628**	**268**	**30**	**288**	**0**

Development of Future Year Background Turning Volumes

Intersection	**N. River Rd @ Eastern Site Access**
Count Date	November 8, 2022
Build-Out Year	2030

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	93	0	0	311	0
Peak Season Correction Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Current Peak Season Volumes	0	0	0	0	0	0	0	94	0	0	314	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.96%	0.00%	0.00%	2.96%	0.00%
Years to Build-out	8	8	8	8	8	8	8	8	8	8	8	8
2030 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**119**	**0**	**0**	**397**	**0**
Project Turning Volumes	132		15					34	46	5	12	
2030 Background + Project	**132**	**0**	**15**	**0**	**0**	**0**	**0**	**153**	**46**	**5**	**409**	**0**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	360	0	0	142	0
Peak Season Correction Factor	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
Current Peak Season Volumes	0	0	0	0	0	0	0	364	0	0	143	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.96%	0.00%	0.00%	2.96%	0.00%
Years to Build-out	8	8	8	8	8	8	8	8	8	8	8	8
2030 Background Turning Volumes	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**460**	**0**	**0**	**181**	**0**
Project Turning Volumes	95		11					24	161	18	42	
2030 Background + Project	**95**	**0**	**11**	**0**	**0**	**0**	**0**	**484**	**161**	**18**	**223**	**0**

Development of Future Year Background Turning Volumes

Intersection	**North River Rd @ SR 31**
Count Date	2025
Build-Out Year	2030

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	28	1,031	74	103	1,212	34	30	7	30	143	5	94
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	28	1,031	74	103	1,212	34	30	7	30	143	5	94
Growth Rate	2.00%	2.47%	2.00%	2.00%	4.86%	2.00%	2.00%	2.00%	2.00%	2.96%	2.96%	2.96%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2030 Background Turning Volumes	**31**	**1,165**	**82**	**114**	**1,537**	**38**	**33**	**8**	**33**	**165**	**6**	**109**
Project Turning Volumes			115	33						347		99
2030 Background + Project	**31**	**1,165**	**197**	**147**	**1,537**	**38**	**33**	**8**	**33**	**512**	**6**	**208**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	45	1,252	115	111	1,014	29	35	5	35	93	19	104
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	45	1,252	115	111	1,014	29	35	5	35	93	19	104
Growth Rate	2.00%	2.47%	2.00%	2.00%	4.86%	2.00%	2.00%	2.00%	2.00%	2.96%	2.96%	2.96%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2030 Background Turning Volumes	**50**	**1,414**	**127**	**123**	**1,286**	**32**	**39**	**6**	**39**	**108**	**22**	**120**
Project Turning Volumes			417	119						245		70
2030 Background + Project	**50**	**1,414**	**544**	**242**	**1,286**	**32**	**39**	**6**	**39**	**353**	**22**	**190**

Development of Future Year Background Turning Volumes

Intersection	**SR 31 @ SR 78**
Count Date	2025
Build-Out Year	2030

AM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	244	0	795	0	0	0	0	342	237	995	393	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	244	0	795	0	0	0	0	342	237	995	393	0
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2030 Background Turning Volumes	**269**	**0**	**878**	**0**	**0**	**0**	**0**	**378**	**262**	**1,099**	**434**	**0**
Project Turning Volumes			82					33		248	99	
2030 Background + Project	**269**	**0**	**960**	**0**	**0**	**0**	**0**	**411**	**262**	**1,347**	**533**	**0**

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	251	0	1,027	0	0	0	0	389	286	813	335	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	251	0	1,027	0	0	0	0	389	286	813	335	0
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2030 Background Turning Volumes	**277**	**0**	**1,134**	**0**	**0**	**0**	**0**	**429**	**316**	**898**	**370**	**0**
Project Turning Volumes			298					119		175	70	
2030 Background + Project	**277**	**0**	**1,432**	**0**	**0**	**0**	**0**	**548**	**316**	**1,073**	**440**	**0**

HCS SUMMARY SHEETS

NORTH RIVER RD @

WEST SITE ACCESS

HCS Two-Way Stop-Control Report

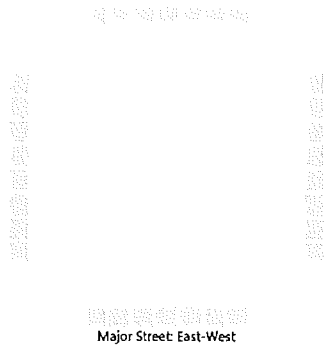
General Information

Analyst	
Agency/Co.	TR Transportation
Date Performed	11/28/2022
Analysis Year	2030
Time Analyzed	AM Pk Hr With Project
Intersection Orientation	East-West
Project Description	F2210.18

Site Information

Intersection	North River Rd/Western Site Access
Jurisdiction	
East/West Street	North River Road
North/South Street	Western Site Access
Peak Hour Factor	0.88
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	1	0	0	1	0		1	0	1		0	0	0
Configuration			T	R		LT				L		R				
Volume (veh/h)			241	27		3	757			91		9				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No								No							
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						3				103		10				
Capacity, c (veh/h)						1251				220		762				
v/c Ratio						0.00				0.47		0.01				
95% Queue Length, Q_{95} (veh)						0.0				2.3		0.0				
Control Delay (s/veh)						7.9	0.0			35.1		9.8				
Level of Service (LOS)						A	A			E		A				
Approach Delay (s/veh)					0.1				32.9							
Approach LOS					A				D							

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HCS Two-Way Stop-Control Report

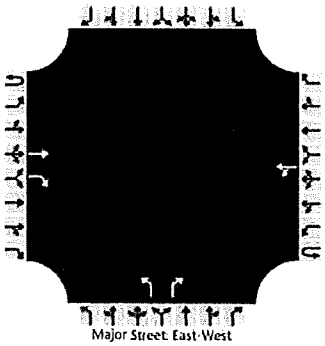
General Information

Analyst	
Agency/Co.	TR Transportation
Date Performed	11/28/2022
Analysis Year	2030
Time Analyzed	PM Pk Hr With Project
Intersection Orientation	East-West
Project Description	F2210.18

Site Information

Intersection	North River Rd/Western Site Access
Jurisdiction	
East/West Street	North River Road
North/South Street	Western Site Access
Peak Hour Factor	0.91
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	1	0	0	1	0		1	0	1		0	0	0
Configuration			T	R		LT				L		R				
Volume (veh/h)			891	107		12	435			63		7				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No								No							
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						13				69		8				
Capacity, c (veh/h)						633				133		302				
v/c Ratio						0.02				0.52		0.03				
95% Queue Length, Q_{95} (veh)						0.1				2.5		0.1				
Control Delay (s/veh)						10.8	0.3			58.3		17.2				
Level of Service (LOS)						B	A			F		C				
Approach Delay (s/veh)					0.6				54.2							
Approach LOS					A				F							

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HCS SUMMARY SHEETS

NORTH RIVER RD @

MIDDLE SITE ACCESS

HCS Two-Way Stop-Control Report

General Information

Analyst	
Agency/Co.	TR Transportation
Date Performed	11/28/2022
Analysis Year	2030
Time Analyzed	AM Pk Hr With Project
Intersection Orientation	East-West
Project Description	F2210.18

Site Information

Intersection	North River Rd/Middle Site Access
Jurisdiction	
East/West Street	North River Road
North/South Street	Middle Site Access
Peak Hour Factor	0.88
Analysis Time Period (hrs)	0.25

Lanes

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	1	0	1	1	0		1	0	1		0	0	0
Configuration			T	R		L	T			L		R				
Volume (veh/h)			174	75		9	532			223		25				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No								No							
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						10				253		28				
Capacity, c (veh/h)						1274				339		841				
v/c Ratio						0.01				0.75		0.03				
95% Queue Length, Q_{95} (veh)						0.0				5.8		0.1				
Control Delay (s/veh)						7.8				41.2		9.4				
Level of Service (LOS)						A				E		A				
Approach Delay (s/veh)					0.1				38.0							
Approach LOS					A				E							

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HCS Two-Way Stop-Control Report

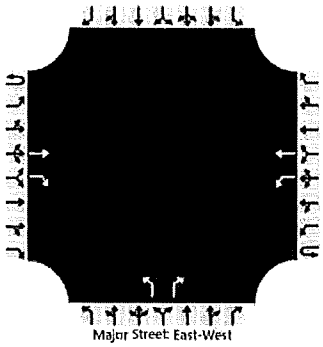
General Information

Analyst	
Agency/Co.	TR Transportation
Date Performed	11/28/2022
Analysis Year	2030
Time Analyzed	PM Pk Hr With Project
Intersection Orientation	East-West
Project Description	F2210.18

Site Information

Intersection	North River Rd/Middle Site Access
Jurisdiction	
East/West Street	North River Road
North/South Street	Middle Site Access
Peak Hour Factor	0.91
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	1	0	1	1	0		1	0	1		0	0	0
Configuration			T	R		L	T			L		R				
Volume (veh/h)			628	268		30	288			157		17				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized			No							No						
Median Type | Storage				Undivided												

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						33				173		19				
Capacity, c (veh/h)						698				231		443				
v/c Ratio						0.05				0.75		0.04				
95% Queue Length, Q_{95} (veh)						0.1				5.2		0.1				
Control Delay (s/veh)						10.4				55.5		13.5				
Level of Service (LOS)						B				F		B				
Approach Delay (s/veh)					1.0				51.4							
Approach LOS					A				F							

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HCS SUMMARY SHEETS

NORTH RIVER RD @

EAST SITE ACCESS

HCS Two-Way Stop-Control Report

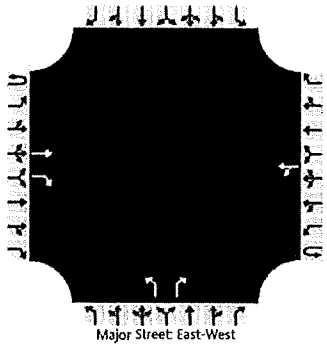
General Information

Analyst	
Agency/Co.	TR Transportation
Date Performed	11/28/2022
Analysis Year	2030
Time Analyzed	AM Pk Hr With Project
Intersection Orientation	East-West
Project Description	F2210.18

Site Information

Intersection	North River Rd/Eastern Site Access
Jurisdiction	
East/West Street	North River Road
North/South Street	Eastern Site Access
Peak Hour Factor	0.88
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	1	0	0	1	0		1	0	1		0	0	0
Configuration			T	R		LT				L		R				
Volume (veh/h)			153	46		5	409			132		15				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized	No								No							
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						6				150		17				
Capacity, c (veh/h)						1336				430		867				
v/c Ratio						0.00				0.35		0.02				
95% Queue Length, Q_{95} (veh)						0.0				1.5		0.1				
Control Delay (s/veh)						7.7	0.0			17.8		9.2				
Level of Service (LOS)						A	A			C		A				
Approach Delay (s/veh)					0.1				16.9							
Approach LOS					A				C							

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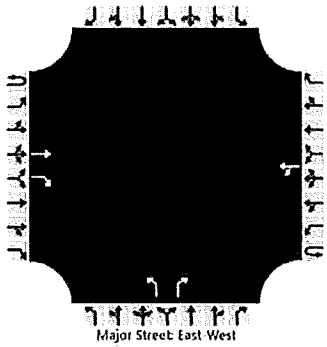
HCS Two-Way Stop-Control Report

General Information		Site Information	
Analyst		Intersection	North River Rd/Eastern Site Access
Agency/Co.	TR Transportation	Jurisdiction	
Date Performed	11/28/2022	East/West Street	North River Road
Analysis Year	2030	North/South Street	Eastern Site Access
Time Analyzed	PM Pk Hr With Project	Peak Hour Factor	0.91
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	F2210.18		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	1	0	0	1	0		1	0	1		0	0	0
Configuration			T	R		LT				L		R				
Volume (veh/h)			484	161		18	223			95		11				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized			No						No							
Median Type | Storage			Undivided													

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						20				104		12				
Capacity, c (veh/h)						885				336		546				
v/c Ratio						0.02				0.31		0.02				
95% Queue Length, Q_{95} (veh)						0.1				1.3		0.1				
Control Delay (s/veh)						9.2	0.2			20.5		11.7				
Level of Service (LOS)						A	A			C		B				
Approach Delay (s/veh)					0.9				19.6							
Approach LOS					A				C							

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SYNCHRO SUMMARY SHEETS

SR 31 @ NORTH RIVER RD

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	33	8	33	165	6	109	31	1165	82	114	1537	38
Future Volume (vph)	33	8	33	165	6	109	31	1165	82	114	1537	38
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	300		100	275		50	275		50
Storage Lanes	1		0	1		1	1		1	1		1
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt		0.880				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1639	0	1770	1863	1583	1770	3539	1583	1770	3539	1583
Flt Permitted				0.400			0.079			0.105		
Satd. Flow (perm)	1863	1639	0	745	1863	1583	147	3539	1583	196	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		36				191			245			191
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		655			1295			1658			1613	
Travel Time (s)		14.9			29.4			37.7			36.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	36	9	36	179	7	118	34	1266	89	124	1671	41
Shared Lane Traffic (%)												
Lane Group Flow (vph)	36	45	0	179	7	118	34	1266	89	124	1671	41
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Detector Phase	7	4		3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.0	24.0		11.0	24.0	24.0	11.0	24.0	24.0	11.0	29.0	29.0
Total Split (s)	18.0	24.0		26.0	32.0	32.0	11.0	52.0	52.0	18.0	59.0	59.0
Total Split (%)	15.0%	20.0%		21.7%	26.7%	26.7%	9.2%	43.3%	43.3%	15.0%	49.2%	49.2%
Maximum Green (s)	12.0	18.0		20.0	26.0	26.0	5.0	46.0	46.0	12.0	53.0	53.0
Yellow Time (s)	4.5	4.5		4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None		None	None	None	None	Max	Max	None	Max	Max
Walk Time (s)		7.0			7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0			11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0			0	0		0	0		0	0
Act Effct Green (s)	11.2	6.6		21.1	13.5	13.5	53.0	47.9	47.9	62.0	56.7	56.7
Actuated g/C Ratio	0.12	0.07		0.22	0.14	0.14	0.55	0.50	0.50	0.65	0.59	0.59
v/c Ratio	0.17	0.31		0.58	0.03	0.30	0.20	0.72	0.10	0.46	0.80	0.04
Control Delay	31.4	25.6		39.2	38.5	2.4	12.4	24.1	0.2	14.5	23.2	0.1
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	31.4	25.6		39.2	38.5	2.4	12.4	24.1	0.2	14.5	23.2	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	C	C		D	D	A	B	C	A	B	C	A
Approach Delay		28.2			24.9			22.3			22.1	
Approach LOS		C			C			C			C	
Queue Length 50th (ft)	18	6		97	4	0	8	333	0	30	497	0
Queue Length 95th (ft)	42	42		158	17	4	24	519	0	70	#780	0
Internal Link Dist (ft)		575			1215			1578			1533	
Turn Bay Length (ft)	100			300		100	275		50	275		50
Base Capacity (vph)	303	342		417	514	575	167	1765	912	328	2089	1012
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.12	0.13		0.43	0.01	0.21	0.20	0.72	0.10	0.38	0.80	0.04

Intersection Summary

Area Type: Other
Cycle Length: 120
Actuated Cycle Length: 96
Natural Cycle: 90
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.80
Intersection Signal Delay: 22.5 — Intersection LOS: C
Intersection Capacity Utilization 77.5% — ICU Level of Service D
Analysis Period (min) 15
95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & N. River Rd

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	33	8	33	512	6	208	31	1165	197	147	1537	38
Future Volume (vph)	33	8	33	512	6	208	31	1165	197	147	1537	38
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	300		100	275		50	275		50
Storage Lanes	1		0	1		1	1		1	1		1
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt		0.880				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1639	0	1770	1863	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.753			0.381			0.081			0.077		
Satd. Flow (perm)	1403	1639	0	710	1863	1583	151	3539	1583	143	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		36				226			245			191
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		655			1295			1658			1613	
Travel Time (s)		14.9			29.4			37.7			36.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	36	9	36	557	7	226	34	1266	214	160	1671	41
Shared Lane Traffic (%)												
Lane Group Flow (vph)	36	45	0	557	7	226	34	1266	214	160	1671	41
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Detector Phase	7	4		3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.0	24.0		11.0	24.0	24.0	11.0	24.0	24.0	11.0	29.0	29.0
Total Split (s)	18.0	24.0		26.0	32.0	32.0	11.0	52.0	52.0	18.0	59.0	59.0
Total Split (%)	15.0%	20.0%		21.7%	26.7%	26.7%	9.2%	43.3%	43.3%	15.0%	49.2%	49.2%
Maximum Green (s)	12.0	18.0		20.0	26.0	26.0	5.0	46.0	46.0	12.0	53.0	53.0
Yellow Time (s)	4.5	4.5		4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None		None	None	None	None	Max	Max	None	Max	Max
Walk Time (s)		7.0			7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0			11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0			0	0		0	0		0	0
Act Effct Green (s)	12.5	6.7		30.2	22.2	22.2	51.5	46.5	46.5	62.5	56.3	56.3
Actuated g/C Ratio	0.12	0.06		0.29	0.21	0.21	0.49	0.44	0.44	0.60	0.54	0.54
v/c Ratio	0.19	0.33		1.37	0.02	0.44	0.22	0.81	0.26	0.66	0.88	0.04
Control Delay	30.8	26.6		210.7	37.5	8.3	14.5	31.4	2.4	32.7	30.3	0.1
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	30.8	26.6		210.7	37.5	8.3	14.5	31.4	2.4	32.7	30.3	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	C	C		F	D	A	B	C	A	C	C	A
Approach Delay		28.5			151.2			26.9			29.8	
Approach LOS		C			F			C			C	
Queue Length 50th (ft)	18	6		~452	4	0	9	394	0	54	567	0
Queue Length 95th (ft)	42	42		#657	17	66	24	524	31	128	#788	0
Internal Link Dist (ft)		575			1215			1578			1533	
Turn Bay Length (ft)	100			300		100	275		50	275		50
Base Capacity (vph)	276	312		407	484	578	152	1570	838	272	1899	938
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.13	0.14		1.37	0.01	0.39	0.22	0.81	0.26	0.59	0.88	0.04

Intersection Summary

Area Type: Other
Cycle Length: 120
Actuated Cycle Length: 104.8
Natural Cycle: 150
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.37
Intersection Signal Delay: 51.3 — Intersection LOS: D
Intersection Capacity Utilization 96.7% — ICU Level of Service F
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & N. River Rd

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	39	6	39	108	22	120	50	1414	127	123	1286	32
Future Volume (vph)	39	6	39	108	22	120	50	1414	127	123	1286	32
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	300		100	275		50	275		50
Storage Lanes	1		0	1		1	1		1	1		1
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt		0.871				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1622	0	1770	1863	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.742			0.377			0.115			0.073		
Satd. Flow (perm)	1382	1622	0	702	1863	1583	214	3539	1583	136	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		42				191			245			191
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		655			1295			1658			1613	
Travel Time (s)		14.9			29.4			37.7			36.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	42	7	42	117	24	130	54	1537	138	134	1398	35
Shared Lane Traffic (%)												
Lane Group Flow (vph)	42	49	0	117	24	130	54	1537	138	134	1398	35
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Detector Phase	7	4		3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.0	24.0		11.0	24.0	24.0	11.0	24.0	24.0	11.0	29.0	29.0
Total Split (s)	18.0	24.0		26.0	32.0	32.0	11.0	52.0	52.0	18.0	59.0	59.0
Total Split (%)	15.0%	20.0%		21.7%	26.7%	26.7%	9.2%	43.3%	43.3%	15.0%	49.2%	49.2%
Maximum Green (s)	12.0	18.0		20.0	26.0	26.0	5.0	46.0	46.0	12.0	53.0	53.0
Yellow Time (s)	4.5	4.5		4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None		None	None	None	None	Max	Max	None	Max	Max
Walk Time (s)		7.0			7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0			11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0			0	0		0	0		0	0
Act Effct Green (s)	12.6	6.6		19.6	12.5	12.5	53.6	48.5	48.5	61.9	54.9	54.9
Actuated g/C Ratio	0.13	0.07		0.20	0.13	0.13	0.56	0.51	0.51	0.64	0.57	0.57
v/c Ratio	0.20	0.33		0.45	0.10	0.35	0.27	0.86	0.15	0.57	0.69	0.04
Control Delay	32.0	23.1		36.5	41.0	4.1	11.9	29.0	0.3	24.4	19.4	0.1
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	32.0	23.1		36.5	41.0	4.1	11.9	29.0	0.3	24.4	19.4	0.1

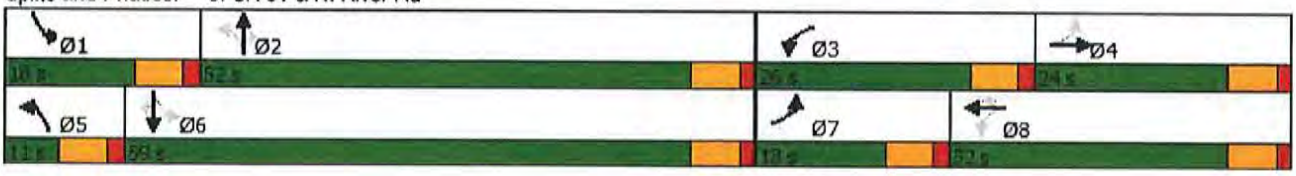
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	C	C		D	D	A	B	C	A	C	B	A
Approach Delay		27.2			21.3			26.2			19.4	
Approach LOS		C			C			C			B	
Queue Length 50th (ft)	21	4		61	14	0	11	427	0	31	335	0
Queue Length 95th (ft)	48	41		109	39	14	30	#710	0	98	490	0
Internal Link Dist (ft)		575			1215			1578			1533	
Turn Bay Length (ft)	100			300		100	275		50	275		50
Base Capacity (vph)	299	341		398	510	572	201	1788	921	296	2023	987
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.14	0.14		0.29	0.05	0.23	0.27	0.86	0.15	0.45	0.69	0.04

Intersection Summary

Area Type: Other
Cycle Length: 120
Actuated Cycle Length: 96
Natural Cycle: 90
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 0.86
Intersection Signal Delay: 22.9 — Intersection LOS: C
Intersection Capacity Utilization 73.6% — ICU Level of Service D
Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & N. River Rd



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	39	6	39	353	22	190	50	1414	544	242	1286	32
Future Volume (vph)	39	6	39	353	22	190	50	1414	544	242	1286	32
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	100		0	300		100	275		50	275		50
Storage Lanes	1		0	1		1	1		1	1		1
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt		0.871				0.850			0.850			0.850
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1770	1622	0	1770	1863	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.742			0.380			0.098			0.075		
Satd. Flow (perm)	1382	1622	0	708	1863	1583	183	3539	1583	140	3539	1583
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		42				207			245			191
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		655			1295			1658			1613	
Travel Time (s)		14.9			29.4			37.7			36.7	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	42	7	42	384	24	207	54	1537	591	263	1398	35
Shared Lane Traffic (%)												
Lane Group Flow (vph)	42	49	0	384	24	207	54	1537	591	263	1398	35
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA	Perm	pm+pt	NA	Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4			8		8	2		2	6		6
Detector Phase	7	4		3	8	8	5	2	2	1	6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	11.0	24.0		11.0	24.0	24.0	11.0	24.0	24.0	11.0	29.0	29.0
Total Split (s)	18.0	24.0		26.0	32.0	32.0	11.0	52.0	52.0	18.0	59.0	59.0
Total Split (%)	15.0%	20.0%		21.7%	26.7%	26.7%	9.2%	43.3%	43.3%	15.0%	49.2%	49.2%
Maximum Green (s)	12.0	18.0		20.0	26.0	26.0	5.0	46.0	46.0	12.0	53.0	53.0
Yellow Time (s)	4.5	4.5		4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
All-Red Time (s)	1.5	1.5		1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lead	Lag		Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Recall Mode	None	None		None	None	None	None	Max	Max	None	Max	Max
Walk Time (s)		7.0			7.0	7.0		7.0	7.0		7.0	7.0
Flash Dont Walk (s)		11.0			11.0	11.0		11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)		0			0	0		0	0		0	0
Act Effct Green (s)	12.8	6.7		29.8	21.5	21.5	51.2	46.1	46.1	64.2	55.6	55.6
Actuated g/C Ratio	0.12	0.06		0.28	0.20	0.20	0.48	0.43	0.43	0.61	0.52	0.52
v/c Ratio	0.22	0.35		0.97	0.06	0.43	0.33	1.00	0.71	0.98	0.75	0.04
Control Delay	31.4	24.9		74.8	37.8	8.5	16.8	53.7	20.2	78.8	25.0	0.1
Queue Delay	0.0	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	31.4	24.9		74.8	37.8	8.5	16.8	53.7	20.2	78.8	25.0	0.1

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
LOS	C	C		E	D	A	B	D	C	E	C	A
Approach Delay		27.9			51.1			43.7			32.9	
Approach LOS		C			D			D			C	
Queue Length 50th (ft)	21	5		239	14	0	15	~574	198	134	413	0
Queue Length 95th (ft)	48	42		#376	39	64	34	#771	359	#319	542	0
Internal Link Dist (ft)		575			1215			1578			1533	
Turn Bay Length (ft)	100			300		100	275		50	275		50
Base Capacity (vph)	271	311		402	477	559	163	1540	827	269	1857	921
Starvation Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0		0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.15	0.16		0.96	0.05	0.37	0.33	1.00	0.71	0.98	0.75	0.04

Intersection Summary

Area Type: Other
Cycle Length: 120
Actuated Cycle Length: 106
Natural Cycle: 120
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.00
Intersection Signal Delay: 40.4 — Intersection LOS: D
Intersection Capacity Utilization 93.7% — ICU Level of Service F
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & N. River Rd

SYNCHRO SUMMARY SHEETS

SR 31 @ SR 78

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations							
Traffic Volume (vph)	378	262	1099	434	269	878	
Future Volume (vph)	378	262	1099	434	269	878	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.167		0.950		
Satd. Flow (perm)	3539	1583	311	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		82				10	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	411	285	1195	472	292	954	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	411	285	1195	472	292	954	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	24.0	32.0	94.0	118.0	32.0		32.0
Total Split (%)	16.0%	21.3%	62.7%	78.7%	21.3%		21%
Maximum Green (s)	18.0	26.0	88.0	112.0	26.0		27.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effct Green (s)	18.0	50.0	112.0	112.0	26.0	121.5	
Actuated g/C Ratio	0.12	0.33	0.75	0.75	0.17	0.81	
v/c Ratio	0.97	0.49	1.10	0.18	0.95	0.74	
Control Delay	101.5	31.0	85.2	5.7	101.7	11.2	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	101.5	31.0	85.2	5.7	101.7	11.2	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	F	C	F	A	F	B	
Approach Delay	72.7			62.7	32.4		
Approach LOS	E			E	C		
Queue Length 50th (ft)	214	158	~1271	63	286	371	
Queue Length 95th (ft)	#325	250	#1543	81	#474	530	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	424	582	1088	2642	306	1284	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.97	0.49	1.10	0.18	0.95	0.74	

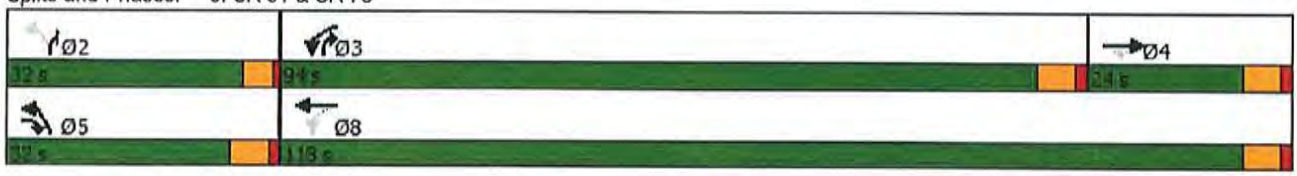
Intersection Summary

Area Type: Other
Cycle Length: 150
Actuated Cycle Length: 150
Natural Cycle: 140
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.10
Intersection Signal Delay: 54.2 — Intersection LOS: D
Intersection Capacity Utilization 101.2% — ICU Level of Service G
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations							
Traffic Volume (vph)	411	262	1347	533	269	960	
Future Volume (vph)	411	262	1347	533	269	960	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.167		0.950		
Satd. Flow (perm)	3539	1583	311	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		44				6	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	447	285	1464	579	292	1043	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	447	285	1464	579	292	1043	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	24.0	32.0	94.0	118.0	32.0		32.0
Total Split (%)	16.0%	21.3%	62.7%	78.7%	21.3%		21%
Maximum Green (s)	18.0	26.0	88.0	112.0	26.0		27.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effct Green (s)	18.0	50.0	112.0	112.0	26.0	121.5	
Actuated g/C Ratio	0.12	0.33	0.75	0.75	0.17	0.81	
v/c Ratio	1.05	0.51	1.35	0.22	0.95	0.81	
Control Delay	120.2	37.4	187.9	6.0	101.7	14.5	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	120.2	37.4	187.9	6.0	101.7	14.5	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	F	D	F	A	F	B	
Approach Delay	88.0			136.3	33.5		
Approach LOS	F			F	C		
Queue Length 50th (ft)	~250	190	~1825	81	286	475	
Queue Length 95th (ft)	#365	285	#2094	101	#474	704	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	424	557	1088	2642	306	1283	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	1.05	0.51	1.35	0.22	0.95	0.81	

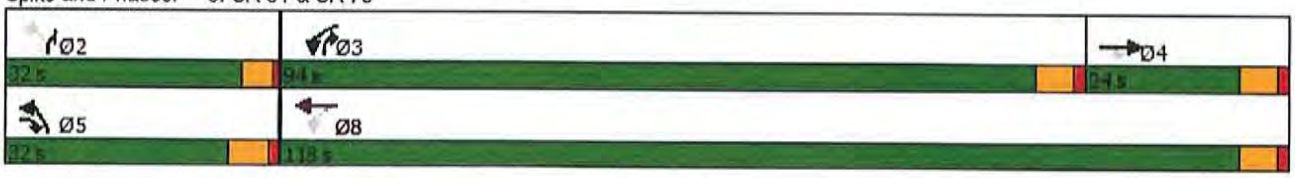
Intersection Summary

Area Type: Other
Cycle Length: 150
Actuated Cycle Length: 150
Natural Cycle: 150
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.35
Intersection Signal Delay: 94.3 — Intersection LOS: F
Intersection Capacity Utilization 115.9% — ICU Level of Service H
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations							
Traffic Volume (vph)	429	316	898	370	277	1134	
Future Volume (vph)	429	316	898	370	277	1134	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.166		0.950		
Satd. Flow (perm)	3539	1583	309	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		134				5	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	466	343	976	402	301	1233	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	466	343	976	402	301	1233	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	24.0	32.0	94.0	118.0	32.0		32.0
Total Split (%)	16.0%	21.3%	62.7%	78.7%	21.3%		21%
Maximum Green (s)	18.0	26.0	88.0	112.0	26.0		27.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effct Green (s)	18.1	50.2	108.2	108.2	26.1	117.7	
Actuated g/C Ratio	0.12	0.34	0.74	0.74	0.18	0.80	
v/c Ratio	1.07	0.54	0.91	0.15	0.96	0.97	
Control Delay	121.8	27.3	37.0	5.7	100.3	32.1	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	121.8	27.3	37.0	5.7	100.3	32.1	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	F	C	D	A	F	C	
Approach Delay	81.7			27.9	45.5		
Approach LOS	F			C	D		
Queue Length 50th (ft)	~271	167	732	53	297	869	
Queue Length 95th (ft)	#388	273	#1087	69	#494	#1467	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	436	631	1109	2717	315	1319	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	1.07	0.54	0.88	0.15	0.96	0.93	

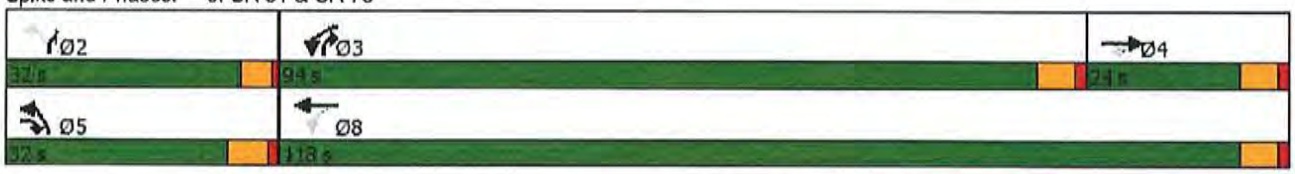
Intersection Summary

Area Type: Other
Cycle Length: 150
Actuated Cycle Length: 146.3
Natural Cycle: 130
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.07
Intersection Signal Delay: 46.8 — Intersection LOS: D
Intersection Capacity Utilization 92.0% — ICU Level of Service F
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations							
Traffic Volume (vph)	548	316	1073	440	277	1432	
Future Volume (vph)	548	316	1073	440	277	1432	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.167		0.950		
Satd. Flow (perm)	3539	1583	311	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		88				1	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	596	343	1166	478	301	1557	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	596	343	1166	478	301	1557	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	24.0	32.0	94.0	118.0	32.0		32.0
Total Split (%)	16.0%	21.3%	62.7%	78.7%	21.3%		21%
Maximum Green (s)	18.0	26.0	88.0	112.0	26.0		27.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effct Green (s)	18.0	50.0	112.0	112.0	26.0	121.5	
Actuated g/C Ratio	0.12	0.33	0.75	0.75	0.17	0.81	
v/c Ratio	1.41	0.59	1.07	0.18	0.98	1.21	
Control Delay	241.9	34.8	75.6	5.7	108.3	122.3	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	241.9	34.8	75.6	5.7	108.3	122.3	

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	F	C	E	A	F	F	
Approach Delay	166.3			55.3	120.0		
Approach LOS	F			E	F		
Queue Length 50th (ft)	~409	208	~1212	64	297	~1865	
Queue Length 95th (ft)	#535	317	#1481	82	#494	#2134	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	424	586	1088	2642	306	1282	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	1.41	0.59	1.07	0.18	0.98	1.21	

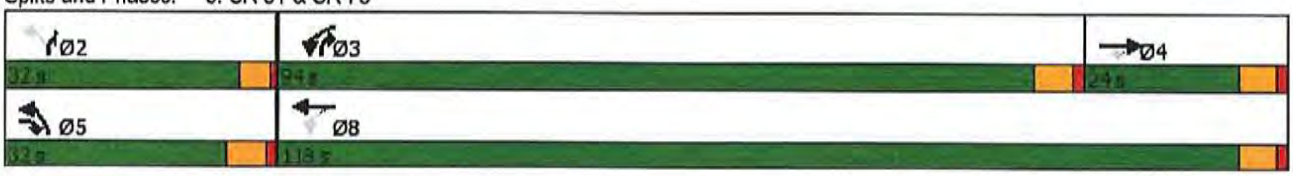
Intersection Summary

Area Type: Other
Cycle Length: 150
Actuated Cycle Length: 150
Natural Cycle: 150
Control Type: Actuated-Uncoordinated
Maximum v/c Ratio: 1.41
Intersection Signal Delay: 105.8 — Intersection LOS: F
Intersection Capacity Utilization 112.6% — ICU Level of Service H
Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78



TRIP GENERATION EQUATIONS

Single-Family Detached Housing
(210)

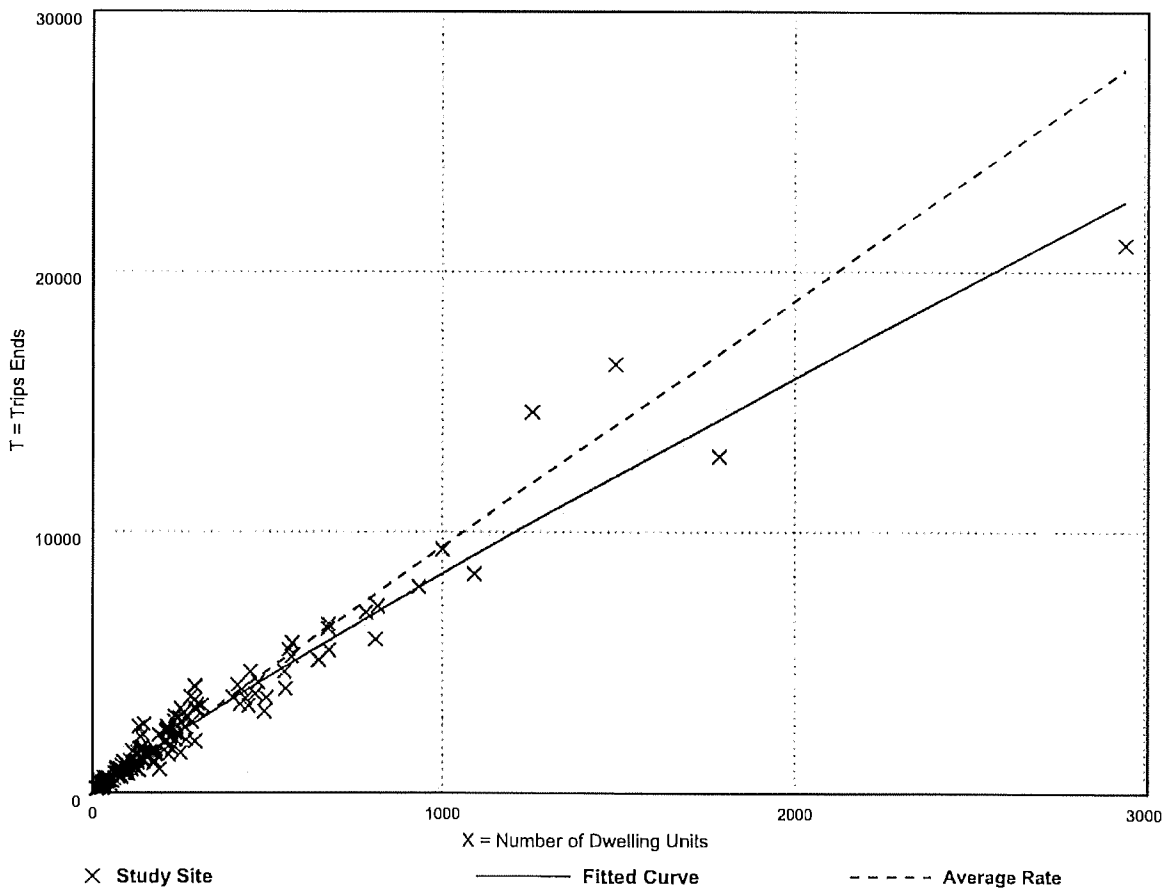
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 174
Avg. Num. of Dwelling Units: 246
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.43	4.45 - 22.61	2.13

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.92 Ln(X) + 2.68

R^2= 0.95

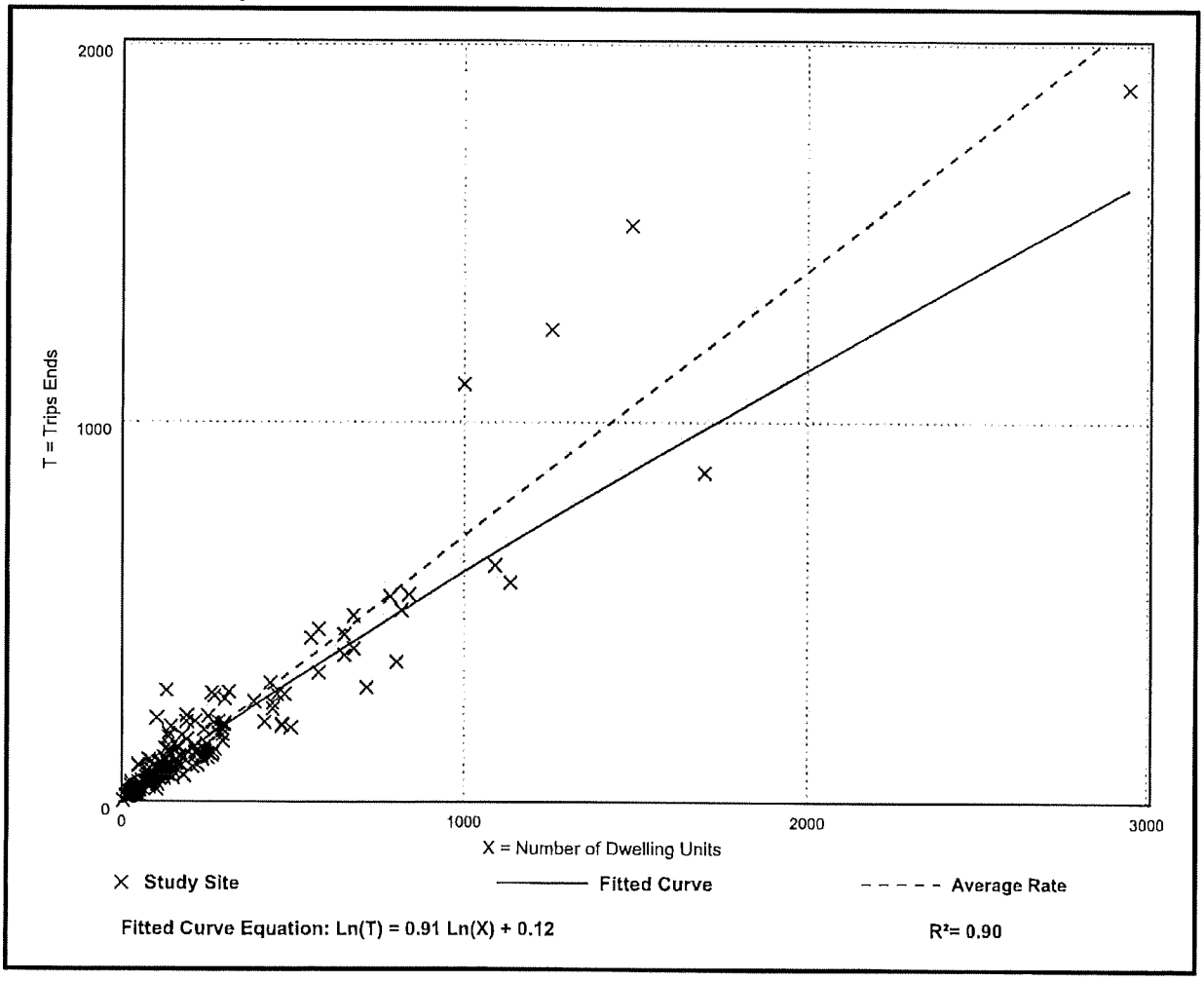
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 192
Avg. Num. of Dwelling Units: 226
Directional Distribution: 26% entering, 74% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.27 - 2.27	0.24

Data Plot and Equation



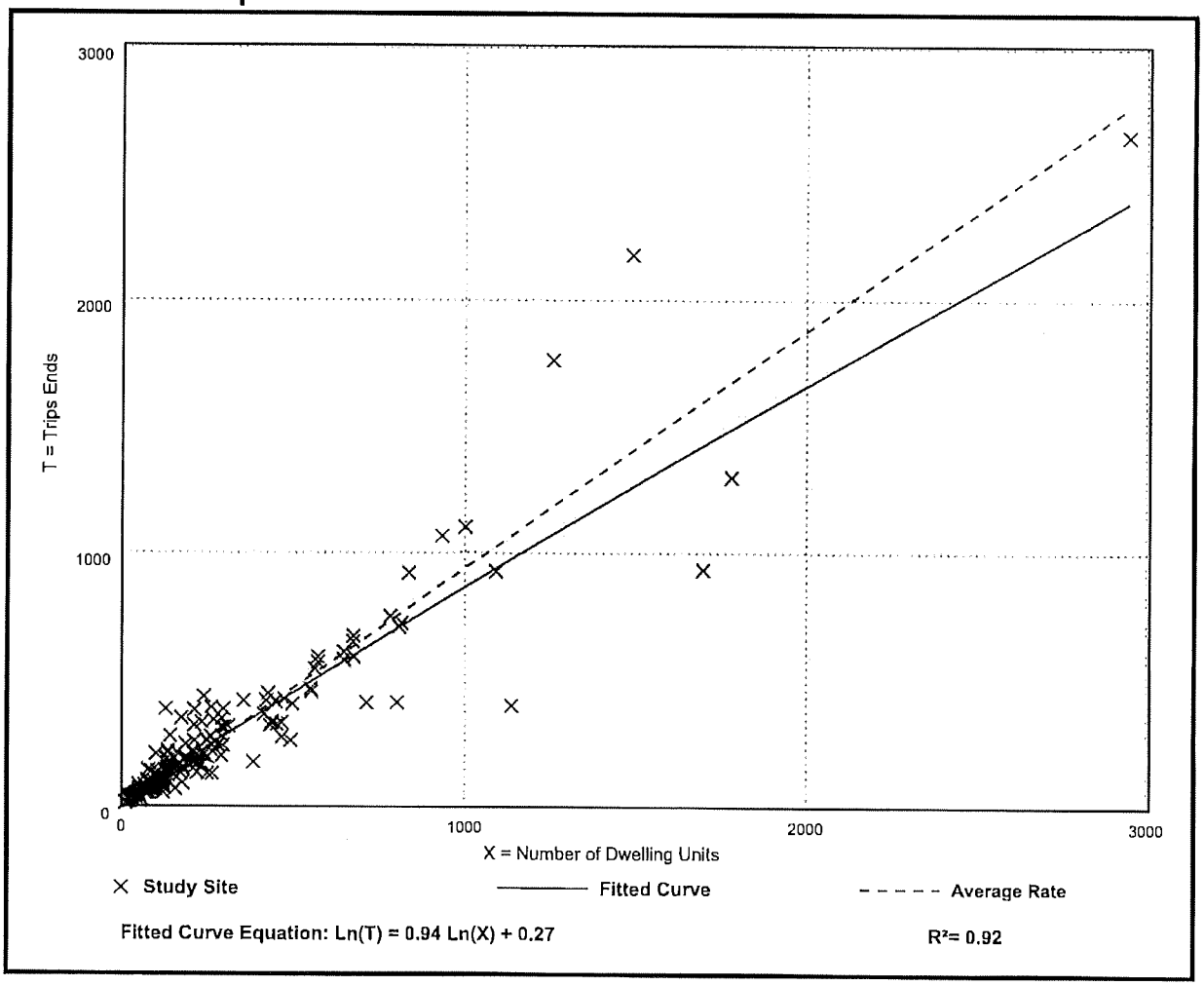
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 208
Avg. Num. of Dwelling Units: 248
Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.94	0.35 - 2.98	0.31

Data Plot and Equation



ATTACHMENT Q

DEPARTMENT OF TRANSPORTATION

Memo

To: Dirk Danley Jr., Principal Planner

From: Pakorn Sutitarnnontr, Project Manager

Date: July 31st, 2024

Subject: Cary + Duke + Povia RPD (DCI2022-00067) Transportation-Related Analysis

Proposed Development

This application requests approval to rezone a ±788-acre property from the currently designated Agricultural zoning (AG-2) to Residential Planned Development (RPD) to permit for a maximum of 1,099 dwelling units and supporting amenities.

Site Location

The subject site is currently vacant and is located along the south side of North River Road approximately 1 mile east of SR 31. The site is generally bordered by vacant land to the west, North River Rd to the north and east, and by residential uses and Duke Hwy to the south.

North River Rd is a two-lane undivided arterial that borders the subject site to the north. North River Rd has a posted speed limit of 55 mph adjacent to the site and is under the jurisdiction of the Lee County Department of Transportation.

SR 31 is currently a north/south two-lane undivided arterial within the vicinity of the subject site. SR 31 has a posted speed limit of 60 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT). SR 31 is funded by the Babcock Ranch Community Independent Special District (Babcock Ranch CISD) to be widened to a four-lane facility from SR 78 to Cook Brown Road. This four-lane improvement will be expandable to a future six-lane facility. Improvements to the signalized intersection of SR 31 and North River Road will be also provided as part of the widening project.

FDOT is also currently conducting a project development and environment (PD&E) study on SR 31 from SR 80 to SR 78 as well as on SR 78 from I-75 to SR 31 to evaluate the future widening of these roadways to multi-lane facilities.

Site Access

Access to the subject site is proposed to North River Rd via three (3) connections as depicted on the master concept plan.

Trip Generation Review

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) Trip Generation 11th Edition Report. Land Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the residential uses. Table 1 outlines the proposed project's trip generation for weekday AM and PM peak hours and daily traffic volumes.

Table 1: Trip Generation

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour			Daily (2-Way)
	In	Out	Total	In	Out	Total	
Single-Family Residential (1,099 Units)	165	495	660	596	350	946	9,154

Roadway Section Traffic Operation Level of Service Analysis

New trips related to the subject case were distributed across the surrounding road network to assess their impact on the Level of Service (LOS) in arterial/collector road sections most affected by the proposed development. According to Administrative Code AC-13-17 Traffic Study Guidelines for Planned Development Rezonings, a "significant impact" signifies a 10% or more reduction in LOS "C" service volumes at build-out.

The proposed development was assumed to be completed by 2030 (build-out year). Therefore, the roadway links impacted by the proposed development were analyzed for the 2030 projected traffic conditions without the proposed development and with the proposed development (Table 2).

Table 2: Arterial/Collector roadway sections adjacent to site expected to be impacted by the proposed development

Roadway	Location	Level of Service	
		Future (2030)	Future (2030) + Project
N River Rd	E of Site	B	B
	W of Site	B	C
SR 31	N of N River Rd	B	B
	S of N River Rd	B	B
	S of SR 78	C	F
SR 78 (Bayshore Rd)	W of SR 31	C	C

As identified in Table 2, SR 31 between SR 78 (Bayshore Rd) and SR 80 (Palm Beach Blvd) is projected to operate at a poor Level of Service in 2030 with the proposed development traffic added to this roadway. However, FDOT is currently conducting a PD&E study on SR 31 from SR 78 to SR 80 to evaluate future widening from the current two-lane undivided facility to a six-lane divided facility. This future improvement would address the projected SR 31 capacity deficiency.

Roadway Intersection Traffic Operation Level of Service Analysis

New trip assignments were made to the surrounding road network to evaluate Level of Service (LOS) impacts as necessary at site entrances, intersections within the vicinity of site entrances, and intersections anticipated to be most affected by the proposed development. Following Administrative Code AC-13-17 Traffic Study Guidelines for Planned Development Rezonings, a "significant impact" is characterized by a 10% or greater increase in the total peak-hour intersection volume (sum of all four approaches) upon project

completion. Table 3 describes the site accesses and intersections that are expected to be impacted by the proposed zoning along with their corresponding pre- and post-project built-out level of service.

Table 3: Roadway intersection(s) immediately adjacent to subject site expected to be impacted by proposed development

Intersection	Traffic Control	Peak Hour	Level of Service	
			Future (2030)	Future (2030) + Project
N River Rd & West Site Access	Two-way Stop Controlled	AM	-	D*
		PM	-	F*
N River Rd & Middle Site Access	Two-way Stop Controlled	AM	-	E*
		PM	-	F*
N River Rd & East Site Access	Two-way Stop Controlled	AM	-	C*
		PM	-	C*
SR 31 & N River Rd	Signalized	AM	C	D
		PM	C	D
SR 31 & SR 78	Signalized	AM	D	F
		PM	D	F

*NB Approach LOS

The results of the intersection analysis at the proposed site access drives along North River Rd indicate all major movements on North River Road (WB approach) to operate at an acceptable LOS in 2030 with the project trips added to the intersections in the AM and PM peak hour traffic conditions. Additional roadway improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval. As identified in Table 3, the future signalized intersection of SR 31 with SR 78 is predicted to operate at a poor LOS "F" in 2030 with the post-project build-out traffic. This intersection is considered as an off-site intersection for which the impacts are mitigated by the project through the payment of the road impacts fees.

Conclusion

The proposed project is not anticipated to adversely affect the surrounding roadway network. Please consider recommendation adding the following conditions:

1. Regardless of any land use density/intensity conversion allowed per the Land Development Code or zoning condition specific to this development, the development is allowed a maximum calculated development intensity with respect to new trip generation utilizing the following development scenario based upon the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at the time of local development order: 1,099 Units of Single-Family Residential (LUC 210).

ATTACHMENT R

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From: Abes, Benjamin <Benjamin.Abes@leegov.com<mailto:Benjamin.Abes@leegov.com>>
Sent: Monday, June 26, 2023 8:13 AM
To: Dunn, Brandon <BDunn@leegov.com<mailto:BDunn@leegov.com>>; Rodriguez, Anthony <ARodriguez4@leegov.com<mailto:ARodriguez4@leegov.com>>; Ivory Matthews <imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>; Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Cc: Rozdolski, Mikki <MRozdolski@leegov.com<mailto:MRozdolski@leegov.com>>
Subject: [EXT] Re: Lee County EMS/Neal Communities

Good morning,

I have had an opportunity to have our team analyze the attached site plan after our meeting.

1. From our current locations, Lee County EMS can reach the western pod of homes with an entrance across from Turkey Run Lane
2. We can reach about 2/3 of the properties in the east pod; you can use the opposing cul-de-sacs as an estimate of our response boundary without the Babcock Station
3. Lee County EMS cannot reach the southern pod of homes on the site plan until the Babcock Station is constructed

Please communicate with me and the DCD team about how you'd like to proceed. They should have examples of how this has been done in the past.

Thanks,

Ben

<image001.jpg>

Benjamin Abes | Director

Public Safety

office: (239) 533-3911

email: benjamin.abes@leegov.com<mailto:benjamin.abes@leegov.com>

From: Abes, Benjamin
Sent: Friday, June 9, 2023 1:14 PM
To: Dunn, Brandon <BDunn@leegov.com<mailto:BDunn@leegov.com>>; Rodriguez, Anthony <ARodriguez4@leegov.com<mailto:ARodriguez4@leegov.com>>; Ivory Matthews <imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>; Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Cc: CONF ROOM 2C (Public Works) <D9@leegov.com<mailto:D9@leegov.com>>
Subject: Lee County EMS/Neal Communities
When: Friday, June 16, 2023 2:30 PM-3:30 PM.
Where: Lee County Community Development (1500 Monroe St, Fort Myers, FL 33901, United States)

We'll meet in person, adding Teams for Anthony to join remotely.

Jack and Ivory, let us know if you'd prefer to hold this remotely and we can switch to a fully virtual meeting.

Thanks,

Ben

From: Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Sent: Tuesday, June 6, 2023 12:37 PM
To: Abes, Benjamin <Benjamin.Abes@leegov.com<mailto:Benjamin.Abes@leegov.com>>
Cc: Ivory Matthews
<imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>
Subject: [EXTERNAL] RE: [EXT] Re: Lee County EMS

Prefer afternoon on the 16th.

Jack Weber

Land Acquisition Manager

941-328-1993 Ofc

941-226-9663 Cell

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domain=nealcommunities.com<https://protect-us.mimecast.com/s/Q7CWC82zDDTWl2nEF2Ynqa?
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From: Abes, Benjamin <Benjamin.Abes@leegov.com<mailto:Benjamin.Abes@leegov.com>>
Sent: Tuesday, June 6, 2023 12:09 PM
To: Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Cc: Ivory Matthews
<imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>
Subject: [EXT] Re: Lee County EMS

Jack and Ivory,

I'm sorry -- I've been trying to coordinate our calendars. Do you have availability on June 16 or June 19?

<image001.jpg>

Benjamin Abes | Director

Public Safety

office: (239) 533-3911

email: benjamin.abes@leegov.com<mailto:benjamin.abes@leegov.com>

From: Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Sent: Thursday, June 1, 2023 5:08 PM
To: Abes, Benjamin <Benjamin.Abes@leegov.com<mailto:Benjamin.Abes@leegov.com>>
Cc: Ivory Matthews
<imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>
Subject: [EXTERNAL] Fwd: Lee County EMS

Ben

Let me know if either of these days and times work for you.

Jack Weber
Land Acquisition Manager

Neal Communities

(941) 328-1993 (O)
(941) 226-9663 (C)

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Sent from my iPhone

Begin forwarded message:

From: Ivory Matthews
<imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>
Date: June 1, 2023 at 2:24:59 PM EDT
To: Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Subject: RE: Lee County EMS

Thanks Jack. I am available:
6/12 all day except for a meeting at Noon-1pm
6/14 all day

Ivory Matthews
Vice President, Community & Governmental Affairs

941-328-1084 Ofc
941-224-5766 Cell
941-328-1100 Fax
5800 Lakewood Ranch Blvd
Sarasota, FL 34240
mailto:imatthews@nealcommunities.com
https://protect-us.mimecast.com/s/6gOOC0RorruQK76puOEpG7?domain=nealcommunities.com
CBC 1256375

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-----Original Message-----

From: Jack Weber <jweber@nealcommunities.com<mailto:jweber@nealcommunities.com>>
Sent: Thursday, June 1, 2023 1:49 PM
To: Ivory Matthews
<imatthews@nealcommunities.com<mailto:imatthews@nealcommunities.com>>
Subject: Lee County EMS

Ivory,

Please provide two days and times during the week of June 12 that you were available to meet with Lee COunty EMS to discuss Cary did Povia services

Jack Weber
Land Acquisition Manager
Neal Communities

(941) 328-1993 (O)
(941) 226-9663 (C)

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Sent from my iPhone

Jack Weber
Land Acquisition Manager

941-328-1993 Ofc
941-226-9663 Cell

5800 Lakewood Ranch Blvd
Sarasota, FL 34240
mailto:jweber@nealcommunities.com
https://protect-us.mimecast.com/s/6gOOC0RorruQK76puOEpG7?domain=nealcommunities.com
CBC 1256375

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Jack Weber
Land Acquisition Manager

941-328-1993 Ofc
941-226-9663 Cell

5800 Lakewood Ranch Blvd
Sarasota, FL 34240
jweber@nealcommunities.com<mailto:jweber@nealcommunities.com<mailto:jweber@nealcommunities.com%3cmailto:jweber@nealcommunities.com>>
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CBC 1256375

[cid:image22bcd2.JPG@269516d7.429bcef5]

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Meeting ID: 272 426 510 742
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<~WRD0003.jpg>

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RHODES & RHODES LAND SURVEYING, INC.

98109 BONITA GRANDE DRIVE #107 NAPLES, FLORIDA 34135
PHONE (239) 495-8166 FAX (239) 495-8163

PARCEL 1

BEING A PORTION OF SECTION 16 AND 17, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE SOUTH 00°23'30" WEST, ALONG THE WESTERLY SECTION LINE OF SAID SECTION 16 A DISTANCE OF 50.00 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF STATE ROAD NO. 78 (N. RIVER ROAD), ACCORDING THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP RECORDED IN SECTION 12560-2604 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AND TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY OF STATE ROAD NO. 78 THE FOLLOWING 11 COURSES, COURSE (1) SOUTH 89°54'13" EAST, 3,853.85 FEET; COURSE (2) SOUTH 00°05'41" WEST, 25.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE (3) SOUTHEASTERLY, 2,144.24 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1,357.40 FEET, THROUGH A CENTRAL ANGLE OF 90°30'30" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 44°39'04" EAST, 1,928.15 FEET; COURSE (4) SOUTH 89°23'49" EAST, 25.00 FEET; COURSE (5) SOUTH 00°36'11" WEST, 451.22 FEET TO A POINT OF CURVATURE; COURSE (6) SOUTHERLY, 291.78 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1,482.40 FEET, THROUGH A CENTRAL ANGLE OF 11°16'39" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 05°02'09" EAST, 291.31 FEET; COURSE (7) SOUTH 00°30'35" WEST, 269.95 FEET; COURSE (8) NORTH 89°29'25" WEST, 6.10 FEET; COURSE (9) SOUTH 00°31'50" WEST, 163.49 FEET; COURSE (10) SOUTH 89°29'25" EAST, 6.16 FEET; COURSE (11) SOUTH 00°30'35" WEST, 40.31 FEET THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 89°58'44" WEST ALONG THE SAID SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 3,534.32 FEET; THENCE SOUTH 11°37'59" EAST, A DISTANCE OF 129.40 FEET; THENCE SOUTH 38°55'40" EAST, A DISTANCE OF 171.91 FEET; THENCE SOUTH 01°24'18" EAST, A DISTANCE OF 210.70 FEET; THENCE SOUTH 04°12'34" EAST, A DISTANCE OF 885.91 FEET TO A POINT ON A NON-TANGENTIAL CURVE; THENCE SOUTHEASTERLY, 741.98 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 735.02 FEET, THROUGH A CENTRAL ANGLE OF 57°50'17" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 63°49'32" EAST, 710.87 FEET; THENCE SOUTH 00°18'05" WEST, A DISTANCE OF 324.92 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF DUKE HIGHWAY, RIGHT OF WAY MAP DUKE HIGHWAY ACCORDING TO THE PLAT OR MAP RECORDED IN MAP BOOK 2, PAGES 1 THROUGH 9 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND TO A POINT ON A NON-TANGENTIAL CURVE; THENCE ALONG THE SAID NORTHERLY RIGHT OF WAY LINE OF DUKE HIGHWAY THE FOLLOWING 5 COURSES. COURSE (1) SOUTHWESTERLY, 241.09 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 370.00 FEET, THROUGH A CENTRAL ANGLE OF 37°20'01" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 39°14'38" WEST, 236.85 FEET; COURSE (2) SOUTH 20°31'56" WEST, 313.99 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE (3) SOUTHWESTERLY, 328.15 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 270.00 FEET, THROUGH A CENTRAL ANGLE OF 69°38'12" AND BEING SUBTENDED BY A CHORD THAT BEARS SOUTH 55°16'41" WEST, 308.33 FEET; COURSE (4) NORTH 89°54'59" WEST, 2,080.14 FEET; COURSE (5) NORTH 89°36'26" WEST, 2,006.30 FEET; THENCE NORTH 00°26'05" EAST LEAVING THE SAID NORTHERLY RIGHT OF WAY LINE OF DUKE HIGHWAY, A DISTANCE OF 635.18 FEET; THENCE NORTH 89°44'35" WEST, A DISTANCE OF 668.84 FEET TO A POINT ON THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE NORTH 00°34'39" EAST ALONG THE SAID WESTERLY LINE OF SECTION 17, A DISTANCE OF 1,995.23 FEET TO THE NORTHWEST CORNER OF SOUTHEAST QUARTER OF SECTION 17 ALSO BEING THE CENTER OF SECTION 17; THENCE NORTH 89°58'05" WEST ALONG THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 2,666.94 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 17; THENCE NORTH 00°23'17" EAST ALONG THE WESTERLY SECTION OF SAID SECTION 17, A

DCI2022-00067 Lee County ePlan

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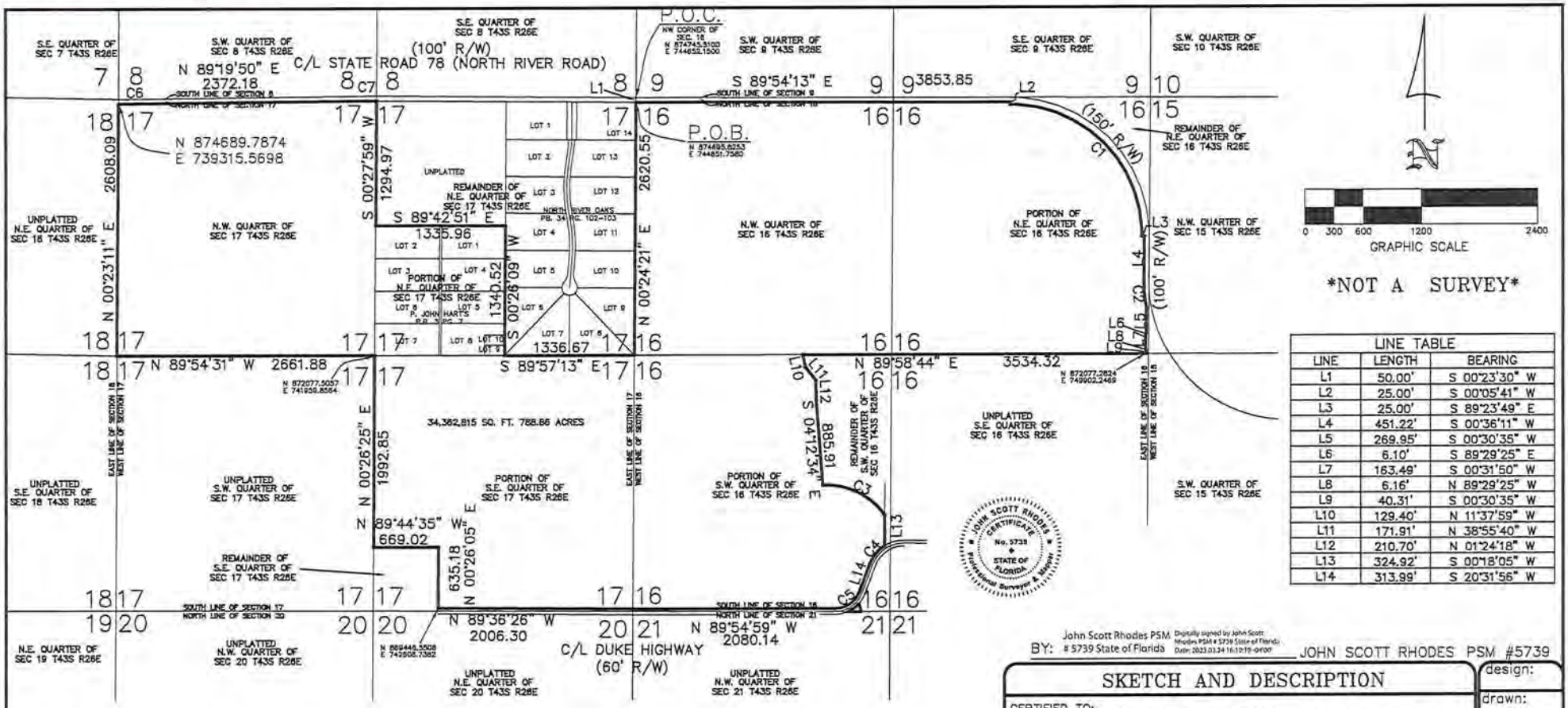
26160 BONITA GRANDE DRIVE #107 NAPLES, FLORIDA 34135
PHONE (239) 405-8166 FAX (239) 405-8168

DISTANCE OF 2,608.51 FEET TO A POINT ON THE SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD 78 AND TO A POINT ON A NON-TANGENTIAL CURVE; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE OF SECTION 17 THE FOLLOWING 3 COURSES, COURSE (1) EASTERLY, 179.42 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 11,509.16 FEET, THROUGH A CENTRAL ANGLE OF 00°53'36" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 89°47'08" EAST, 179.42 FEET; COURSE (2) NORTH 89°19'50" EAST, 2,372.18 FEET TO A POINT ON A NON-TANGENTIAL CURVE; COURSE (3) EASTERLY, 113.88 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 11,409.16 FEET, THROUGH A CENTRAL ANGLE OF 00°34'19" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 89°44'43" EAST, 113.88 FEET TO A POINT ON THE EASTERLY LINE OF NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 00°26'50" WEST ALONG THE SAID EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 1,295.15 FEET TO THE NORTHWEST CORNER OF P. JOHN HART'S, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 7, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.; THENCE ALONG THE BOUNDARY LINE OF SAID P. JOHN HART'S THE FOLLOWING 2 COURSES, COURSE (1) SOUTH 89°42'51" EAST, 1,336.16 FEET; COURSE (2) SOUTH 00°25'09" WEST, 1,340.40 FEET TO THE SOUTHEAST CORNER OF SAID P. JOHN HART'S AND BEING THE SOUTHWEST CORNER OF NORTH RIVER OAKS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34 PAGES 102 AND 103, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.; THENCE ALONG THE BOUNDARY LINE OF SAID NORTH RIVER OAKS THE FOLLOWING 2 COURSES, COURSE (1) SOUTH 89°56'54" EAST, 1,336.09 FEET; COURSE (2) NORTH 00°24'21" EAST, 2,620.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 34,362,815 SQUARE FEET OR 788.86 ACRES, MORE OR LESS.

REVIEWED
DCI2022-00067
Rick Burris, Principal Planner
Lee County DCD/Planning
6/20/2024



LINE TABLE		
LINE	LENGTH	BEARING
L1	50.00'	S 00°23'30" W
L2	25.00'	S 00°05'41" W
L3	25.00'	S 89°23'49" E
L4	451.22'	S 00°36'11" W
L5	269.95'	S 00°30'35" W
L6	6.10'	S 89°29'25" E
L7	163.49'	S 00°31'50" W
L8	6.16'	N 89°29'25" W
L9	40.31'	S 00°30'35" W
L10	129.40'	N 11°37'59" W
L11	171.91'	N 38°55'40" W
L12	210.70'	N 01°24'18" W
L13	324.92'	S 00°18'05" W
L14	313.99'	S 20°31'56" W

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	1357.40	90°30'30"	2144.24'	1928.15'	N 44°39'04" W
C2	1482.40	11°16'39"	291.78'	291.31'	S 05°02'09" E
C3	735.02	57°50'17"	741.98'	710.87'	N 63°49'32" W
C4	370.00	37°20'01"	241.09'	236.85'	S 39°14'38" W
C5	270.00	69°38'12"	328.15'	308.33'	N 55°16'41" E
C6	11509.16	0°53'36"	179.42'	179.42'	N 89°47'08" E
C7	11409.16	0°34'27"	114.31'	114.31'	N 89°50'15" E

REVIEWED
DCI2022-00067
Rick Burris, Principal Planner
Lee County DCD/Planning
5/20/2024

ABBREVIATIONS
BOB = BASIS OF BEARING
C/L = CENTERLINE
FPL = FLORIDA POWER AND LIGHT
P = PLAT
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
PSM = PROFESSIONAL SURVEYOR AND MAPPER
R/W = RIGHT OF WAY LINE

BY: John Scott Rhodes PSM # 5739 State of Florida — Digitally signed by John Scott Rhodes PSM # 5739 State of Florida Date: 2023.03.24 16:10:19 -04'00' — JOHN SCOTT RHODES PSM #5739

SKETCH AND DESCRIPTION

CERTIFIED TO:
NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, A FLORIDA LIMITED LIABILITY COMPANY

RHODES & RHODES LAND SURVEYING, INC.
LICENSE #LB 6897

bk:	pg:	date: MARCH 24, 2023
XX	XX	scale: 1" = 1200'
		cogo #: 22-345

28100 BONITA GRANDE DRIVE SUITE 107
BONITA SPRINGS, FL 34135
(239) 405-8166 (239) 405-8163 FAX

design:
drawn: EFC
checked: JSR
acad #: 2022-345
view: PLOT
project#: 2022-345
sheet #: 3 of 3
file #: 2022-345

Z:\Cary Duke Prop for Neal 2022-345\2022-345 MASTER BNDY SKETCH & DESCRIP.dwg, Layout2, 3/24/2023 4:15:31 PM, 1:1

Exhibit A

RHODES & RHODES LAND SURVEYING, INC.
28100 BONITA GRANDE DRIVE #107 NAPLES, FLORIDA 34135
PHONE (239) 405-8168 FAX (239) 405-8163

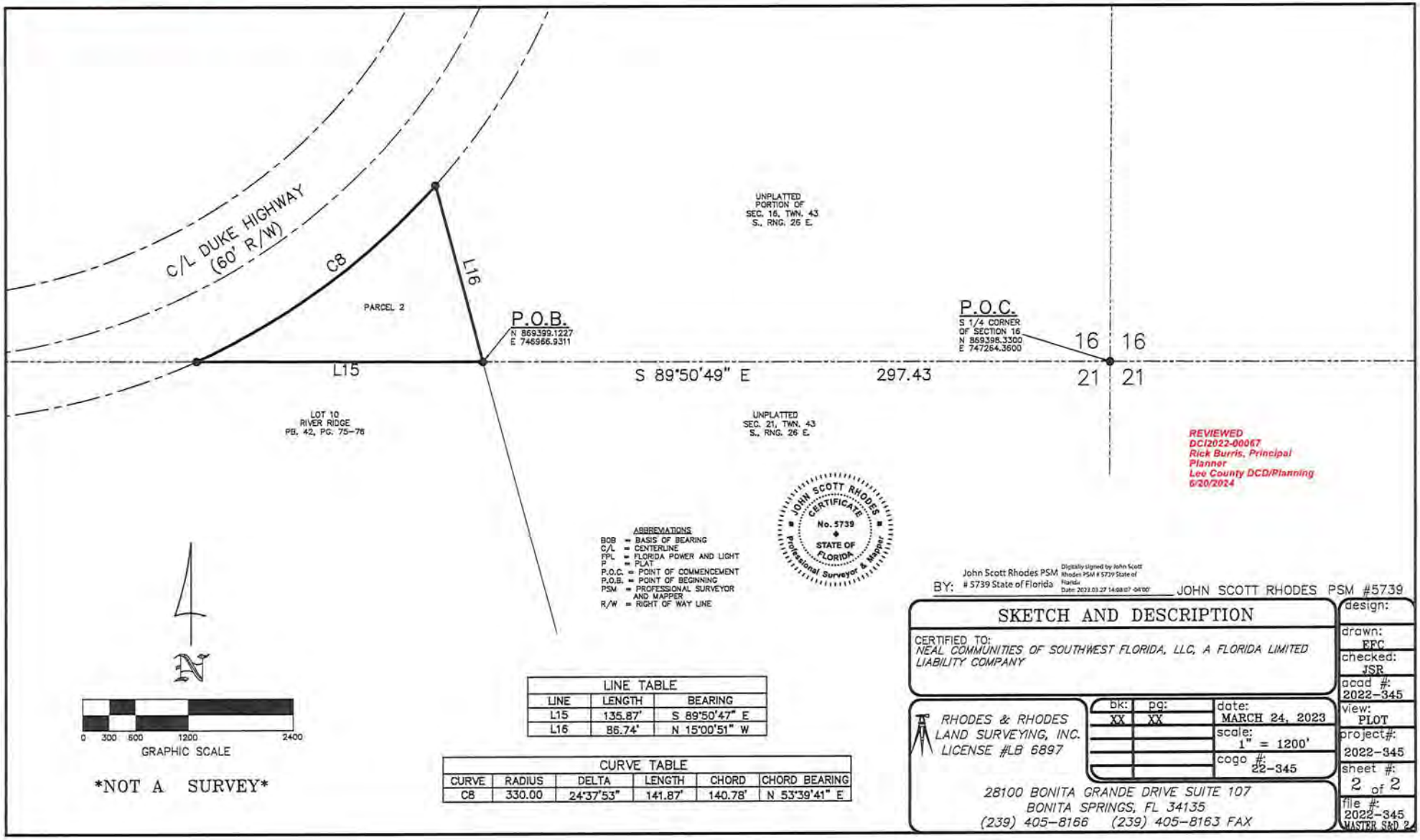
PARCEL 2

BEING A PORTION OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE SOUTH ¼ CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA.; THENCE NORTHTH 89°50'49" WEST ALONG THE SOUTHERLY LINE OF SAID SECTION 16, A DISTANCE OF 297.43 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE NORTH 89°50'47" WEST CONTINUING ALONG THE SAID SOUTH LINE OF SECTION 16, A DISTANCE OF 135.87 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF DUKE HIGHWAY ACCORDING TO THE OFFICIAL RECORDS BOOK 2026 PAGE 2985, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, TO A POINT ON A NON-TANGENTIAL CURVE; THENCE NORTHEASTERLY ALONG THE SAID SOUTHERLY RIGHT OF WAY OF DUKE HIGHWAY, 141.87 FEET ALONG THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 330.00 FEET, THROUGH A CENTRAL ANGLE OF 24°37'53" AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 53°39'41" EAST, 140.78 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY OF DUKE HIGHWAY, SOUTH 15°00'51" EAST, A DISTANCE OF 86.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,973 SQUARE FEET OR 0.114 ACRES, MORE OR LESS.

REVIEWED
DCI2022-00067
Rick Burris, Principal Planner
Lee County DCD/Planning
6/20/2024



REVIEWED
DCI2022-00067
Rick Burris, Principal Planner
Lee County DCD/Planning
6/20/2024

BY: John Scott Rhodes PSM # 5739 State of Florida — Digitally signed by John Scott Rhodes PSM # 5739 State of Florida, Date: 2023.03.27 14:08:07 -04'00' — JOHN SCOTT RHODES PSM #5739

LINE TABLE		
LINE	LENGTH	BEARING
L15	135.87'	S 89°50'47" E
L16	86.74'	N 15°00'51" W

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C8	330.00	24°37'53"	141.87'	140.78'	N 53°39'41" E

SKETCH AND DESCRIPTION

CERTIFIED TO:
NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC, A FLORIDA LIMITED LIABILITY COMPANY

RHODES & RHODES LAND SURVEYING, INC.
LICENSE #LB 6897

28100 BONITA GRANDE DRIVE SUITE 107
BONITA SPRINGS, FL 34135
(239) 405-8166 (239) 405-8163 FAX

bk:	pg:	
XX	XX	date: MARCH 24, 2023
		scale: 1" = 1200'
		cogo #: 22-345

design:
drawn: EFC
checked: JSR
acad #: 2022-345
view: PLOT
project#: 2022-345
sheet #: 2 of 2
file #: 2022-345 MASTER S&D 2

Z:\Cary Duke Prop for Neal 2022-345\2022-345 MASTER BNDY SKETCH & DESCRIP 2.dwg, Layout2, 3/27/2023 1:29:48 PM, 1:1

ATTACHMENT T

AGRICULTURAL USES AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, on this ____ day of December, 2022, personally appeared G. Keith Cary, who is personally known to me or who produced_____,

as identification and who did take an oath, who deposes and says as follows:

1. That I am the Owner/Authorized Agent of the following described property, to wit: STRAP # 17-43-26-00-00001.0000; 17-43-26-01-00003.0000; 17-43-26-01-00009.0000 16-43-26-00-00001.0040; 17-43-26-01-00004.0000

2. That the above-described property was used for bona fide agricultural purposes qualifying for the Agricultural Tax Classification of the property described above at the time of this zoning application.

3. The agricultural use of the property, cattle grazing, is an existing bona fide agricultural use.

FURTHER AFFIANT SAYETH NAUGHT.

By: _____

G. Keith Cary

Owner/Authorized Agent of Cary & Duke Properties, LLC

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

CRYSTAL ANN DARLING
MY COMMISSION EXPIRES MARCH 17, 2023
#GG 312483
Bonded thru Troy Fain Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Commission No.
GG 312483

_____
Signature of Notary Public

Crystal Darling
(Print, type or stamp commissioned name of Notary Public)

AGRICULTURAL USES AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 14 day of December, 2022, personally appeared Mary Ellen Povia, who is personally known to me or who produced FL Drivers License P100-586-45-842-0 as identification and who did take an oath, who deposes and says as follows:

1. That I am the Authorized Representative of the following described property, to wit:

   See attached Exhibit "A"

2. That the above-described property was used for bona fide agricultural purposes qualifying for the Agricultural Tax Classification of the property described in the attached Exhibit "A" at the time of this zoning application.

3. The agricultural use of the property is an existing bona fide agricultural use.

FURTHER AFFIANT SAYETH NAUGHT.

By: Mary Ellen Povia

Authorized Agent for Povia Family, LLC

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

Alexis Gaure Arrieta
Signature of Notary Public

Commission No.

(Print, type or stamp commissioned name of Notary Public)

ALEXIS GAURE ARRIETA
Commission # HH 254212
Expires May 15, 2026

EXHIBIT "A"

LEGAL DESCRIPTION OF THE REAL PROPERTY

(Seller to provide prior to execution)

The North one-half (1/2) of Section 16, Township 43 South, Range 26 East, Lee County, Florida.

Less and Except

LEGAL DESCRIPTION: (AS DESCRIBED BY THIS OFFICE)

THE NORTH ONE-HALF (1/2) OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA LYING NORTHEASTERLY OF THE CURRENT RIGHT OF WAY OF NORTH RIVER ROAD LESS AND EXCEPT THE FORMER RIGHT OF WAY AS REFERENCED IN RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS ADOPTED FEBRUARY 15, 1967 AND SHOWN ON STATE ROAD RIGHT OF WAY MAP SECTION 12560-2604, DATED JULY 20, 1965 AND LESS THE TAKING PER OFFICIAL RECORDS BOOK 353, PAGE 629 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE S.00°35'48"W., ALONG THE EAST LINE OF SAID SECTION, FOR A DISTANCE OF 400.96 FEET TO A POINT ON THE MAINTAINED RIGHT OF WAY LINE AS SHOWN ON STATE ROAD RIGHT OF WAY MAP SECTION 12560-2604, DATED JULY 20, 1965 BEING A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 611.00 FEET; THENCE ALONG SAID MAINTAINED RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 54°02'56", A CHORD BEARING OF N.43°40'59"W., A CHORD LENGTH OF 555.24 FEET AND AN ARC LENGTH OF 576.38 FEET; THENCE S.89°54'42"E. FOR A DISTANCE OF 387.66 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 52,738 SQUARE FEET, OR 1.211 ACRES, MORE OR LESS

TOGETHER WITH

PARCEL 2

COMMENCE AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE N.89°54'42"W., ALONG THE NORTH LINE OF SAID SECTION, FOR A DISTANCE OF 700.72 FEET; THENCE S.27°33'00"W., A DISTANCE OF 30.43 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT OF WAY AS SHOWN ON STATE ROAD RIGHT OF WAY MAP SECTION 12560-2604, DATED JULY 20, 1965 AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S.89°54'42"E., ALONG SAID MAINTAINED RIGHT OF WAY, FOR A DISTANCE OF 126.11 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET; THENCE ALONG SAID RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 80°30'30", A CHORD BEARING OF S.44°39'27"E., A CHORD LENGTH OF 761.26 FEET AND AN ARC LENGTH OF 866.82 FEET; THENCE S.00°35'48"W. FOR A DISTANCE OF 301.41 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1507.40 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°10'29", A CHORD BEARING OF N.41°51'46"W., A CHORD LENGTH OF 1060.11 FEET AND AN ARC LENGTH OF 1083.27 FEET; THENCE N.27°33'00"E. FOR A DISTANCE OF 78.47 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 194,758 SQUARE FEET, OR 4.471 ACRES, MORE OR LESS

COMBINED ACREAGE IS 5.682 ACRES, MORE OR LESS.

AGRICULTURAL USES AFFIDAVIT

STATE OF WASHINGTON

COUNTY OF SNOHOMISH

BEFORE ME, the undersigned authority, on this 12th day of December, 2022, personally appeared Raymond E. Harney and Kathy R. Harney, who is personally known to me or who produced WASHINGTON DRIVER'S LICENSE

as identification and who did take an oath, who deposes and says as follows:

1. That I am the Owner/Authorized Agent of the following described property, to wit: STRAP # 17-43-26-01-00008.0000

2. That the above-described property was used for bona fide agricultural purposes qualifying for the Agricultural Tax Classification of the property described above at the time of this zoning application.

3. The agricultural use of the property, cattle grazing, is an existing bona fide agricultural use.

FURTHER AFFIANT SAYETH NAUGHT.

By: _____

Raymond E. Harney

Kathy R Harney

Kathy R. Harney

Owner/Authorized Agent of the Harney Trust.

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

Signature of Notary Public

Commission No. 199726

Bryan Peckham

(Print, type or stamp commissioned name of Notary Public)

BRYAN PECKHAM
COMMISSION EXPIRES
NOTARY
PUBLIC
LIC. No. 199726
05-19-2026
STATE OF WASHINGTON

STORMWATER NARRATIVE

The Cary+Duke+Povia project is located north of the Caloosahatchee River, extending from North River Rd to Duke Highway. The project is not currently permitted with SFWMD, but will be permitted prior to construction. The western block of the site was previously part of a project known as North River Village. Environmental Resource Permit (ERP) application (App No 080519-3) was submitted to SFWMD, however it was withdrawn prior to permit issuance.

The site is currently vacant and allows runoff flow into the Caloosahatchee River tributaries, with Trout Creek and remnants of Otter Creek running north-south flowing into the Caloosahatchee River. Offsite flows include three culverts under N River Road allowing runoff from the north of the ROW, flowing through onsite man-made ditches, Trout Creek and ultimately the Caloosahatchee River.

The proposed Surface Water Management (SWM) system will be required to obtain an ERP permit from SFWMD and will be consistent with design standards as outlined in the SFWMD Applicant's Handbook (AH). The design intent of the system is to provide water quality treatment and attenuation in the proposed interconnected wet and/or dry detention system. The required runoff treatment will be provided on the SWM system prior to discharging to the onsite preserves. The drainage system will be operated and maintained by the HOA or their assign. In addition to the discharge and treatment analysis, a nutrient loading analysis will be conducted to ensure that effluent nutrient levels are lower in the post-development condition.

The site plan layout is designed based on the site topography and hydrology. With Trout Creek running north-south, the site layout intends to eliminate encroachment and impacts to the riverine area of Trout Creek and adjacent wetlands by providing two separate development pods and avoid impacts to the upstream and downstream properties adjacent to the creek.

The SWM systems runoff discharge into the waters of Trout Creek and Otter Creek, including the historic runoff of the area. Drainage patterns within the project flowing into Otter Creek will be reconfigured to allow the current runoff to remain as tributary. An existing portion of man-made ditch along the southeast property boundary flows into Otter creek and will remain. The SWM system design and water table elevations will be consistent with historic data based on the best available information in the area, including groundwater monitoring well data and field observations.

The proposed project is located within designed FEMA flood zones AE-10, AE-11 and Zone X of the FEMA Preliminary Coastal Study. The FEMA elevations from the coastal study are effective as of 11/17/2022. Due to the project's proximity to the Caloosahatchee River and FEMA flood zones, a floodplain compensating storage analysis will be conducted to ensure the proposed improvements do not adversely impact the existing floodplain and adjacent properties.