



**LEE COUNTY**  
**SOUTHWEST FLORIDA**

**BOARD OF COUNTY COMMISSIONERS**

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Writer's Direct Dial Number: (941) 479-8585

Bob Janes  
District One

July 3, 2003

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Ray Eubanks, Administrator, Plan Review and Processing  
Florida Department of Community Affairs  
Bureau of State Planning  
Plan Processing Section  
2555 Shumard Oak Boulevard  
Tallahassee, FL. 32399-2100

Re: Amendments to the Lee Plan  
Transmittal Submission Package for the 2002/2003 Regular Amendment Cycle

Dear Mr. Eubank:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.006, this submission package constitutes the transmittal of the proposed 2002/2003 Regular Amendment Cycle to the Lee Plan. The Local Planning Agency held public hearings for these plan amendments on the following dates: January 27, 2003; March 24, 2003; April 28, 2003; and May 28, 2003. The Board of County Commissioners transmittal hearing for the plan amendments was held on June 25, 2003. Per 9J-11.006(1)(a)(3), Lee County is requesting that the Department review the proposed amendments and provide an Objections, Recommendations, and Comments (ORC) Report. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing upon receipt of the ORC Report.

A summary of the plan amendment content and effect is attached to this letter. The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Paul O'Connor, AICP  
Lee County Planning Division Director  
P.O. Box 398  
Fort Myers, Florida 33902-0398  
(941) 479-8585  
Fax (941) 479-8319  
Email: oconnops@leegov.com

Included with this package, per 9J-11.006, are six copies of the proposed amendments, and supporting data and analysis. By copy of this letter and its attachments, I certify that these amendments have been sent to the Regional Planning Council, the Florida Department of Transportation (FDOT), the Department of Environmental Protection, Florida Department of State, Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, Division of Forestry, and the South Florida Water Management District.

Sincerely,  
**DEPT. OF COMMUNITY DEVELOPMENT**  
Division of Planning

Paul O'Connor, AICP  
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover, to:

David Burr  
Interim Director  
Southwest Florida Regional Planning Council

Mike Rippe, District Director  
FDOT District One

Executive Director  
South Florida Water Management District

Plan Review Section  
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry

## 2002/2003 LEE PLAN AMENDMENT CYCLE

### SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT

- CPA2002-02** Amend the Future Land Use Map series for a 60 acre portion of a specified parcel of land located in Section 20, Township 46 South, Range 25 East to change the classification shown on Map 1, the Future Land Use Map, from "Rural" to "Outlying Suburban." Also, to amend Lee Plan Policy 1.1.6 by limiting the density in the reclassified area to 2 dwelling units per acre. Also, amend Table 1(a), Note 6 to require central sewer service for development in the subject property. This property is located in the Estero planning community at the western end of Pine Road.
- CPA2002-04** Amends the Vision Statement for the Fort Myers Shores Planning Community and creates a new Goal, Objectives and Policies specific to the Caloosahatchee Shores Community. Proposed policies address Community Character, Commercial Land Uses, Residential Uses, Mixed Use Developments, Community Facilities/Parks and Public Participation. Amends the Future Land Use Map by changing approximately 43 acres located at intersection of State Route 80 and State Route 31 from the Suburban Future Land Use category to the Urban Community Future Land Use category and by changing approximately 1003 acres of land located east of Buckingham Road and immediately north of the Buckingham Rural Community Preserve from the Suburban and Rural Future Land Use categories to the Outlying Suburban Future Land Use category. Revising the Definition of Density located in the Glossary of the Lee Plan.
- CPA2002-06** Amends Table 1(b) by adjusting the Outlying Suburban Residential allocations in the Bayshore and Alva Planning Communities. The Alva Planning Community allocation will be increased by 15 acres from 0 to 15 acres and the Bayshore Planning Community allocation will be decreased by 15 acres from 764 to 749 acres. This amendment addresses an error in the allocation adjustments made when the Bayshore Planning Community was created on Map 16. This amendment does not effect the overall county population accommodation.
- CPA2002-08** Amends the Conservation Lands categories of the Future Land Use Map (FLUM) series to include lands acquired by Lee County, the Trustees for Internal Improvement Trust Fund and the South Florida Water Management District.
- CPA2002-11** Amends the Future Land Use Element text, Objective 17.3, by adding language that allows potable water lines to be extended to serve the Buckingham Rural Community Preserve on a voluntary basis, with costs of extension to be paid by the petitioner. The proposed amendment also amends the Future Land Use Map Series, Map 6 Lee County Utilities Future Water Service Areas, to show all areas of the Buckingham Rural Community Preserve, that are within the Lee County Utilities franchise area, to be within the Future Water Service Areas of the County. The proposed amendment also amends the Future Land Use Map Series, Map 7 Lee County Utilities Future Sewer Service Areas, to add Gulf Coast Center and Tice Fire Station sites. Gulf Coast Center has existing sanitary sewer service through an interlocal agreement with Lee County Utilities. Tice Fire Station is surrounded on three sides by Gulf Coast Center and fronts on Buckingham Road. Both sites are designated under the Public Facilities Future Land Use category.

**CPA2002-13**

Amends some of the Transportation Maps of the Future Land Use Map Series (Maps 3A, 3B and 3H) and Policy 21.1.1 to reflect the latest version of the Lee County MPO's 2020 Financially Feasible Transportation Plan highway map (dated January 17, 2003). Map 3A directly reflects the MPO's plan, and Maps 3B and 3H are based on the network shown in the MPO's plan, and Policy 21.1.1 explains that the MPO's plan is incorporated as Map 3A of the Lee Plan Transportation Map series. All currently refer to an older version of the MPO plan (December 8, 2000) and require updating. At the time of the transmittal hearing for this amendment (June 25, 2003), the MPO had just approved some additional changes to its Financially Feasible Plan on June 20<sup>th</sup>, and additional amendments were scheduled to be considered at the August 22<sup>nd</sup> meeting, so further revisions to the Lee Plan maps and Policy 21.1.1 are expected for the adoption hearing.

**CPA2002-15**

Amends Table 2(a), Constrained Roads/State and County Roads, to eliminate Old 41, which is now a City of Bonita Springs road. The designation of certain roadways as "constrained", meaning they won't be widened for scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, has been limited to roadways that fall under Lee County's comprehensive plan jurisdiction, namely State and County-maintained roadways. Maintenance responsibility for Old 41 was transferred from Lee County to the City of Bonita Springs by virtue of a September 19, 2000 interlocal agreement, so Table 2(a) needed to be amended to delete Old 41, since it is no longer a County responsibility.

**CPA2002-19**

Amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program. The adopted CIP amendment will cover fiscal years FY03/04 through FY07/08.

**CPA2002-22**

Amends the Housing Element text, Policy 100.2.3, by replacing the outdated reference to the approval process "Special Permit" with the current process "Special Exception." LDC amending Ordinance 96-06 provided that the zoning function of a Special Permit would be incorporated into the definition and procedure of the zoning function Special Exception. The required submittal documents, staff review, and Hearing Examiner directive for evaluation of a Special Exception are equally stringent as what was previously required for a Special Permit application.

**NEWS-PRESS**  
Published every morning – Daily and  
Sunday  
Fort Myers, Florida  
**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared  
**Ellen M. Polanshek**  
who on oath says that he/she is the  
**Asst. Legal Clerk** of the News-Press, a  
daily newspaper, published at Fort Myers, in Lee County,  
Florida; that the attached copy of advertisement, being a  
**display**  
in the matter of  
**Transmittal Hearing**  
in the Court was  
published in said newspaper in the issues of  
**June 16, 2003**

Affiant further says that the said News-Press is a paper of general  
circulation daily in Lee, Charlotte, Collier, Glades and Hendry  
Counties and published at Fort Myers, in said Lee County,  
Florida and that said newspaper has heretofore been  
continuously published in said Lee County, Florida, each day,  
and has been entered as a second class mail 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 the advertisement; and affiant further says that he/she has  
neither 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

16th day of June, 2003 by

**Ellen M. Polanshek**  
personally known to me or who has produced

as identification, and who did or did not take an  
oath.

Notary Public *Brenda Leighton*

Print Name \_\_\_\_\_

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD169005 EXPIRES  
February 14, 2007  
BONDED THRU TROY FAIR INSURANCE, INC



**NOTICE OF PROPOSED AMENDMENT TO  
THE LEE COUNTY COMPREHENSIVE LAND USE PLAN  
(Transmittal Hearing)**

In compliance with the Florida Statutes, notice is hereby given that the Lee County Board of County Commissioners will hold public hearings to consider proposed amendments to the Lee County Comprehensive Land Use Plan on Wednesday, June 25, 2003. The hearings will be held in the Board of County Commissioners Hearing Chambers in the renovated Courthouse at 2120 Main Street in Downtown Fort Myers. The hearing will commence at 9:30 a.m. At this hearing, the Board will review the proposed amendments for transmittal to the Florida Department of Community Affairs. The agenda of this hearing is set forth below.

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(7), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal a decision made by the Board with respect to any matter considered at this hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8585 Extension 5910.

1. CALL TO ORDER; CERTIFICATION OF AFFIDAVIT OF PUBLICATION
2. PUBLIC COMMENT ON CONSENT AGENDA
3. CONSENT ITEMS TO BE PULLED FOR DISCUSSION BY THE BOARD
4. MOTION ON THE BALANCE OF ITEMS
5. CONSIDERATION OF ITEMS PULLED FOR DISCUSSION

**Consent Agenda:**

**A. CPA 2002-06 - Outlying Suburban Residential Allocations**

Amend Table 1(b), Planning Community Year 2020 Allocations, by correcting the Outlying Suburban Allocation for the Alva Community.

**B. CPA 2002-08 - Conservation Lands**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**C. CPA 2002-11 - Buckingham Potable Water**

Amend Goal 17, Buckingham, of the Future Land Use Element by adding language allowing water lines to be extended to serve the Buckingham Rural Community Preserve on a voluntary basis, with costs of extension to be paid by the petitioner. Amend Map 6, Future Water Service Areas, to show all of the Buckingham Rural Community Preserve to be within the Future Water Service Areas of the County. Amend Map 7, Future Sewer Service Areas, to

add certain public facility sites (Gulf Coast Center and Tice Fire Station) to the Future Sanitary Sewer Service Area Map.

**D. CPA 2002-13 - Financially Feasible Transportation Map**

Amend the Transportation Maps of the Future Land Use Map Series and any related policy references to reflect the latest Lee County MPO 2020 Financially Feasible Transportation Plan map.

**E. CPA 2002-15 - Constrained Roads**

Amend Table 2(a), Constrained Roads/State and County Roads, to eliminate Old 41, which is now a City of Bonita Springs road.

**F. CPA 2002-19 - Capital Improvements Program**

Amend the Capital Improvements Element (Tables 3 & 4) to reflect the most recently adopted Capital Improvement Program.

**G. CPA 2002-22 - Housing Element Text Update**

Amend Policy 100.2.3 of the Housing Element by replacing the outdated reference to the approval process of "Special Permit" with the current process of "Special Exception."

**6. ADMINISTRATIVE AGENDA**

**A. CPA 2002-02 - Estero 60**

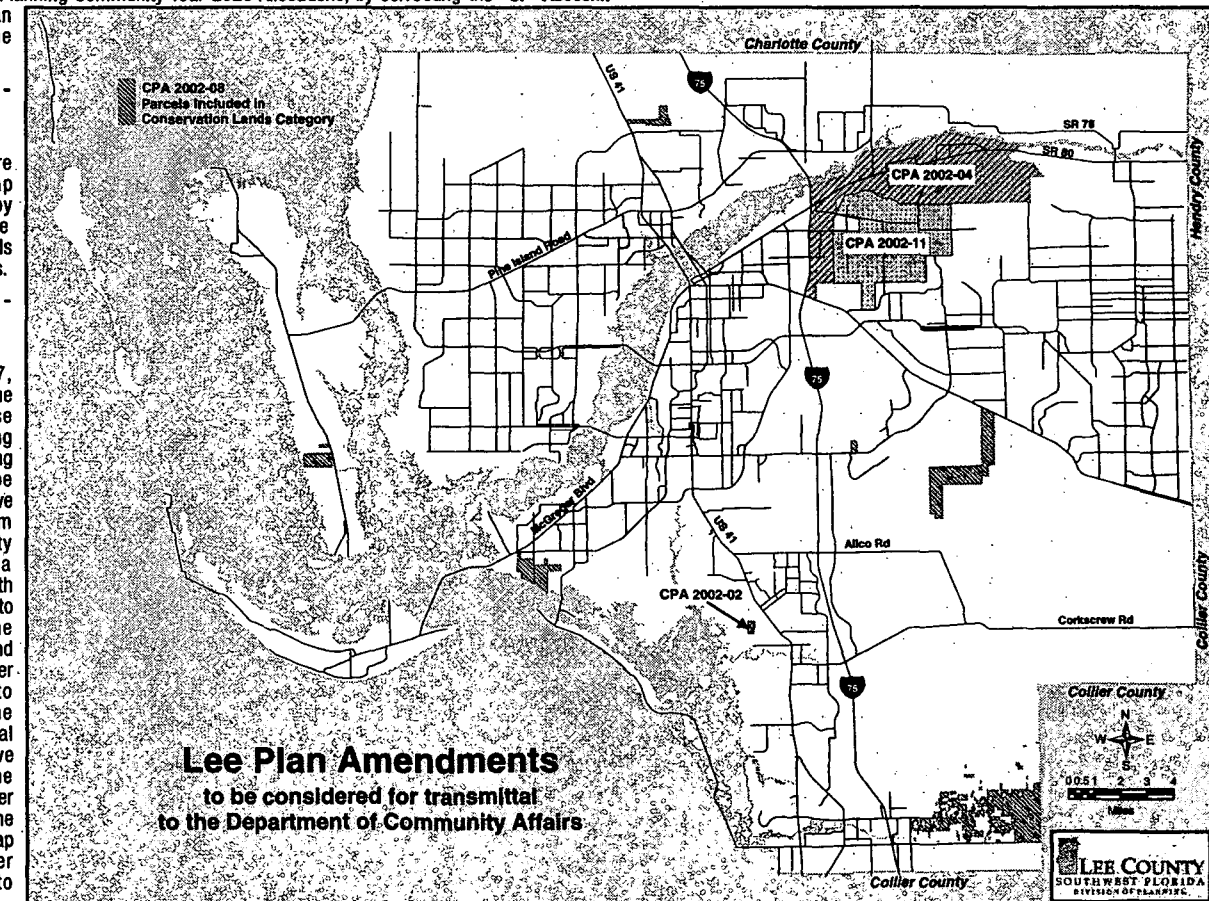
Amend Map 1 of the Future Land Use Map series to change the designation from "Rural" to "Outlying Suburban." on certain property located in Section 20, Township 46 South, Range 25 East. Amend Lee Plan Policy 1.1.6 by limiting the density in the reclassified area to 2 dwelling units per acre. Amend Table 1(a), Note 6 to require central sewer service for development in the subject property.

**7. COMMUNITY PLAN AGENDA**

**A. CPA 2002-04 - Caloosahatchee Shores Community Plan**

Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series, to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort. Establish a new Goal, Vision Statement and subsequent Objectives and Policies.

**8. ADJOURN**



## NEWS-PRESS

Published every morning - Daily and Sunday  
Fort Myers, Florida

### Affidavit of Publication

#### STATE OF FLORIDA COUNTY OF LEE

Before the undersigned authority, personally appeared

Kieanna Henry

who on oath says that he/she is the

Asst. Legal Clerk of the News-Press, a daily newspaper,  
published at Fort Myers, in Lee County, Florida; that the  
attached copy of advertisement, being a

Display

In the matter of LPA Public Hearing

in the \_\_\_\_\_ Court

was published in said newspaper in the issues of

May 16, 2003

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail 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 the advertisement; and affiant further says that he/she has neither 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.

*Kieanna Henry*

Sworn to and subscribed before me this

16<sup>th</sup> day of May 2003 by

Kieanna Henry

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public *Brenda Leighton*

Print Name \_\_\_\_\_

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD169005 EXPIRES  
February 14, 2007  
BONDED THRU TROY FAIR INSURANCE, INC.



LEE COUNTY  
SOUTHWEST FLORIDA

## MEETING NOTICE LOCAL PLANNING AGENCY PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on Wednesday, May 28, 2003. The meeting will be held in the Community Development/Public Works Building, First Floor, Conference Room 1B, at 1500 Monroe Street in downtown Fort Myers. The meeting will commence at 8:30 a.m.

### AGENDA

1. Call to Order; Certification of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from April 28, 2003
5. 2002/2003 Regular Round Plan Amendment Review:

A. CPA 2002-04 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.

B. CPA2002-01 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the ALVA Inc. Community Planning effort, establish a revised Vision Statement and a new Goal and subsequent Objectives and Policies.

6. Small Scale Plan Amendment Review:

A. CPA 2003-03 - Amend the Future Land Use Map series, Map 1, page 5 of 5 for a specified 6.8± acre parcel of land located in Section 19 Township 45 South, Range 28 East to change the boundary of Airport Noise Zone 3 to remove the subject property from that designation.

7. Spring 2003 Land Development Code Amendments

AN ORDINANCE AMENDING THE LEE COUNTY LAND DEVELOPMENT CODE (LDC) TO AMEND CHAPTERS 2, 6, 10, 14, 30 AND 34; AMENDING CHAPTER 2 (ADMINISTRATION); AMENDING IMPACT MITIGATION (§2-485); AND

AMENDING CHAPTER 6 (BUILDINGS AND BUILDING REGULATION); CREATING COMPLIANCE WITH OUTDOOR LIGHTING STANDARDS (§6-113); BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD (§6-408); AND

AMENDING CHAPTER 10 (DEVELOPMENT STANDARDS); AMENDING DEFINITIONS AND RULES OF CONSTRUCTION (§10-1); AMENDING AND RENUMBERING GENERAL REQUIREMENTS (§10-7); AMENDING SPECIFIC REQUIREMENTS (§10-8); TRANSFER (§10-121); AMENDING AND RENUMBERING APPLICATION FORM AND CONTENTS (§10-153); ADDITIONAL REQUIRED SUBMITTALS (§10-154); AMENDING TYPES OF DEVELOPMENT ENTITLED TO LIMITED REVIEW (§10-174); FINAL INSPECTION AND CERTIFICATE OF COMPLIANCE (§10-183); REQUIRED (PLATS) (§10-211); LOT RECOMBINATIONS (§10-217); CONSTRUCTION OF SOIL CONDITIONS AND FLOOD HAZARDS (§10-253); BIKEWAYS AND PEDESTRIAN WAYS (§10-256); CONNECTION SEPARATION (§10-285); CONTROLLED ACCESS ROADS (§10-298); EXCAVATIONS (§10-329); SITE DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND DEVELOPMENTS (§10-610); AND

AMENDING CHAPTER 14 (ENVIRONMENT AND NATURAL RESOURCES); AMENDING PURPOSE AND INTENT (CLEAN WATER PROVISIONS) (§14-471); PROHIBITIONS (§14-473); DEFINITIONS (§14-475); INDUSTRIAL ACTIVITY (§14-476); STORMWATER POLLUTION PREVENTION PLAN (SWP3) CRITERIA (§14-477); MONITORING (§14-478); ENFORCEMENT (§14-479); AND

AMENDING CHAPTER 30 (SIGNS); AMENDING PROHIBITED SIGNS (§30-5); PERMITS; INSPECTIONS (§30-54); TEMPORARY SIGNS (§30-151); AND

AMENDING CHAPTER 34 (ZONING); AMENDING, PROVIDING FOR OR REMOVING DEFINITIONS OF "ANIMAL KENNEL", "AMBIENT LIGHT", "ARTIFICIAL LIGHT OR ARTIFICIAL LIGHTING", "AVERAGE LIGHTING", "BACK-LIGHTING", "BULB", "CANDELS OR CD", "CUMULATIVELY ILLUMINATED", "DIRECT LIGHT", "EXISTING OUTDOOR LIGHTING", "EXTERIOR LIGHTING", "FIXTURE", "FLOOD OR SPOT LIGHT", "FOOTCANDLE", "FULL CUTOFF", "FULLY SHIELDED", "HIGH PRESSURE SODIUM OR HPS", "ILLUMINANCE", "ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA OR IESNA", "INDIRECT LIGHT", "LAMP", "LIGHT LOSS FACTOR OR LLF", "LIGHT POLLUTION", "LIGHTING", "LOW PRESSURE

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COUNTY

SODIUM OR LPS", "LUMINAIRE", "LUMEN", "MERCURY VAPOR", "METAL HALIDE OR MH", "NON-ESSENTIAL LIGHTING", "OUTDOOR LIGHTING", "PARTIALLY SHIELDED", "PHOTOMETRICS", "PLANNED DEVELOPMENT", "RECESSED", "SINGLE MANAGEMENT", "SKYGLOW", "UNIFIED CONTROL", "UNIFIED CONTROL COVENANT OF", "TELEPHONE BOOTH OR PAY TELEPHONE STATION", "UPLIGHTING" (§34-2); AMENDING FUNCTIONS AND AUTHORITY (BOARD OF COUNTY COMMISSIONERS) (§34-83); LOCAL PLANNING AGENCY (§34-111); MEMBERSHIP TERM OF OFFICE (§34-112); COMPENSATION OF MEMBERS; FUNDING (§34-113); ORGANIZATION AND OPERATION (§34-114); FUNCTIONS AND AUTHORITY (LOCAL PLANNING AGENCY) (§34-115); FUNCTIONS AND AUTHORITY (HEARING EXAMINER) (§34-145); FINAL DECISION; JUDICIAL REVIEW (§34-146); AMENDING AND RENUMBERING GENERAL SUBMITTAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING (§34-202); AMENDING ADDITIONAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING (§34-203); APPLICATIONS (§34-373); DELETING COVENANT OF UNIFIED CONTROL AND RESERVING SECTION (§34-374); AMENDING PUBLIC HEARING (§34-377); EFFECT OF PLANNED DEVELOPMENT ZONING (§34-378); AMENDING AND RENUMBERING DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN (§34-381); AMENDING PERFORMANCE STANDARDS, CREATION OF NUISANCE (§34-624); CREATING OUTDOOR LIGHTING STANDARDS (§34-625); AMENDING USE REGULATIONS TABLE FOR AGRICULTURAL DISTRICTS (§34-653); USE REGULATIONS TABLE FOR ONE AND TWO FAMILY DISTRICTS (§34-694); USE REGULATIONS FOR ONE AND TWO FAMILY RESIDENTIAL DISTRICTS (§34-694); USE REGULATIONS TABLE FOR MOBILE HOME DISTRICTS (§34-735); USE REGULATIONS TABLE FOR CONVENTIONAL COMMERCIAL DISTRICTS (§34-843); USE REGULATIONS TABLE FOR PLANNED DEVELOPMENT DISTRICTS (§34-834); DEFINITIONS (PLANNED DEVELOPMENT DISTRICTS) (§34-1033); TRUCKS AND COMMERCIAL VEHICLES IN RESIDENTIALLY AND AGRICULTURALLY ZONED DISTRICTS (§34-1181); ASSISTED LIVING FACILITIES (§34-1411); AMENDING PURPOSE OF SUBDIVISION (MINING) (§34-1671); CREATING APPENDIX "N" (POTENTIAL MINING AREAS OF LEE COUNTY) (§34-1672); AMENDING AND RENUMBERING PERMIT REQUIRED (§34-1673); GENERAL POLICIES FOR APPROVAL AND OPERATION (§34-1674); APPLICATION FOR A GENERAL MINING PERMIT; ISSUANCE OF PERMIT (§34-1676); APPLICATION FOR A MINING OPERATION PERMIT (§34-1676); DURATION OF MINING PERMIT (§34-1677); RENEWAL OF PERMITS (§34-1678); ADDITIONAL PHASE APPROVALS (§34-1679); INSPECTIONS (§34-1680); SITE REQUIREMENTS (§34-1681); AMENDING AND RENUMBERING RESERVED PROVISIONS (§34-1681 - 34-1710); AMENDING REQUIRED SPACES (§34-2020); MINIMUM DIMENSIONS GENERALLY (§34-2221); AMENDING AND RENUMBERING RESERVED PROVISIONS (§34-3051 - 34-3100); DELETING DIVISION 38 (TELEPHONE BOOTHS AND PAY PHONE STATIONS); DELETING LOCATION (§34-3070); DELETING LIGHTING AND SIGNAGE (§34-3071); RENUMBERING DIVISION 38 (USE, OCCUPANCY AND CONSTRUCTION REGULATIONS); AMENDING NUMBER OF PRINCIPAL BUILDINGS ON LOT (§34-3102); RENUMBERING DIVISIONS 40 THRU 42 AS 39 THRU 41; AND

PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

8. Update on Lee County's Evaluation and Appraisal Report process.
9. Other Business
10. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(8)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8583.

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**April 18, 2003**

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*Kieanna Henry*

Sworn to and subscribed before me this

18<sup>th</sup> day of April 2003 by

**Kieanna Henry**

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

*Brenda Leighton*

Print Name \_\_\_\_\_

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD169005 EXPIRES  
February 14, 2007  
BONDED THRU TROY FAIR INSURANCE, INC.

21 AM 9:00

RECEIVED  
LEE COUNTY



## MEETING NOTICE LOCAL PLANNING AGENCY PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on Monday, April 28, 2003. The meeting will be held in the Board of County Commission Chambers at 2120 Main Street in downtown Fort Myers. The meeting will commence at 8:30 a.m.

### AGENDA

1. Call to Order; Certification of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from March 24, 2003
5. Plan Amendment Review
  - A. CPA2002-01 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the ALVA Inc. Community Planning effort, establish a new Vision Statement, Goal and subsequent Objectives and Policies.
  - B. CPA2002-04 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.
  - C. CPA 2002-06 - Amend Table 1(b), Planning Community Year 2020 Allocations, by correcting the Outlying Suburban Allocation for the Alva Community.
  - D. CPA2002-08 - Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.
  - E. CPA2002-13 - Amend the Transportation Maps of the Future Land Use Map Series and any related policy references to reflect the latest Lee County MPO 2020 Financially Feasible Transportation Plan map.
  - F. CPA2002-15 - Update Table 2(a), Constrained Roads/State and County Roads, to eliminate Old 41, which is now a City of Bonita Springs road.
  - G. CPA2002-19 - Amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program.
6. Update on Lee County's Evaluation and Appraisal Report process.
7. Other Business
8. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(8)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

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PO# 900565



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STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kieanna Henry**

who on oath says that he/she is the

**Asst. Legal Clerk** of the News-Press, a daily newspaper,  
published at Fort Myers, in Lee County, Florida; that the  
attached copy of advertisement, being a

**Display**

In the matter of **LPA Public Hearing**

in the \_\_\_\_\_ Court

was published in said newspaper in the issues of

**March 14, 2003**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail 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 the advertisement; and affiant further says that he/she has neither 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.

*Kieanna Henry*

Sworn to and subscribed before me this

14<sup>th</sup> day of **March 2003** by

**Kieanna Henry**

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

*Brenda Leighton*

Print Name \_\_\_\_\_

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD169005 EXPIRES  
February 14, 2007  
BONDED THRU TROY FAIR INSURANCE, INC.

NOTARY PUBLIC  
LEE COUNTY, FLORIDA

00:6 AM 17

RECEIVED  
LEE COUNTY

## MEETING NOTICE LOCAL PLANNING AGENCY PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on Monday, March 24, 2003. The meeting will be held in the Board of County Commission Chambers at 2120 Main Street in downtown Fort Myers. The meeting will commence at 8:30 a.m.

### AGENDA

1. Call to Order; Certification of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from February 24, 2003
5. Small Scale Plan Amendment Review:
  - A. CPA2003-01 - Amend the Future Land Use Map series for a specified 2.25 acre parcel of land located in Section 8 Township 46 South, Range 24 East to change the classification shown on Map 1, The Future Land Use Map, from "Industrial Development" to "Urban Community."
6. 2002/2003 Regular Round Plan Amendment Review
  - A. CPA2002-02 - Amend the Future Land Use Map series for a portion of a specified parcel of land located in Section 20, Township 46 South, Range 25 East to change the classification shown on Map 1, the Future Land Use Map, from "Rural" to "Outlying Suburban." Amend Lee Plan Policy 1.1.6 by limiting the density in the reclassified area to 2 dwelling units per acre. Also, amend Table 1(a), Note 6 to require central sewer service for development in the subject property.
  - B. CPA2002-04 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.
  - C. CPA2002-11 - Amend Goal 17, Buckingham, of the Future Land Use Element by adding language that allows water lines to be extended to serve the Buckingham Rural Community Preserve on a voluntary basis, with costs of extension to be paid by the petitioner. Amend Map 6, Future Water Service Areas, to show all of the Buckingham Rural Community Preserve to be within the Future Water Service Areas of the County. Amend Map 7, Future Sewer Service Areas, to add certain public facility sites to the Future Sanitary Sewer Service Areas that have existing sewer service from Lee County Utilities or have an interlocal agreement with the City of Fort Myers for sewer service.
7. Update on Lee County's Evaluation and Appraisal Report process.
8. Communication Tower Master Plan and Ordinance

AN ORDINANCE AMENDING THE LEE COUNTY LAND DEVELOPMENT CODE (LDC) TO AMEND CHAPTER 34 (ZONING); AMENDING THE DEFINITION OF "COMMUNICATION TOWER" (§34-2); FUNCTIONS AND AUTHORITY (BOARD OF COUNTY COMMISSIONERS) (§34-83); REHEARING OF DECISIONS (§34-84); FUNCTIONS AND AUTHORITY (HEARING EXAMINER) (§34-145); FINAL DECISION; JUDICIAL REVIEW (§34-146); ADDITIONAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING (§34-203); AMENDING USE ACTIVITY GROUPS - ESSENTIAL SERVICE FACILITIES (§34-622); AMENDING USE REGULATIONS TABLE FOR AGRICULTURAL DISTRICTS (§34-653); FOR ONE- AND TWO-FAMILY RESIDENTIAL DISTRICTS (§34-694); FOR MULTIPLE-FAMILY RESIDENTIAL DISTRICTS (§34-714); FOR MOBILE HOME DISTRICTS (§34-735); FOR RECREATIONAL VEHICLE DISTRICTS (§34-791); FOR COMMUNITY FACILITIES DISTRICTS (§34-813); FOR CONVENTIONAL COMMERCIAL DISTRICTS (§34-843); FOR MARINE-ORIENTED DISTRICTS (§34-873); FOR INDUSTRIAL DISTRICTS (§34-903); FOR PLANNED DEVELOPMENT DISTRICTS (§34-934); AMENDING PRIVATE RECREATIONAL FACILITIES PLANNED DEVELOPMENTS (§34-941); AMENDING MODIFIED LAND DEVELOPMENT REGULATIONS, MASTER SITE PLAN - THE NORTH TAMiami REDEVELOPMENT OVERLAY DISTRICT (§34-1124) REPEALING AND REPLACING SATELLITE DISHES AND AMATEUR RADIO ANTENNA/TOWERS (§34-1175) AND CREATING A NEW SECTION ENTITLED SATELLITE EARTH STATIONS AND AMATEUR RADIO ANTENNAS, THAT PROVIDES FOR PURPOSE, APPLICABILITY, DEFINITIONS AND PROPERTY DEVELOPMENT REGULATIONS (§34-1175); REPEALING AND REPLACING ARTICLE VII, DIVISION 11, COMMUNICATION TOWERS IN ITS ENTIRETY (§§34-1441 - 34-1446); CREATING ARTICLE VII, DIVISION 11, ENTITLED WIRELESS COMMUNICATION FACILITIES; PROVIDING FOR PURPOSE AND INTENT (§34-1441); DEFINITIONS (§34-1442); APPLICABILITY AND EXEMPTIONS (§34-1443); PERMISSIBLE WIRELESS COMMUNICATION FACILITY LOCATIONS (§34-1444); REVIEW AND APPROVAL PROCESS (§34-1445); APPLICATION SUBMITTAL REQUIREMENTS (§34-1446); CREATING DEVELOPMENT REGULATIONS PERTAINING TO ANTENNA-SUPPORTING STRUCTURES, COLLOCATIONS, ROOF-MOUNTED ANTENNAS-SUPPORTING STRUCTURES, SURFACE-MOUNTED ANTENNAS AND STEALTH WIRELESS COMMUNICATION FACILITIES (§34-1447); PROVIDING FOR EXPERT REVIEW (§34-1448); MONITORING AND EVALUATION (§34-1449); FEES AND INSURANCE (§34-1450); DISCONTINUED USE (§34-1451); NONCONFORMING ANTENNA-SUPPORTING STRUCTURES (§34-1452); AND VARIANCE CRITERIA (§34-1453); RENUMBERING RESERVED PROVISIONS §§34-1447 - 34-1470 TO §§34-1454 - 34-1470 (§§34-1447 - 34-1470); AMENDING EXCEPTIONS TO HEIGHT LIMITATIONS FOR CERTAIN STRUCTURAL ELEMENTS (§34-2173); AMENDING ARTICLE VIII NONCONFORMITIES (APPLICABILITY); AND PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

9. Other Business
10. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(8)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8583.

PO# 900565

## NEWS-PRESS

Published every morning - Daily and Sunday  
Fort Myers, Florida

### Affidavit of Publication

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kieanna Henry**

who on oath says that he/she is the

**Asst. Legal Clerk** of the News-Press, a daily newspaper,  
published at Fort Myers, in Lee County, Florida; that the  
attached copy of advertisement, being a

#### Display

In the matter of **LPA Public Hearing**

in the \_\_\_\_\_ Court

was published in said newspaper in the issues of

**January 17, 2003**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail 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 the advertisement; and affiant further says that he/she has neither 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.

*Kieanna Henry*

Sworn to and subscribed before me this

17<sup>th</sup> day of January 2003 by

**Kieanna Henry**

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

Print Name

My commission Expires:



Brenda Leighton  
MY COMMISSION # CC808905 EXPIRES  
February 14, 2003  
BONDED THRU TROY FAIN INSURANCE, INC.



## MEETING NOTICE LOCAL PLANNING AGENCY PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on Monday, January 27, 2003. The meeting will be held in the Board of County Commission Chambers at 2120 Main Street in downtown Fort Myers. The meeting will commence at 8:30 a.m.

### AGENDA

1. Call to Order; Certification of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from November 25, 2002
5. Plan Amendment Review:

#### A. DRI Related Amendment

CPA2001-03 - Amend the Future Land Use Map for an approximate 24 acre portion of land located in Sections 12 and 13, Township 46 South, Range 25 East, to change the classification shown on Map 1 of the Future Land Use Map series from "Density Reduction/Groundwater Resource" to "University Community."

#### B. 2002/2003 Regular Round Amendment

CPA2002-22 - Amend Policy 100.2.3 of the Housing Element by replacing the outdated reference to the approval process of "Special Permit" with the current process of "Special Exception."

#### 6. Other Business

#### 7. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(8)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

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PO# 900565

RECEIVED  
LEE COUNTY  
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JAN 21 2003

03 JAN 21 AM 9:15

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1. Article Addressed to:

Florida Department of State  
Division of Historical Resources  
The Capitol  
Tallahassee, FL 32399-0250

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9843

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A. Signature X GRACIE PENTON ☐ Agent ☐ Addressee

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1. Article Addressed to:

Department of Agriculture and Consumer Svc  
Division of Forestry  
25 Connor Boulevard  
Tallahassee, FL 32301

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9836

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

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A. Signature X A. Riles ☐ Agent ☐ Addressee

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A. RILES JUL 09 2003

D. Is delivery address different from item 1? ☐ Yes  
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3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
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4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9836

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1. Article Addressed to:

la Fish and Wildlife Conservation Commission  
outh Meridian Street  
Tallahassee, FL 32399-1600

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9829

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature X Dwyer K. O'Connor ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery  
Dwyer K. O'Connor JUL 09 2003

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

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☒ Certified Mail ☐ Express Mail  
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4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
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1. Article Addressed to:

Executive Director  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, FL 33406

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9874

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery  
JCA Nov 7-9-03

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9874

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SENDER: COMPLETE THIS SECTION

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■ Print your name and address on the reverse so that we can return the card to you.

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1. Article Addressed to:

Mr. John Czerapak  
Florida Department of Transportation  
801 North Broadway  
Bartow, FL 33830

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9867

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature X Bingham ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery  
Bingham 7-9-03

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9867

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

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■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Department of Environmental Protection  
Review Section  
Commonwealth Boulevard, MS 47  
Tallahassee, FL 32399-3000

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9850

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery  
JUL 09 2003

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
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U.S. Postal Service  
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Street, Apt  
City, State

Mr. David Burr  
S.W. Florida Regional Planning Council  
P.O. Box 3455  
4980 Bayline Drive, 4th Floor  
North Fort Myers, FL 33918-3455

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

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■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

banks, Community Program Administrator  
Department of Community Affairs  
of Local Planning  
humard Oak Boulevard  
Tallahassee, FL 32399-2100

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9898

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
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3. Service Type  
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4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number  
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1. Article Addressed to:

Mr. David Burr  
S.W. Florida Regional Planning Council  
P.O. Box 3455  
4980 Bayline Drive, 4th Floor  
North Fort Myers, FL 33918-3455

2. Article Number  
(Transfer from service label) 7000 1670 DD11 9183 9881

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

COMPLETE THIS SECTION ON DELIVERY

A. Signature X [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery  
[Signature] 7-8-03

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
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4. Restricted Delivery? (Extra Fee) ☐ Yes

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**CPA2002-08  
CONSERVATION LANDS  
BoCC SPONSORED  
AMENDMENT TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

---

**THE LEE PLAN**

---

**DCA Transmittal Document**

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 479-8585*

**June 25, 2003**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2002-08**

☐

Text Amendment

☒

Map Amendment

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

STAFF REPORT PREPARATION DATE: April 21, 2003

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

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

**2. REQUEST:**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:**

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

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

- The Conservation Lands land use categories were created to accurately depict the use of lands for conservation purposes.
- The Lee Plan Future Land Use element currently includes conservation areas owned by various agencies that have been designated as Conservation Lands.

- The citizens of Lee County approved the Conservation 2020 Program establishing an ad valorem tax to purchase lands for conservation purposes.
- The BOCC created the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) to evaluate and advise the BOCC of properties nominated by willing sellers.
- Lee County has received 239 willing seller applications for properties to be purchased through the Conservation 2020 Program.
- Fifty-one of those applications and 10,746 acres have been purchased for \$65,399,721.63 through the Conservation 2020 Program.
- On January 9, 2003, the BOCC amended the FLUM to include 1,019 acres purchased by the Conservation 2020 Program, 8,617 acres purchased by the Trust for Internal Improvement Trust Fund State of Florida (TIITF) in the Charlotte Harbor Flatwoods/Yucca Pen Management Area and 1,130 acres purchased by the Calusa Land Trust on and around Pine Island into the Conservation Lands category.
- The BOCC Lee County has purchased 4,127.64 acres through the Conservation 2020 Program since July 5, 2002.
- On April 10, 2003, CLASAC recommended that the proposed amendment be approved by the BOCC with conditions.
- The Conservation Lands designation will give the County a competitive edge in obtaining grants for Conservation 2020 Program, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels.
- The South Florida Water Management District (SFWMD) has purchased approximately 1,095 acres through the Corkscrew Regional Environmental Watershed Land & Water Trust (CREW) in the Flint Pen Strand area for conservation purposes.
- The Trust for Internal Improvement Trust Fund State of Florida (TIITF) has purchased 2,057 acres through the Corkscrew Regional Environmental Watershed Land & Water Trust (CREW) in the Flint Pen Strand area for conservation purposes.
- The South Florida Water Management District (SFWMD) and the Trust for Internal Improvement Trust Fund State of Florida (TIITF) have jointly purchased 255 acres through the Corkscrew Regional Environmental Watershed Land & Water Trust (CREW) in the Flint Pen Strand area for conservation purposes.
- On April 11, 2003, Ellen Lindblad, Executive Director of the Corkscrew Regional Environmental Watershed Land & Water Trust (CREW), verbally agreed to the placement of the properties listed in Attachments 4 & 5 into the Conservation Lands FLUM category.

## **C. BACKGROUND INFORMATION**

### **1. COMPREHENSIVE PLAN POLICY BACKGROUND**

On June 3, 1998, the BOCC adopted Lee Plan Policy 1.4.6 to create the Conservation Lands category and classify 50,000 acres in this FLUM category. On January 10, 2002, the BOCC adopted new language to Lee Plan Policy 1.4.6 and amended the FLUM to include parcels purchased by the Conservation 2020 Program as of August 1, 2001 and the Sahdev property purchased by the State of Florida into the Conservation Lands category.

### **2. EXISTING CONSERVATION LANDS**

Currently, about 64,742 acres are classified in the Conservation Lands categories. Lee County has acquired over 20,000 acres of conservation lands since the 1989 plan was adopted including the Bocilla Island Preserve, Caloosahatchee Creeks Preserve, Charlotte Harbor Buffer Preserve, Columbus G. MacLeod Preserve, Deep Lagoon Preserve, Estero Bay Buffer Preserve, Flint Pen Strand, Hickey Creek Mitigation Park, Hickory Swamp Preserve, Imperial Marsh Southwest Florida International Airport Mitigation Area, Pine Island Flatwoods Preserve, Pineland Site Complex, Pine Lake Preserve, Prairie Pines Wildlife Preserve, St. James Creek Preserve, Six Mile Cypress Preserve, Yellow Fever Creek Preserve and Yucca Pen. Because aquatic preserves were excluded by the Comprehensive Plan Amendment PAM96-08, only 13,632 acres in Lee County ownership are classified in the Conservation Lands categories. In addition to the conservation lands acquired by Lee County, there are approximately 51,110 acres of conservation lands that have been acquired by other public agencies or private entities in Lee County classified in the Conservation Lands categories.

### **3. CONSERVATION 2020 PROGRAM**

A group of citizens, concerned about the rapid loss of environmentally sensitive lands to development, successfully lobbied to include a referendum on the November 1996 election ballot. That referendum asked voters whether or not they were willing to increase their property taxes by ½ mil (50 cents per 1,000 property valuation) to buy, improve, and manage conservation lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The referendum passed by a majority in every precinct. The BOCC established a land acquisition program to fulfill the voter's directives. That program has become known as "Conservation 2020", a name coined by the citizen group that pushed for the program to reflect their vision of the future. It is important to note that the BOCC mandated the program would only pursue properties with willing sellers and that the BOCC's power of eminent domain would not be used.

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

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

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) was established by Ordinance 96-12 to develop and implement a conservation land acquisition and

stewardship program (known as the Conservation 2020 Program). CLASAC developed a two part process to evaluate properties that are nominated by willing sellers.

The County has received about 239 willing seller applications. As of April 10, 2003, fifty-one nominations of those applications and 10,746 acres have been purchased for \$65,399,721.63.

#### **4. CREW LAND & WATER TRUST**

The Corkscrew Regional Environmental Watershed (CREW) Land & Water Trust was established in 1989 as a nonprofit organization to coordinate the land acquisition, land management, and public use of the 60,000 acres in CREW. This watershed straddles Lee and Collier Counties and provides aquifer recharge, natural flood protection, water purification, preservation of wildlife habitat, and public recreation. Since 1990, CREW has coordinated the purchase of nearly 26,000 acres.

In addition, surface water from the Flint Pen Strand and Bird Rookery Swamp runs off to Estero Bay and the Wiggins Pass/Cocohatchee River Estuarine System via the Imperial River, Spring Creek and the Cocohatchee canal. The District intends to maintain existing sheet flow and water quality within undisturbed portions of CREW and restore hydrologic conditions in Bird Rookery Swamp by installing water-control structures in existing canals.

The organization's 28-member Board of Trustees includes representatives of business, environmental groups, landowners, and governmental agencies. Operating with only two full-time paid employees, an Executive Director and an Environmental Education Specialist, the Trust secures its annual budget through a service contract with the South Florida Water Management District (SFWMD), as well as through grants, donations, and memberships.

The SFWMD plans to enhance natural communities degraded by human impact. Natural reestablishment of slash pine and cypress trees will be encouraged in areas that have been logged. SFWMD has initiated chemical treatment, sometimes in combination with prescribed burning, which will continue until exotic-plant infestations are under control.

#### **5. FLORIDA FOREVER PROGRAM**

The Florida Forever program replaces the Preservation 2000 Program (P-2000). P-2000 was responsible for the public acquisition, and protection, of more than 1.25 million acres of land. This program encompasses a wide range of goals, including: restoration of damaged environmental systems; water resource development and supply; increased public access; public lands management and maintenance; and, increased protection of land by acquisition of conservation easements.

Twice a year, Florida Forever acquisition projects are evaluated and selected by the Acquisition and Restoration Council (ARC). The ARC consists of nine members who represent these state agencies: Department of Community Affairs; Department of Environmental Protection; Division of Forestry of the Department of Agriculture and Consumer Affairs; Florida Fish and Wildlife Conservation Commission; and, the Division of Historical Resources of the Department of State. Four appointees of the Governor with backgrounds from scientific disciplines of land, water or environmental science also serve. The projects are grouped in three lists: Full Fee projects, Less-than-Fee projects, and Small Parcels projects.



Land acquisition by the Florida Forever program is almost exclusively voluntary. Only on extremely rare occasions, when critical natural resources are endangered, or the state's ability to effectively manage adjacent state-owned land is jeopardized, does the state use the power of eminent domain.

All state-owned land and proceeds from the sale of those lands (set aside in the Internal Improvement Trust Fund) is vested in the Trustees of the Internal Improvement Trust Fund (TIITF) [the Governor and Cabinet] for the use and benefit of the people of the State. The Department of Environmental Protection (DEP), through the Division of State Lands, performs all staff duties and functions related to acquisition, administration, and disposition of state-owned lands.

## **6. SAVE OUR RIVERS PROGRAM**

In 1981, the Florida Legislature established a landmark program known as "Save Our Rivers" (SOR) that provided funds to the state's five water management districts to acquire land for water management purposes. The legislation actually created Section 373.59, Florida Statutes, that is known as the Water Management Lands Trust Fund. It allows the District to acquire the fee or other "less-than-fee" interests in lands needed for water management, water supply or conservation or protection of water resources.

Revenues for the Water Management Lands Trust Fund come from a statewide documentary stamp tax on real estate sales. The legislature also enacted Preservation 2000 (Florida Forever) in 1990. That act also funds SOR land acquisition activities. Projects must meet criteria from both Florida Forever and Save Our Rivers.

In 1998 the District amended the SOR project boundary to include 2,560 acres at the south end of Flint Pen Strand. This is an area adjacent to the existing CREW project that is overdrained by the Kehl Canal during the dry season, but is frequently flooded during the wet season. In 1995 this area experienced extensive flooding. The South Lee County Watershed Plan, completed in 1998, recommends this area be used for stormwater attenuation to reduce flooding in the town of Bonita Springs. This can only be accomplished if the property is in public ownership. As proposed, the acquisition would be a 50/50 cost share between the District and U.S Army Corps of Engineers under a Water Resource Development Act grant. Between October 1998 and October 1999, the District acquired 2,483 acres in the project.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

#### **1. INTENT OF PLAN AND MAP AMENDMENT**

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

#### **2. CONSERVATION LANDS POLICY**

The February 1, 1996 EAR Update Addendum, "A Summary of the Condition and Quality of Natural Resources in Lee County", recommended that Lee County create a new land use category

for Conservation Lands. On June 3, 1998 the BOCC adopted Policy 1.4.6 of the Comprehensive Plan to create such a category. The purpose of the Conservation Lands category is to ensure that preserved lands are protected by designating appropriate land uses for properties within the Conservation Lands category. Appropriate land uses include but are not limited to passive recreation, environmental education, aquifer recharge, wildlife preserves, and mitigation areas and banks.

### **3. LANDS TO BE RECLASSIFIED**

Lands purchased by Lee County through the Conservation 2020 Program after July 5, 2002, the Trustees of the Internal Improvement Trust Fund (TIITF) and the South Florida Water Management District (SFWMD) in the Flint Pen Strand.

### **4. EXISTING CONDITIONS OF ACQUIRED CONSERVATION 2020 PROPERTIES**

**TOTAL ACREAGE:** 3,391.69± acres approved by CLASAC

**LOCATIONS:** Conservation 2020 properties are located throughout Lee County (see Key Map and Maps 1A, 1B, 2A, 2B, 3A, 3B, 5A, 5B, 6A & 6B).

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

**CURRENT ZONING CLASSIFICATIONS:** Attachment 1 details the individual parcel data including the acreage figures provided by the County Lands Department, which manages the Conservation 2020 program. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

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

On April 10, 2003, CLASAC met to discuss this proposed amendment. Planning staff requested that the Committee recommend to the BoCC include Nominations #59, #154, #168 and #200 into the Conservation Lands category of the Future Land Use Map (FLUM). Planning staff commented that Nominations #59 and #154 were excluded by CLASAC in last years amendment (CPA2001-15) because of a future reimbursement from the Federal Government and sale to the South Florida Water Management District (SFWMD).

Bill Burdette, CLASAC member, asked if the County had given up on seeking reimbursement of \$3,000,000 from the Federal Government for the purchase of Nomination #59 (Bunche Beach). Lynda Riley of County Lands stated the County applied for a reimbursement grant of the same amount from the Florida Communities Trust (FCT). Ms. Riley stated she felt more confident that the County would more likely receive reimbursement from the FCT Grant than the Federal

Government and that the County had to apply this year to obtain the FCT grant because applications must be received 48 months of the purchase date. Ray Pavelka, CLASAC member, asked if by putting Nomination #59 in this land use category would it devalue the property appraisal by FCT. Ms. Karen Forsyth, Director of County Lands Division, stated that FCT uses the property appraisal at time of purchase and assured it probably would not devalue the property. Ms. Forsyth also confirmed that Nomination #154 was sold to the SFWMD.

Mitch Hutchcraft, CLASAC member, asked if the inclusion of Nomination #200 in the Conservation Lands category would affect the future purchase of a portion of Nomination #200 by the Southwest Florida International Airport for expansion. Ms. Riley stated that the Airport would have to amend the FLUM to include it in the Airport land use category. Mr. Hutchcraft requested this FLUM amendment be conditioned that the future purchase by the Airport would not be prohibited by including Nomination #200 in the Conservation Lands category.

CLASAC members unanimously recommended the BOCC transmit this amendment to include Nominations #59, #168 and #200 purchased through the Conservation 2020 Program with the condition that it be noted that a portion of #200 may be sold to Southwest Florida International Airport for future expansion.

Later in the CLASAC Meeting, Planning staff noted other nominations were purchased recently by the Conservation 2020 Program. Nominations #121, #194, #197 and #202 were purchased since February 2003 but were not included in this amendment. Planning staff requested to include these parcels in this amendment. Kate Gooderham, CLASAC member, requested that CLASAC have time to review these parcels at a later date. Planning staff has requested to be put on the agenda for the May 8, 2003 CLASAC Meeting. Because of the amount of public comment at the May 8, 2003 CLASAC Meeting, discussion of this comprehensive plan amendment was postponed until the June 12, 2003 CLASAC Meeting. On June 12, 2003, CLASAC approved the amendment to the conservation lands categories of the FLUM to include Parcels #121, #194, #197 and #202.

## **5. EXISTING CONDITIONS OF SFWMD PROPERTIES**

**TOTAL ACREAGE:** 1,095.16± acres

**LOCATIONS:** SFWMD properties are located primarily in the Flint Pen Strand within the CREW Boundaries (see Key Map and Maps 4A & 4B).

**EXISTING USES:** The subject properties are preserves with some former residences.

**CURRENT ZONING CLASSIFICATIONS:** Attachment 3 details the individual parcel data including the acreage figures. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachments 2 through 5 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

## **6. EXISTING CONDITIONS OF ACQUIRED TIITF PROPERTIES**

**TOTAL ACREAGE:** 2,057.24 ± acres

**LOCATIONS:** The TIITF properties included in this amendment are located primarily in the Flint Pen Strand within the CREW Boundaries (see Key Map, Map 4A & 4B).

**EXISTING USES:** The subject properties are preserves with some former residences.

**CURRENT ZONING CLASSIFICATIONS:** Attachments 6 through 12 details the individual parcel data including the acreage figures. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachments 6 through 12 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

## **7. EXISTING CONDITIONS OF PROPERTIES JOINTLY OWNED BY SFWMD & TIITF**

**TOTAL ACREAGE:** 255.25 ± acres

**LOCATIONS:** The TIITF properties included in this amendment are located primarily in the Flint Pen Strand within the CREW Boundaries (see Key Map, Map 4A & 4B).

**EXISTING USES:** The subject properties are preserves with some former residences.

**CURRENT ZONING CLASSIFICATIONS:** Attachments 13 and 14 details the individual parcel data including the acreage figures. The acreage figures may be subject to slight changes due to differences in the legal descriptions and the Property Appraiser's records for the properties in question. The acreages and property boundaries will be verified by Planning staff in the process of preparing the map for this amendment.

**CURRENT FUTURE LAND USE CLASSIFICATIONS:** The subject properties are classified as Density Reduction/Groundwater Recharge and Wetlands Future Land Use Categories. Attachments 6 through 12 of this report shows the Future Land Use Categories for each individual parcel that is proposed to be converted to the Conservation Lands category.

## **8. ALLOWABLE USES AND ACTIVITIES**

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

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

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

## **9. ZONING**

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

## **10. WETLANDS**

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

## 11. GRANTS

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

## B. CONCLUSIONS

Placement of the lands acquired through the Conservation 2020 Program, Save Our Rivers, and Florida Forever Program into the Conservation Lands category is consistent with Objective 1.4, Policy 1.4.6, Goal 74, and Policy 74.1.2 of the Comprehensive Plan and Ordinance 96-12 (See Attachment 15). These goals, objectives, and policies read as follows:

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

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

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

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

## C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation Lands category those lands acquired by the County through the Conservation 2020 program, by the South

**Florida Water Management District through the Save Our Rivers Program and by the Trustees of the Internal Improvement Trust Fund through the Florida Forever Program.**

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

DATE OF PUBLIC HEARING: APRIL 28, 2003

#### **A. LOCAL PLANNING AGENCY REVIEW**

Environmental Sciences staff gave a brief presentation of the case. Mr. Andress questioned why Parcel Number 121 was not addressed at this time. Environmental Sciences staff stated that CLASAC will review whether or not to include this parcel into the Conservation Land Use Categories before the BoCC Transmittal Hearing.

The LPA was concerned that including Parcel 200 in the conservation lands categories was premature and wanted to exclude it from this amendment. Mr. O'Connor noted this would be more of a conceptual approval of the concept of keeping the conservation upland and wetland categories as up to date as possible.

After no public comment, Mr. Andress moved to recommend transmittal of CPA2002-08 as proposed by staff. Mr. Delisi stated he wanted to add a caveat to the motion that CLASAC review this amendment again before it goes to the Board of County Commissioners for transmittal in an effort to keep apprized of the issue with the airport.

Mr. O'Connor stated that CLASAC would also review this amendment before it goes to the Board of County Commissioners for adoption. He also noted staff had been dealing with the airport issue for some time that involves six sections of land that are part of the airport mitigation. These lands have been kept in public facilities for years.

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

1. **RECOMMENDATION:** The LPA recommends that the BoCC transmit CPA2002-08.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

#### **C. VOTE:**

<b>NOEL ANDRESS</b>	<u>AYE</u>
<b>MATT BIXLAR</b>	<u>AYE</u>
<b>SUSAN BROOKMAN</b>	<u>AYE</u>
<b>DAN DELISI</b>	<u>AYE</u>
<b>RONALD INGE</b>	<u>AYE</u>
<b>GORDON REIGELMAN</b>	<u>ABSENT</u>



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

DATE OF TRANSMITTAL HEARING: June 25, 2003

**A. BOARD REVIEW:** Staff provided a clarification about the staff report that CLASAC approved the amendment to the conservation lands categories of the FLUM to include Parcels #121, #194, #197 and #202 on June 12, 2003. Staff also reiterated CLASAC's concern about including Parcel #200 in this map amendment would not prohibit the future purchase of a portion of that parcel for the Southwest Florida International Airport expansion.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

- 1. BOARD ACTION:** The Board of County Commissioners voted unanimously to transmit the proposed amendment as a part of the consent agenda.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The BOCC accepted the findings of fact as advanced by staff

**C. VOTE:**

**JOHN ALBION**

AYE

**ANDREW COY**

AYE

**BOB JANES**

AYE

**RAY JUDAH**

AYE

**DOUG ST. CERNY**

AYE

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

DATE OF ORC REPORT:

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**
  
- B. STAFF RESPONSE**

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

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

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

**C. VOTE:**

**JOHN ALBION**

**ANDREW COY**

**BOB JANES**

**RAY JUDAH**

**DOUG ST. CERNY**

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**Parcels Being Added to the Conservation Lands Future Land Use Categories  
through Plan Amendment CPA2002-08  
Purchased by Lee County through the Conservation 2020 Program**

<b>Conservation 2020 Nomination Number</b>	<b>STRAP</b>	<b>Acres</b>	<b>Date Acquired</b>	<b>Zoning</b>	<b>Future Land Use</b>
59	11462300000080000 11462300000090000 11462300000090030 11462300000100000 11462300000110000 12462300000070000 12462300000100000 12462300000110000 13462300000010000 13462300000020000 13462300000030000 14462300000010010 14462300000020000 14462300000030000 14462300000040000	727.1	08/30/2001	AG-2	Wetlands & Outlying Suburban
121	22452200000010000	320	04/10/2003	AG-2	Rural & Wetlands * NOT YET APPROVED BY CLASAC
168	15452200000013030	32.45	07/19/2002	AG-2	Rural
194	14432400000020000 15432400000050000 16432400000060000	320.05	04/01/2003	MHPD	Suburban * NOT YET APPROVED BY CLASAC
197	24452500000010020 24452500000010000	66.9	02/20/2003	AG-2, CT & IL	Airport Commerce & Wetlands * NOT YET APPROVED BY CLASAC
200	11452600000010000 14452600000020000 23452600000020000 26452600000020000 27452600000010000 28452600000010000 33452600000010000	2632.14	08/10/2001	AG-2	DR/GR & Wetlands
202	17432300000010060	14.5	03/21/2003	AG-2	Open Lands & Wetlands * NOT YET APPROVED BY CLASAC
<b>TOTAL</b>		<b>4127.64</b>			

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-08  
Purchased by  
South Florida Water Management District (SFWMD)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
13-47-26-00-000010020	5.00	AG-2	Wetlands
13-47-26-00-000010190	5.00	AG-2	Wetlands
22-47-26-00-000010010	10.00	AG-2	Wetlands
22-47-26-00-00001001A	10.00	AG-2	DR/GR & Wetlands
22-47-26-00-000010060	1.00	AG-2	Wetlands
22-47-26-00-000010070	2.50	AG-2	Wetlands
22-47-26-00-000030230	5.00	AG-2	DR/GR & Wetlands
22-47-26-00-000030260	5.00	AG-2	Wetlands
22-47-26-00-000030270	5.00	AG-2	DR/GR & Wetlands
22-47-26-00000040000	10.00	AG-2	DR/GR & Wetlands
23-47-26-00-00001001B	10.00	AG-2	DR/GR & Wetlands
24-47-26-00-000010010	10.00	AG-2	Wetlands
24-47-26-00-000010070	14.43	AG-2	Wetlands
24-47-26-00-000040010	5.00	AG-2	Wetlands
24-47-26-00-000050010	40.00	AG-2	Wetlands
25-47-26-00-000010010	5.00	AG-2	Wetlands
25-47-26-00-000010030	5.00	AG-2	Wetlands
25-47-26-00-000020010	5.00	AG-2	Wetlands
25-47-26-00-000020020	5.00	AG-2	Wetlands
25-47-26-00-000020050	4.00	AG-2	Wetlands
25-47-26-00-000020060	5.00	AG-2	Wetlands
25-47-26-00-000030050	5.00	AG-2	DR/GR & Wetlands
25-47-26-00-00003010A	2.50	AG-2	Wetlands
25-47-26-00-000030110	5.00	AG-2	Wetlands
25-47-26-00-000030120	5.00	AG-2	Wetlands
25-47-26-00-000040000	2.50	AG-2	Wetlands
25-47-26-00-000040020	5.00	AG-2	Wetlands
25-47-26-00-000040040	5.00	AG-2	Wetlands
25-47-26-00-00004004A	1.00	AG-2	Wetlands
25-47-26-00-000040060	5.00	AG-2	Wetlands
25-47-26-00-000040070	5.00	AG-2	Wetlands
25-47-26-00-000040080	2.50	AG-2	Wetlands
25-47-26-00-000040100	2.50	AG-2	Wetlands
25-47-26-00-000050000	5.00	AG-2	Wetlands
25-47-26-00-000050090	5.00	AG-2	Wetlands
25-47-26-00-000060000	5.00	AG-2	Wetlands
25-47-26-00-000060020	5.00	AG-2	Wetlands
25-47-26-00-000060050	5.00	AG-2	Wetlands
25-47-26-00-000070020	5.00	AG-2	Wetlands
25-47-26-00-000070030	10.00	AG-2	Wetlands
25-47-26-00-000080000	60.00	AG-2	DR/GR & Wetlands
25-47-26-00-000080030	5.00	AG-2	Wetlands
25-47-26-00-000080040	5.00	AG-2	Wetlands
26-47-26-00-000010000	5.00	AG-2	DR/GR

**Subtotal this Page: 327.93**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-08  
Purchased by  
South Florida Water Management District (SFWMD)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
26-47-26-00-000010100	5.00	AG-2	DR/GR
26-47-26-00-000010120	5.00	AG-2	DR/GR
26-47-26-00-000010170	5.00	AG-2	DR/GR
26-47-26-00-000010200	5.00	AG-2	DR/GR
26-47-26-00-000010270	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010400	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010410	5.00	AG-2	DR/GR
26-47-26-00-000010420	5.00	AG-2	DR/GR
26-47-26-00-000010430	5.00	AG-2	DR/GR
26-47-26-00-000010510	5.00	AG-2	DR/GR
26-47-26-00-000010540	5.00	AG-2	DR/GR
26-47-26-00-000010570	5.00	AG-2	DR/GR
26-47-26-00-000010630	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010690	5.00	AG-2	DR/GR
26-47-26-00-000010750	5.00	AG-2	DR/GR
26-47-26-00-000010760	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010810	5.00	AG-2	DR/GR
26-47-26-00-000010820	5.00	AG-2	DR/GR
26-47-26-00-000010830	5.00	AG-2	DR/GR
26-47-26-00-000010860	5.00	AG-2	DR/GR
26-47-26-00-000010900	5.00	AG-2	DR/GR
26-47-26-00-000010920	10.00	AG-2	DR/GR
26-47-26-00-000010930	2.50	AG-2	DR/GR
26-47-26-00-000010940	2.50	AG-2	DR/GR
26-47-26-00-000010970	5.00	AG-2	DR/GR
26-47-26-00-000010990	1.00	AG-2	DR/GR
27-47-26-00-000010390	5.00	AG-2	DR/GR
27-47-26-00-000030020	2.50	AG-2	Wetlands
27-47-26-00-000030230	5.00	AG-2	DR/GR
28-47-26-00-000010000	50.00	AG-2	Wetlands
28-47-26-00-000010090	5.00	AG-2	Wetlands
28-47-26-00-000010150	5.00	AG-2	Wetlands
28-47-26-00-000020170	5.00	AG-2	Wetlands
32-47-26-00-00003005C	1.25	AG-2	Wetlands
32-47-26-00-000030120	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000030170	5.00	AG-2	Wetlands
32-47-26-00-000030180	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000030210	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000011010	1.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030070	10.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030090	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030140	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010000	10.00	AG-2	DR/GR & Wetlands

**Subtotal this Page: 255.75**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-08  
Purchased by  
South Florida Water Management District (SFWMD)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
34-47-26-00-000010010	5.00	AG-2	DR/GR
34-47-26-00-000010030	10.00	AG-2	DR/GR
34-47-26-00-000010130	5.00	AG-2	Wetlands
34-47-26-00-000010140	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010190	5.00	AG-2	Wetlands
34-47-26-00-000010210	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010220	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010230	5.00	AG-2	Wetlands
34-47-26-00-000010310	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010320	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010400	5.00	AG-2	Wetlands
34-47-26-00-000010470	4.38	AG-2	DR/GR
34-47-26-00-000010490	5.00	AG-2	Wetlands
34-47-26-00-000020000	5.00	AG-2	Wetlands
34-47-26-00-000020010	5.00	AG-2	Wetlands
34-47-26-00-000020090	5.00	AG-2	Wetlands
34-47-26-00-000020110	5.00	AG-2	Wetlands
34-47-26-00-000020150	2.50	AG-2	Wetlands
34-47-26-00-00002015A	2.50	AG-2	Wetlands
34-47-26-00-000020190	5.00	AG-2	DR/GR
34-47-26-00-000020200	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000020210	5.00	AG-2	Wetlands
34-47-26-00-000020290	5.00	AG-2	Wetlands
35-47-26-00-000010030	5.00	AG-2	DR/GR
35-47-26-00-000010040	5.00	AG-2	DR/GR
35-47-26-00-000010050	5.00	AG-2	Wetlands
35-47-26-00-000010120	5.00	AG-2	DR/GR
35-47-26-00-000010140	5.00	AG-2	DR/GR
35-47-26-00-000010170	5.00	AG-2	DR/GR
35-47-26-00-000010180	5.00	AG-2	DR/GR
35-47-26-00-000010190	5.00	AG-2	DR/GR
35-47-26-00-00001024A	5.00	AG-2	DR/GR
35-47-26-00-000010250	12.12	AG-2	DR/GR & Wetlands
35-47-26-00-000010290	5.00	AG-2	DR/GR & Wetlands
35-47-26-00-000020020	10.00	AG-2	DR/GR
35-47-26-00-000020030	5.00	AG-2	DR/GR
35-47-26-00-000020060	5.00	AG-2	DR/GR
35-47-26-00-000020130	5.00	AG-2	DR/GR
35-47-26-00-000020170	5.00	AG-2	DR/GR
36-47-26-00-000010000	5.00	AG-2	Wetlands
36-47-26-00-000010020	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010030	10.00	AG-2	Wetlands
36-47-26-00-000010050	5.00	AG-2	Wetlands
36-47-26-00-000010060	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010090	10.00	AG-2	DR/GR & Wetlands

**Subtotal this Page: 246.48**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-08**

**Purchased by**

**South Florida Water Management District (SFWMD)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
36-47-26-00-000010110	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010120	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010130	10.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010140	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010150	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010160	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010170	5.00	AG-2	Wetlands
36-47-26-00-000010180	5.00	AG-2	Wetlands
36-47-26-00-000010210	5.00	AG-2	Wetlands
36-47-26-00-000010220	10.00	AG-2	DR/GR & Wetlands
36-47-26-00-000020020	5.00	AG-2	Wetlands
36-47-26-00-000020030	5.00	AG-2	Wetlands
36-47-26-00-000020060	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000020070	5.00	AG-2	Wetlands
36-47-26-00-000020080	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000020100	5.00	AG-2	Wetlands
36-47-26-00-000020120	10.00	AG-2	Wetlands
36-47-26-00-000020130	10.00	AG-2	Wetlands
36-47-26-00-000030010	10.00	AG-2	Wetlands
36-47-26-00-000030020	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030030	5.00	AG-2	Wetlands
36-47-26-00-000030040	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030050	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030060	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030070	5.00	AG-2	Wetlands
36-47-26-00-000030090	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030120	5.00	AG-2	Wetlands
36-47-26-00-000030170	5.00	AG-2	Wetlands
36-47-26-00-000030210	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030220	5.00	AG-2	Wetlands
36-47-26-00-000030230	10.00	AG-2	Wetlands
36-47-26-00-000030240	10.00	AG-2	DR/GR & Wetlands
36-47-26-00-000040000	10.00	AG-2	Wetlands
36-47-26-00-000040020	10.00	AG-2	Wetlands
36-47-26-00-000040050	10.00	AG-2	Wetlands
36-47-26-00-000040090	10.00	AG-2	Wetlands
36-47-26-00-000040140	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000040170	5.00	AG-2	Wetlands
36-47-26-00-000040180	5.00	AG-2	Wetlands
36-47-26-00-000040190	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000040210	5.00	AG-2	Wetlands
36-47-26-00-000040220	5.00	AG-2	Wetlands

**Subtotal this Page: 265.00**

**Attachment 2 Subtotal: 327.93**

**Attachment 3 Subtotal: 255.75**

**Attachment 4 Subtotal: 246.48**

**Total SFWMD Acreage: 1095.16**

**Attachment 5**



**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
24-47-26-00-000040020	5.00	AG-2	Wetlands
24-47-26-00-000040030	5.00	AG-2	Wetlands
25-47-26-00-000010000	135.00	AG-2	DR/GR & Wetlands
25-47-26-00-000010020	5.00	AG-2	DR/GR & Wetlands
25-47-26-00-000010040	5.00	AG-2	Wetlands
25-47-26-00-000010050	5.00	AG-2	Wetlands
25-47-26-00-000020030	5.00	AG-2	Wetlands
25-47-26-00-000020040	5.00	AG-2	Wetlands
25-47-26-00-00002005A	1.00	AG-2	Wetlands
25-47-26-00-000030000	35.00	AG-2	Wetlands
25-47-26-00-000030010	5.00	AG-2	Wetlands
25-47-26-00-000030030	5.00	AG-2	Wetlands
25-47-26-00-000030040	2.50	AG-2	Wetlands
25-47-26-00-00003004A	2.50	AG-2	Wetlands
25-47-26-00-000030070	5.00	AG-2	DR/GR & Wetlands
25-47-26-00-000030080	5.00	AG-2	Wetlands
25-47-26-00-000030100	2.50	AG-2	Wetlands
25-47-26-00-000030130	5.00	AG-2	Wetlands
25-47-26-00-000040030	5.00	AG-2	Wetlands
25-47-26-00-00004004C	2.00	AG-2	Wetlands
25-47-26-00-000040050	5.00	AG-2	Wetlands
25-47-26-00-000040090	2.50	AG-2	Wetlands
25-47-26-00-000050010	5.00	AG-2	DR/GR & Wetlands
25-47-26-00-000050020	5.00	AG-2	Wetlands
25-47-26-00-000050030	5.00	AG-2	DR/GR & Wetlands
25-47-26-00-000050040	5.00	AG-2	Wetlands
25-47-26-00-000050060	5.00	AG-2	DR/GR & Wetlands
25-47-26-00-000050070	5.00	AG-2	Wetlands
25-47-26-00-000060010	5.00	AG-2	Wetlands
25-47-26-00-000060030	5.00	AG-2	Wetlands
25-47-26-00-000060040	5.00	AG-2	Wetlands
25-47-26-00-000060060	10.00	AG-2	Wetlands
25-47-26-00-000070000	80.00	AG-2	Wetlands
25-47-26-00-000070010	5.00	AG-2	Wetlands
25-47-26-00-000080010	5.00	AG-2	Wetlands
25-47-26-00-000080050	5.00	AG-2	Wetlands
25-47-26-00-000080060	10.00	AG-2	Wetlands
25-47-26-00-00008006A	5.00	AG-2	Wetlands
26-47-26-00-000010060	5.00	AG-2	DR/GR
26-47-26-00-00001006A	5.00	AG-2	DR/GR
26-47-26-00-000010080	5.00	AG-2	DR/GR
26-47-26-00-000010090	5.00	AG-2	DR/GR
26-47-26-00-000010130	5.00	AG-2	DR/GR
26-47-26-00-000010140	20.00	AG-2	DR/GR & Wetlands

**Subtotal this Page: 463.00**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
26-47-26-00-000010160	5.00	AG-2	DR/GR
26-47-26-00-000010180	10.00	AG-2	DR/GR
26-47-26-00-000010190	5.00	AG-2	DR/GR
26-47-26-00-000010210	5.00	AG-2	DR/GR
26-47-26-00-000010230	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010240	5.00	AG-2	DR/GR
26-47-26-00-000010250	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010280	5.00	AG-2	DR/GR
26-47-26-00-000010290	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010310	5.00	AG-2	DR/GR
26-47-26-00-000010320	5.00	AG-2	DR/GR
26-47-26-00-000010330	5.00	AG-2	DR/GR
26-47-26-00-000010340	20.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010350	5.00	AG-2	Wetlands
26-47-26-00-000010370	15.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010440	5.00	AG-2	DR/GR
26-47-26-00-000010460	5.00	AG-2	Wetlands
26-47-26-00-000010470	10.00	AG-2	DR/GR
26-47-26-00-000010480	5.00	AG-2	DR/GR
26-47-26-00-000010490	5.00	AG-2	DR/GR
26-47-26-00-000010500	10.00	AG-2	DR/GR
26-47-26-00-000010520	5.00	AG-2	DR/GR
26-47-26-00-000010550	5.00	AG-2	DR/GR
26-47-26-00-000010560	5.00	AG-2	DR/GR
26-47-26-00-000010590	5.00	AG-2	DR/GR
26-47-26-00-000010600	5.00	AG-2	DR/GR
26-47-26-00-000010620	30.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010640	10.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010650	10.00	AG-2	DR/GR
26-47-26-00-000010660	5.00	AG-2	DR/GR
26-47-26-00-000010670	5.00	AG-2	DR/GR
26-47-26-00-000010700	5.00	AG-2	DR/GR
26-47-26-00-000010710	10.00	AG-2	DR/GR
26-47-26-00-000010720	5.00	AG-2	DR/GR
26-47-26-00-000010730	10.00	AG-2	DR/GR
26-47-26-00-000010740	5.00	AG-2	Wetlands
26-47-26-00-000010780	5.00	AG-2	Wetlands
26-47-26-00-000010790	5.00	AG-2	DR/GR
26-47-26-00-000010960	5.00	AG-2	DR/GR
26-47-26-00-000010980	5.00	AG-2	DR/GR
27-47-26-00-000010050	5.00	AG-2	DR/GR & Wetlands
27-47-26-00-000010060	5.00	AG-2	Wetlands
27-47-26-00-000010070	5.00	AG-2	Wetlands
27-47-26-00-000010120	10.00	AG-2	Wetlands

**Subtotal this Page:**

**310.00**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
27-47-26-00-000010130	5.00	AG-2	Wetlands
27-47-26-00-000010140	5.00	AG-2	Wetlands
27-47-26-00-000010170	5.00	AG-2	DR/GR
27-47-26-00-000010180	5.00	AG-2	DR/GR & Wetlands
27-47-26-00-000010190	10.00	AG-2	Wetlands
27-47-26-00-000010200	5.00	AG-2	Wetlands
27-47-26-00-000010230	5.00	AG-2	Wetlands
27-47-26-00-000010250	5.00	AG-2	Wetlands
27-47-26-00-000010280	5.00	AG-2	DR/GR
27-47-26-00-000010310	5.00	AG-2	DR/GR & Wetlands
27-47-26-00-000010350	10.00	AG-2	Wetlands
27-47-26-00-000010360	5.00	AG-2	Wetlands
27-47-26-00-000010370	5.00	AG-2	Wetlands
27-47-26-00-000010510	10.00	AG-2	Wetlands
27-47-26-00-000010550	15.00	AG-2	Wetlands
27-47-26-00-000020000	5.00	AG-2	Wetlands
27-47-26-00-000020020	10.00	AG-2	Wetlands
27-47-26-00-000020030	5.00	AG-2	Wetlands
27-47-26-00-000020040	5.00	AG-2	Wetlands
27-47-26-00-000020060	5.00	AG-2	Wetlands
27-47-26-00-000030000	5.00	AG-2	DR/GR
27-47-26-00-000030010	5.00	AG-2	DR/GR & Wetlands
27-47-26-00-000030030	5.00	AG-2	DR/GR
27-47-26-00-000030040	5.00	AG-2	DR/GR
27-47-26-00-000030050	5.00	AG-2	DR/GR & Wetlands
27-47-26-00-000030060	5.00	AG-2	DR/GR & Wetlands
27-47-26-00-000030080	5.00	AG-2	DR/GR
27-47-26-00-000030110	5.00	AG-2	DR/GR
27-47-26-00-000030120	5.00	AG-2	DR/GR
27-47-26-00-000030130	5.00	AG-2	DR/GR
27-47-26-00-000030140	5.00	AG-2	DR/GR
27-47-26-00-000030170	5.00	AG-2	DR/GR
27-47-26-00-000030200	5.00	AG-2	DR/GR
27-47-26-00-000030210	5.00	AG-2	DR/GR
27-47-26-00-000030240	5.00	AG-2	DR/GR
27-47-26-00-000030260	5.00	AG-2	DR/GR
27-47-26-00-000030270	5.00	AG-2	DR/GR
27-47-26-00-000030320	5.00	AG-2	DR/GR
27-47-26-00-000030350	10.00	AG-2	DR/GR
28-47-26-00-00001002B	10.00	AG-2	Wetlands
28-47-26-00-000010070	5.00	AG-2	Wetlands
28-47-26-00-000010100	5.00	AG-2	DR/GR & Wetlands
28-47-26-00-000010110	5.00	AG-2	Wetlands
28-47-26-00-00001013A	5.00	AG-2	Wetlands

**Subtotal this Page: 260.00**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
28-47-26-00-000010160	5.00	AG-2	Wetlands
28-47-26-00-00001016A	5.00	AG-2	Wetlands
28-47-26-00-00001016B	5.00	AG-2	Wetlands
28-47-26-00-000010200	5.00	AG-2	Wetlands
28-47-26-00-000010240	5.00	AG-2	Wetlands
28-47-26-00-000010280	30.00	AG-2	DR/GR & Wetlands
28-47-26-00-000020000	5.00	AG-2	Wetlands
28-47-26-00-000020050	5.00	AG-2	Wetlands
28-47-26-00-000020090	5.00	AG-2	Wetlands
28-47-26-00-000020100	5.00	AG-2	Wetlands
28-47-26-00-000020130	5.00	AG-2	Wetlands
28-47-26-00-000020150	5.00	AG-2	Wetlands
28-47-26-00-000020210	10.00	AG-2	Wetlands
28-47-26-00-000020220	5.00	AG-2	Wetlands
28-47-26-00-000020230	5.00	AG-2	Wetlands
28-47-26-00-000020240	5.00	AG-2	Wetlands
28-47-26-00-000020250	5.00	AG-2	Wetlands
28-47-26-00-000020260	20.00	AG-2	Wetlands
28-47-26-00-000020280	5.00	AG-2	Wetlands
28-47-26-00-000020290	5.00	AG-2	Wetlands
28-47-26-00-000020330	5.00	AG-2	Wetlands
28-47-26-00-000020340	10.00	AG-2	Wetlands
28-47-26-00-000020350	5.00	AG-2	Wetlands
28-47-26-00-000020400	5.00	AG-2	Wetlands
28-47-26-00-000020430	5.00	AG-2	Wetlands
28-47-26-00-000020460	5.00	AG-2	Wetlands
28-47-26-00-000020480	5.00	AG-2	Wetlands
28-47-26-00-000020530	5.00	AG-2	Wetlands
32-47-26-00-000010000	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-00001031A	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020030	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020040	5.00	AG-2	DR/GR
32-47-26-00-000020060	10.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020070	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020080	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-00002010A	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-00002011A	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020120	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-00002012A	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020130	5.00	AG-2	Wetlands
32-47-26-00-000020140	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020150	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-00002016A	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020180	5.00	AG-2	DR/GR & Wetlands

**Subtotal this Page: 275.00**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
32-47-26-00-000020210	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-00002021A	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020230	5.00	AG-2	Wetlands
32-47-26-00-000030010	5.00	AG-2	Wetlands
32-47-26-00-000030020	5.00	AG-2	Wetlands
32-47-26-00-000030040	3.75	AG-2	DR/GR & Wetlands
32-47-26-00-00003004B	1.25	AG-2	DR/GR & Wetlands
32-47-26-00-000030050	2.50	AG-2	Wetlands
32-47-26-00-00003005B	1.25	AG-2	Wetlands
32-47-26-00-00003005D	1.25	AG-2	Wetlands
32-47-26-00-00003005E	1.25	AG-2	Wetlands
32-47-26-00-00003005F	5.00	AG-2	Wetlands
32-47-26-00-000030080	9.62	AG-2	DR/GR & Wetlands
32-47-26-00-000030100	10.00	AG-2	DR/GR & Wetlands
32-47-26-00-000030110	10.00	AG-2	DR/GR & Wetlands
32-47-26-00-000030160	4.13	AG-2	DR/GR & Wetlands
32-47-26-00-000030200	9.24	AG-2	Wetlands
32-47-26-00-000030240	80.00	AG-2	DR/GR & Wetlands
33-47-26-00-000020000	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030000	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030010	5.00	AG-2	Wetlands
33-47-26-00-000030020	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030040	10.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030050	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030060	5.00	AG-2	Wetlands
33-47-26-00-000030120	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030150	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030160	5.00	AG-2	Wetlands
33-47-26-00-000030170	5.00	AG-2	Wetlands
33-47-26-00-000030180	5.00	AG-2	Wetlands
33-47-26-00-000030190	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030200	10.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030210	5.00	AG-2	Wetlands
33-47-26-00-000030220	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030230	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030240	5.00	AG-2	Wetlands
33-47-26-00-000030250	5.00	AG-2	Wetlands
33-47-26-00-000030260	10.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010040	10.00	AG-2	DR/GR
34-47-26-00-000010350	5.00	AG-2	Wetlands
34-47-26-00-000020030	5.00	AG-2	Wetlands
34-47-26-00-000020040	5.00	AG-2	Wetlands
34-47-26-00-000020130	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000020140	10.00	AG-2	Wetlands

**Subtotal this Page: 319.24**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
34-47-26-00-000020170	10.00	AG-2	Wetlands
34-47-26-00-000020230	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000020240	5.00	AG-2	Wetlands
34-47-26-00-000020250	5.00	AG-2	Wetlands
34-47-26-00-000020260	5.00	AG-2	Wetlands
35-47-26-00-00001001A	5.00	AG-2	DR/GR & Wetlands
35-47-26-00-000010020	5.00	AG-2	Wetlands
35-47-26-00-000010070	5.00	AG-2	DR/GR
35-47-26-00-000020050	5.00	AG-2	DR/GR
35-47-26-00-000020070	5.00	AG-2	DR/GR
35-47-26-00-000020080	5.00	AG-2	DR/GR
35-47-26-00-000020090	5.00	AG-2	DR/GR
35-47-26-00-000020120	2.50	AG-2	DR/GR
35-47-26-00-00002012A	2.50	AG-2	DR/GR
35-47-26-00-000020140	5.00	AG-2	DR/GR
35-47-26-00-000020160	10.00	AG-2	DR/GR
35-47-26-00-000020210	5.00	AG-2	DR/GR
35-47-26-00-000020220	5.00	AG-2	DR/GR
35-47-26-00-000020230	5.00	AG-2	DR/GR
35-47-26-00-000020270	5.00	AG-2	DR/GR
35-47-26-00-000020280	5.00	AG-2	DR/GR
35-47-26-00-000030020	5.00	AG-2	Wetlands
35-47-26-00-000030030	15.00	AG-2	Wetlands
35-47-26-00-000030040	5.00	AG-2	Wetlands
35-47-26-00-000030050	5.00	AG-2	Wetlands
35-47-26-00-000030060	5.00	AG-2	Wetlands
35-47-26-00-000030120	5.00	AG-2	DR/GR
35-47-26-00-000030150	5.00	AG-2	DR/GR
35-47-26-00-000030160	5.00	AG-2	DR/GR
35-47-26-00-000030170	5.00	AG-2	Wetlands
35-47-26-00-000030180	5.00	AG-2	Wetlands
35-47-26-00-000030190	5.00	AG-2	DR/GR & Wetlands
35-47-26-00-000030200	5.00	AG-2	Wetlands
35-47-26-00-000031020	5.00	AG-2	Wetlands
35-47-26-00-000031030	5.00	AG-2	DR/GR & Wetlands
35-47-26-00-000031050	5.00	AG-2	Wetlands
36-47-26-00-000010010	5.00	AG-2	Wetlands
36-47-26-00-000010040	5.00	AG-2	Wetlands
36-47-26-00-00001005A	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010070	5.00	AG-2	Wetlands
36-47-26-00-000010080	20.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010100	10.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010190	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000020010	10.00	AG-2	Wetlands

**Subtotal this Page: 260.00**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-00008  
Purchased by  
Trustees of the Internal Improvement Trust Fund (TIITF)**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
36-47-26-00-000020040	5.00	AG-2	Wetlands
36-47-26-00-000020050	10.00	AG-2	Wetlands
36-47-26-00-000020090	10.00	AG-2	Wetlands
36-47-26-00-000020110	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000020140	5.00	AG-2	Wetlands
36-47-26-00-000020150	5.00	AG-2	Wetlands
36-47-26-00-000020160	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030000	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-00003005A	5.00	AG-2	Wetlands
36-47-26-00-000030080	5.00	AG-2	Wetlands
36-47-26-00-000030130	10.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030140	5.00	AG-2	Wetlands
36-47-26-00-000030180	10.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030190	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030200	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000040010	10.00	AG-2	Wetlands
36-47-26-00-000040030	5.00	AG-2	Wetlands
36-47-26-00-000040040	5.00	AG-2	Wetlands
36-47-26-00-000040060	10.00	AG-2	Wetlands
36-47-26-00-000040080	10.00	AG-2	Wetlands
36-47-26-00-000040110	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-00004011A	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000040120	5.00	AG-2	Wetlands
36-47-26-00-00004012A	5.00	AG-2	Wetlands
36-47-26-00-000040150	5.00	AG-2	Wetlands
36-47-26-00-000040160	5.00	AG-2	Wetlands
36-47-26-00-000040200	5.00	AG-2	Wetlands

**Subtotal this Page: 170.00**  
**Attachment 6 Subtotal: 463.00**  
**Attachment 7 Subtotal: 310.00**  
**Attachment 8 Subtotal: 260.00**  
**Attachment 9 Subtotal: 275.00**  
**Attachment 10 Subtotal: 319.24**  
**Attachment 11 Subtotal: 260.00**  
**TIITF Total Acreage: 2057.24**

**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-08  
Owned Jointly by  
SFWMD and TITF**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
25-47-26-00-000020000	10.00	AG-2	Wetlands
25-47-26-00-000080020	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010020	10.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010110	5.00	AG-2	DR/GR
26-47-26-00-000010220	5.00	AG-2	DR/GR
26-47-26-00-000010300	5.00	AG-2	DR/GR
26-47-26-00-000010360	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010380	5.00	AG-2	DR/GR
26-47-26-00-000010530	5.00	AG-2	DR/GR
26-47-26-00-000010850	5.00	AG-2	DR/GR & Wetlands
26-47-26-00-000010870	5.00	AG-2	DR/GR
26-47-26-00-000010910	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000010250	5.00	AG-2	Wetlands
32-47-26-00-000010280	5.00	AG-2	Wetlands
32-47-26-00-00001028D	1.25	AG-2	Wetlands
32-47-26-00-000020020	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020100	5.00	AG-2	Wetlands
32-47-26-00-000020110	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000020160	5.00	AG-2	Wetlands
32-47-26-00-000020190	5.00	AG-2	DR/GR & Wetlands
32-47-26-00-000030090	5.00	AG-2	Wetlands
33-47-26-00-000010020	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000010310	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000010320	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000010380	5.00	AG-2	DR/GR & Wetlands
33-47-26-00-000011050	1.00	AG-2	DR/GR & Wetlands
33-47-26-00-000030110	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010050	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010090	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010110	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010170	10.00	AG-2	DR/GR
34-47-26-00-00001018A	5.00	AG-2	DR/GR
34-47-26-00-000010280	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010300	5.00	AG-2	DR/GR & Wetlands
34-47-26-00-000010370	5.00	AG-2	Wetlands
34-47-26-00-000020050	5.00	AG-2	Wetlands
34-47-26-00-000020120	5.00	AG-2	Wetlands
34-47-26-00-000020160	5.00	AG-2	Wetlands
34-47-26-00-000020220	5.00	AG-2	Wetlands
34-47-26-00-000020270	5.00	AG-2	Wetlands
34-47-26-00-000020280	5.00	AG-2	Wetlands
35-47-26-00-000010110	5.00	AG-2	DR/GR
35-47-26-00-000020150	5.00	AG-2	DR/GR

**Subtotal this Page**

**222.25**



**Parcels Being Added to the Conservation Lands  
Future Land Use Categories  
through Plan Amendment CPA2002-08  
Owned Jointly by  
SFWMD and TIITF**

<b>STRAP</b>	<b>Acres</b>	<b>Zoning</b>	<b>Future Land Use</b>
35-47-26-00-000020180	5.00	AG-2	DR/GR
35-47-26-00-000020250	5.00	AG-2	DR/GR
35-47-26-00-000030000	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000010200	5.00	AG-2	Wetlands
36-47-26-00-000020000	5.00	AG-2	DR/GR & Wetlands
36-47-26-00-000030150	5.00	AG-2	Wetlands

**Subtotal this Page: 30.00**

**Attachment Subtotal: 225.25**

**Total Jointly Owned  
by SFWMD & TIITF: 255.25**

**LEE COUNTY ORDINANCE NO. 96-12**

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

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

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

---

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

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

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

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

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

**SECTION ONE: NAME:**

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

**SECTION TWO: CREATION OF ADVISORY COMMITTEE:**

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

**SECTION THREE: OBJECTIVES AND DUTIES:**

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

The Land Committee will perform the following functions:

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

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

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

#### **SECTION FOUR: PROGRAM CRITERIA**

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

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

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

**SECTION FIVE: APPOINTMENT AND COMPOSITION:**

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

**SECTION SIX: TERMS OF MEMBERS**

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

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

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

**SECTION SEVEN: RULES OF PROCEDURE:**

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

**SECTION EIGHT: SEVERABILITY/REPEAL**

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

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

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

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

**SECTION TEN: EFFECTIVE DATE/REPEALER:**

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

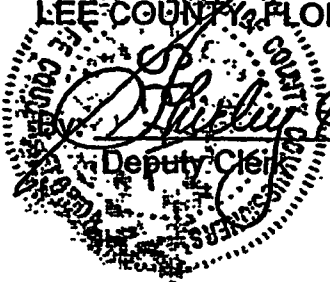
The foregoing Ordinance was offered by Commissioner Ray Judah, who moved its

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

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

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

CHARLIE GREEN, CLERK  
LEE COUNTY, FLORIDA

  
By: Charlie Green  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: [Signature]

Chairman

LEE COUNTY ATTORNEY'S OFFICE  
APPROVED AS TO FORM:

By: James G. Yaege

County Attorney



**DIVISIONS OF FLORIDA DEPARTMENT OF STATE**

Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing

**MEMBER OF THE FLORIDA CABINET**



**FLORIDA DEPARTMENT OF STATE**

**Sandra B. Mortham**

**Secretary of State**

**DIVISION OF ELECTIONS**

**HISTORIC PRESERVATION BOARD**

Historic Florida Keys Preservation Board  
Historic Palm Beach County Preservation Board  
Historic Pensacola Preservation Board  
Historic St. Augustine Preservation Board  
Historic Tallahassee Preservation Board  
Historic Tampa/Hillsborough County Preservation Board

**RINGLING MUSEUM OF ART**

**August 5, 1996**

**Honorable Charlie Green  
Clerk to Board of County Commissioners  
Lee County  
Post Office Box 2469  
Fort Myers, Florida 33902-2469**

**Attention: Shirley E. Rost, Deputy Clerk**

**Dear Mr. Green:**

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated August 2, 1996 and certified copy each of Lee County Ordinance Nos. 96-12 and 96-13, which were filed in this office on August 5, 1996.

**Sincerely,**

**Liz Cloud, Chief  
Bureau of Administrative Code**

**LC/mw**

**RECEIVED**

**AUG 7 1996**

**CHARLIE GREEN  
CLERK CIRCUIT COURT**

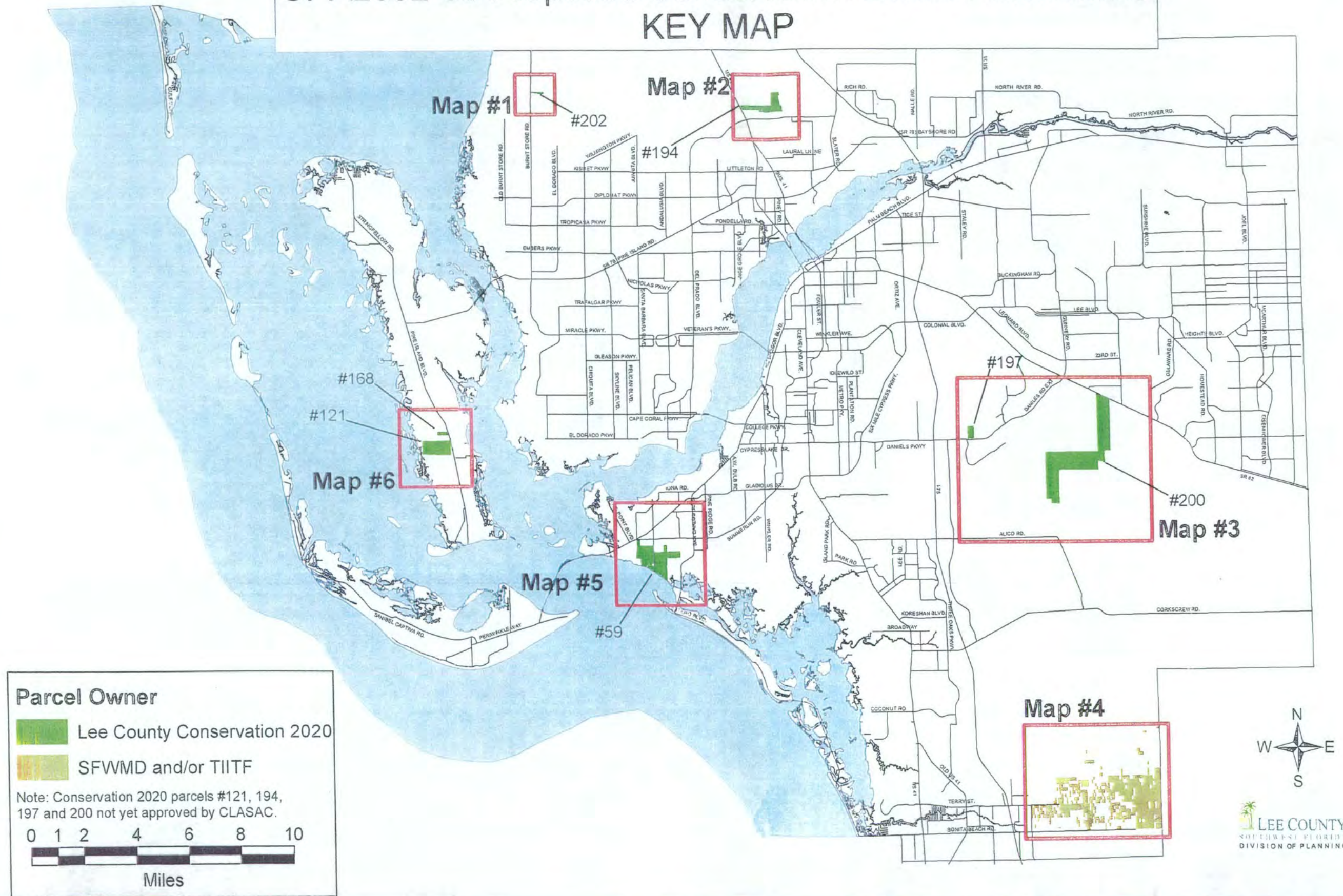
**BY ucp D.C.**

**BUREAU OF ADMINISTRATIVE CODE**

**The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (904) 488-8427**



# CPA2002-08 Proposed Conservation Lands Amendment KEY MAP





CPA2002-08 Proposed Conservation Lands Amendment  
MAP 1A Existing Future Land Use

/// Subject Parcel

**Future Land Use Category**

- Intensive Development
- Outlying Suburban
- Public Facilities
- Open Lands
- Wetlands
- Conservation Lands - Uplands
- Conservation Lands - Wetlands

Burnt Store Rd

LEE COUNTY  
SOUTHWEST FLORIDA  
DIVISION OF PLANNING

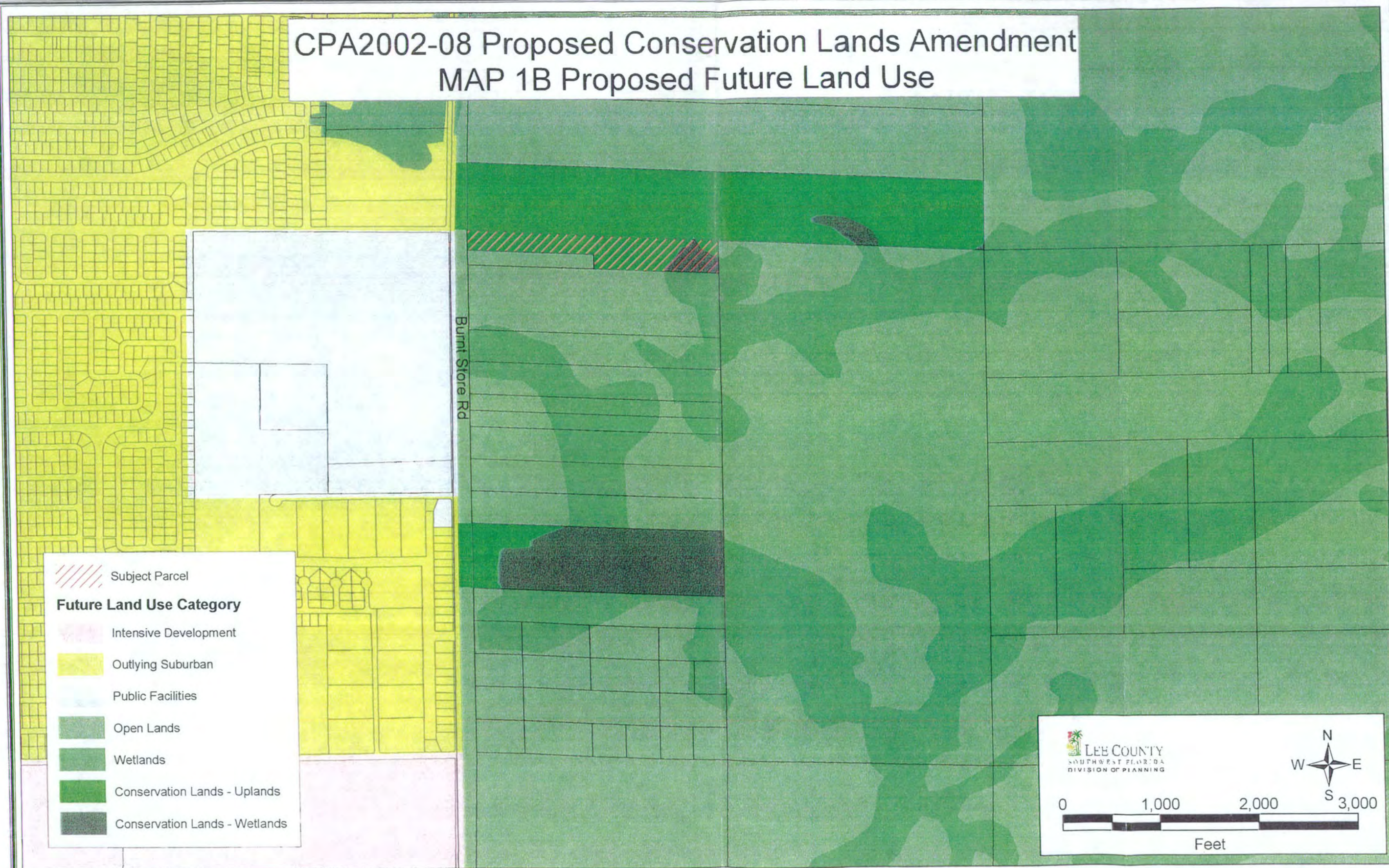
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Feet

N  
W E  
S



# CPA2002-08 Proposed Conservation Lands Amendment

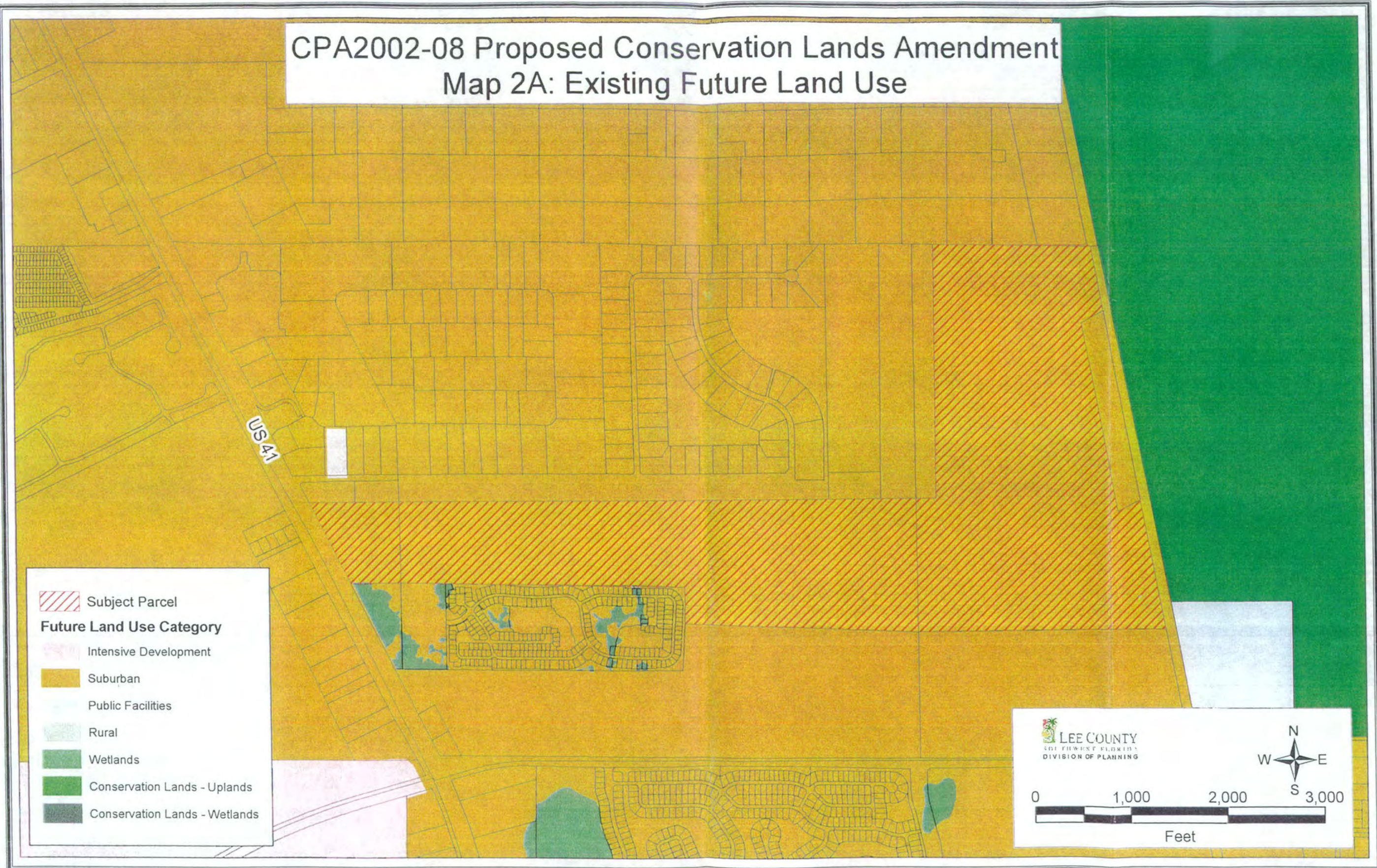
## MAP 1B Proposed Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

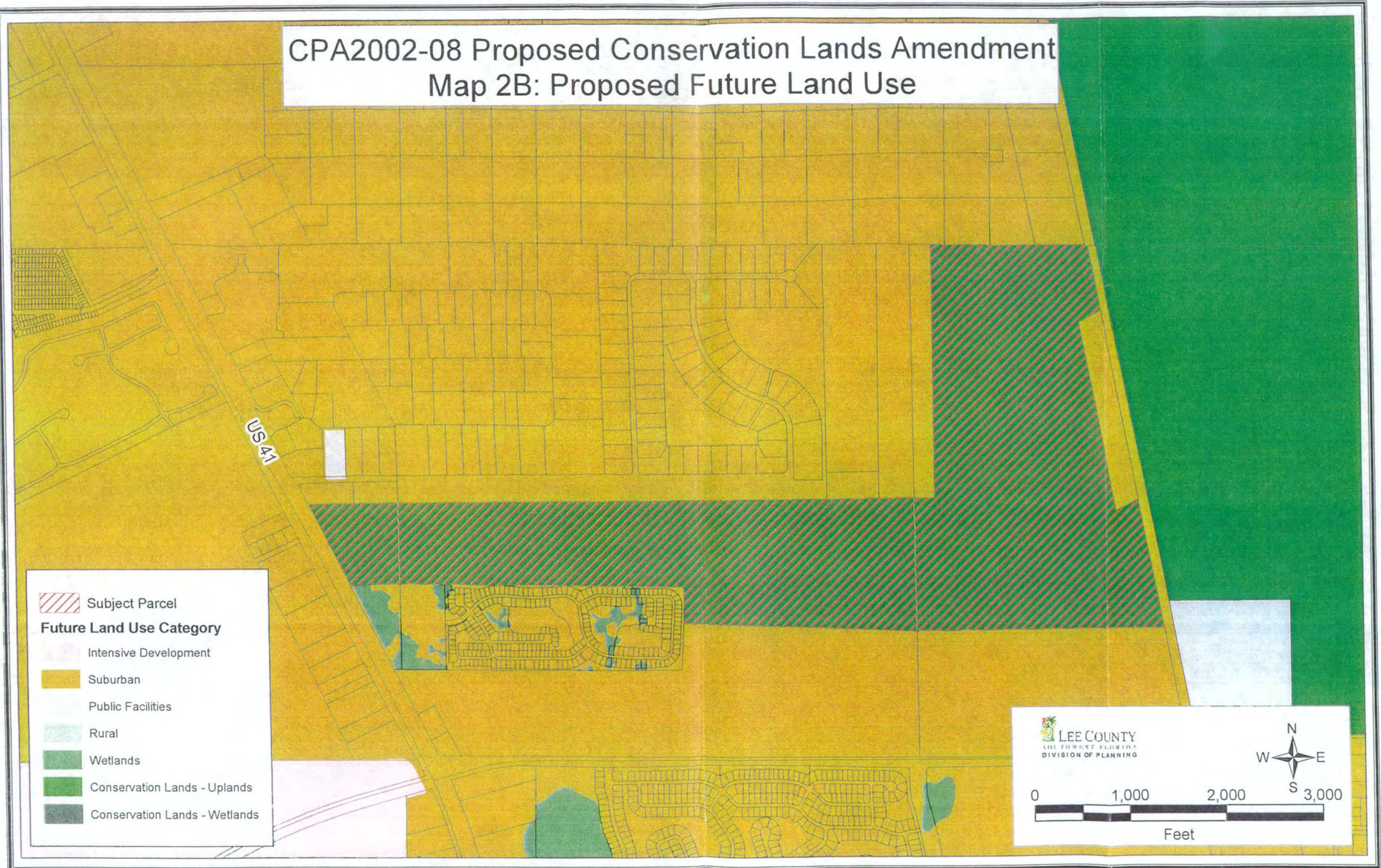
## Map 2A: Existing Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

## Map 2B: Proposed Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

## Map 3A: Existing Future Land Use



- /// Subject Parcels
- Future Land Use Category**
- Central Urban
  - Urban Community
  - Public Facilities
  - Airport
  - Airport Commerce
  - General Interchange
  - New Community
  - Rural
  - Density Reduction/Groundwater Resource
  - Wetlands
  - Conservation Lands - Uplands
  - Conservation Lands - Wetlands

LEE COUNTY  
SOUTHWEST FLORIDA  
DIVISION OF PLANNING

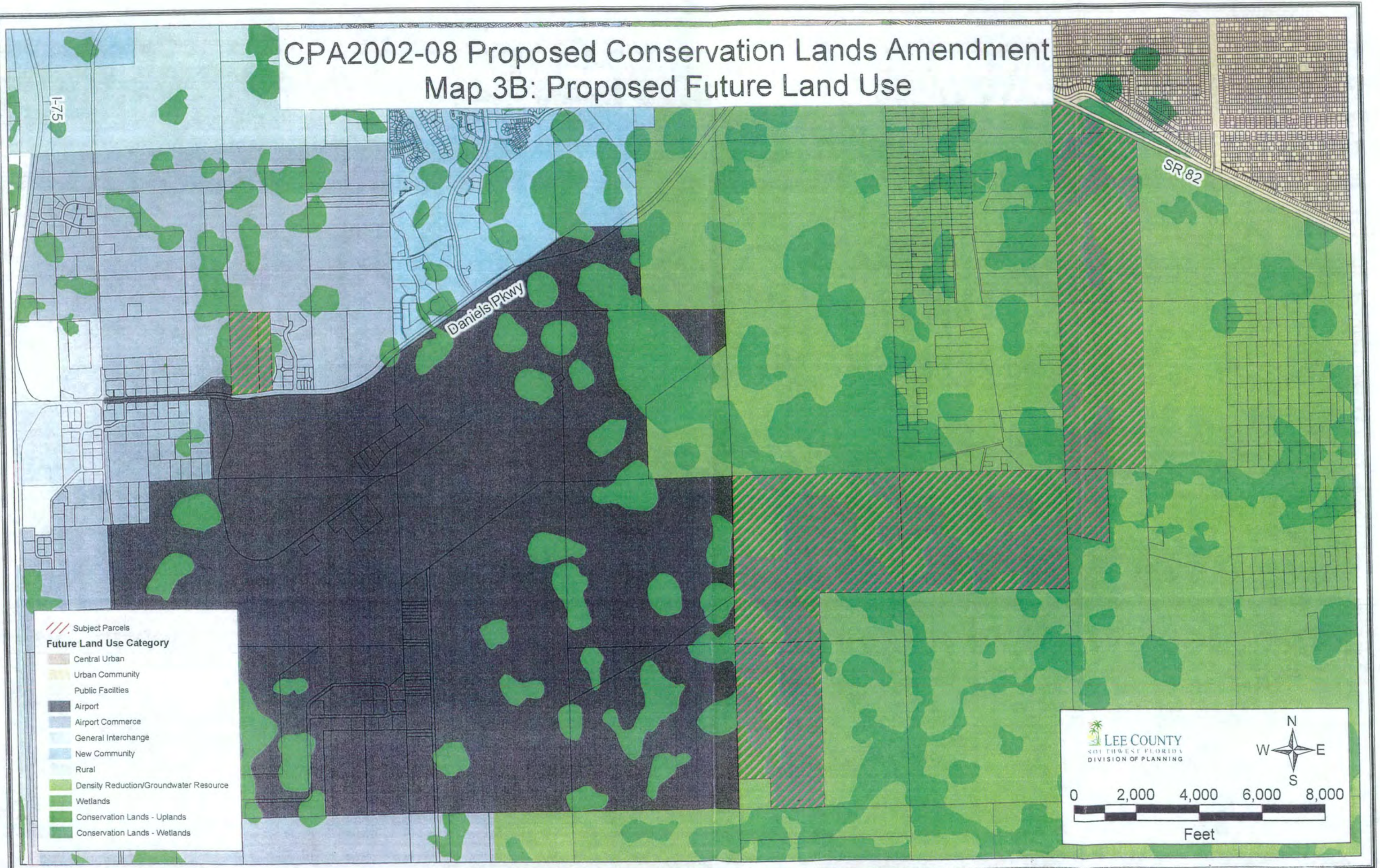
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Feet

N  
W E  
S



# CPA2002-08 Proposed Conservation Lands Amendment

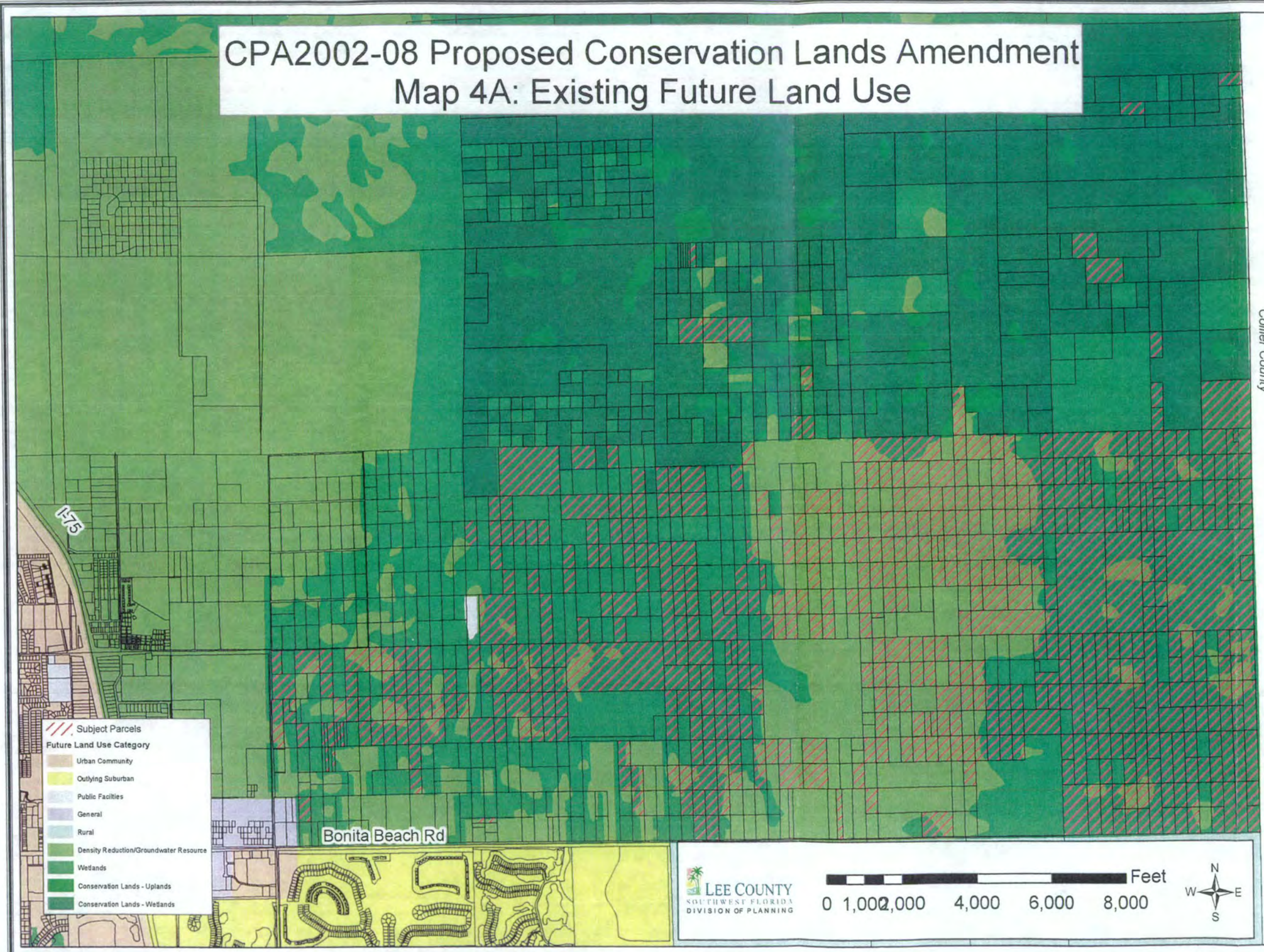
## Map 3B: Proposed Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

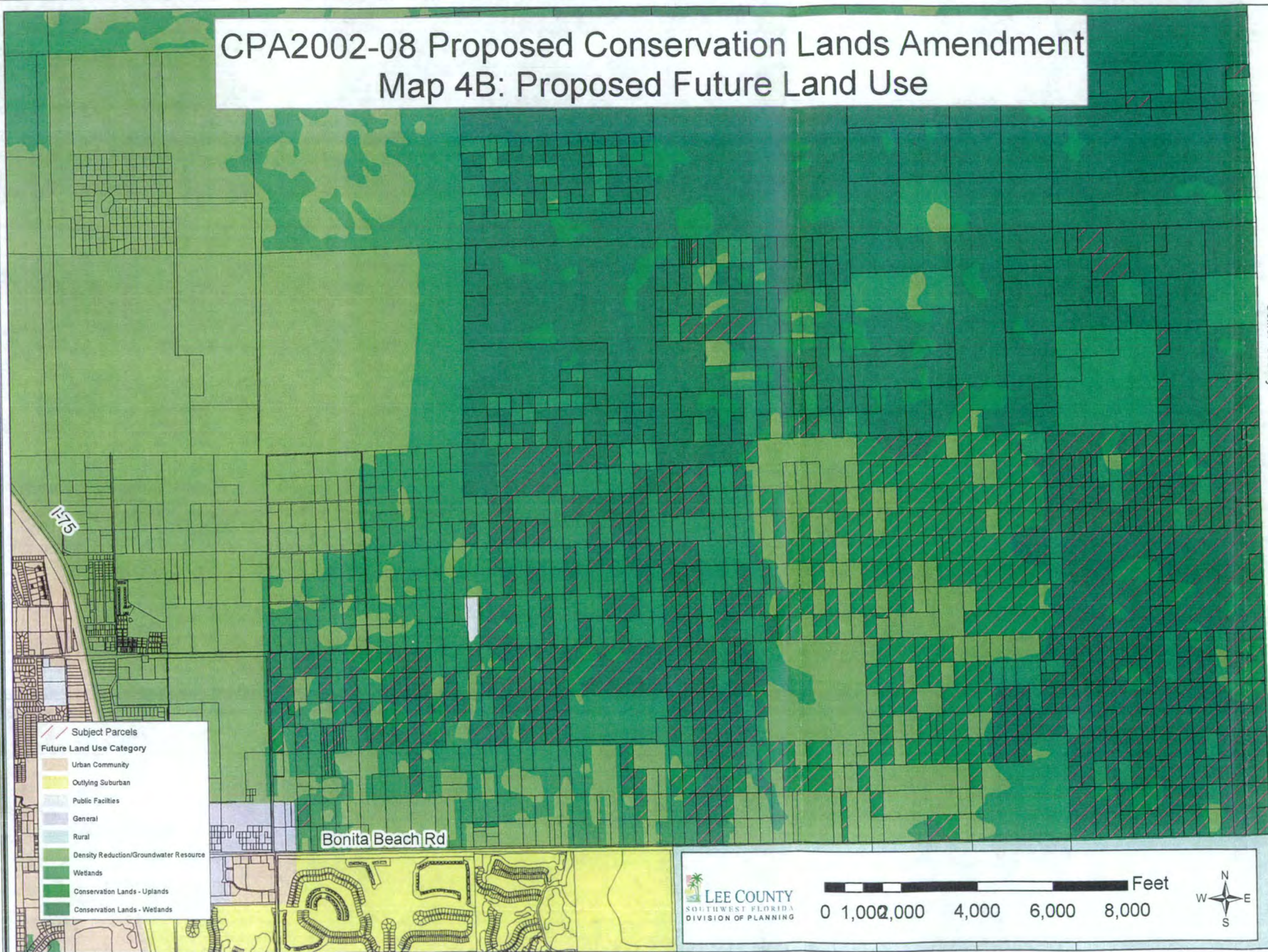
## Map 4A: Existing Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

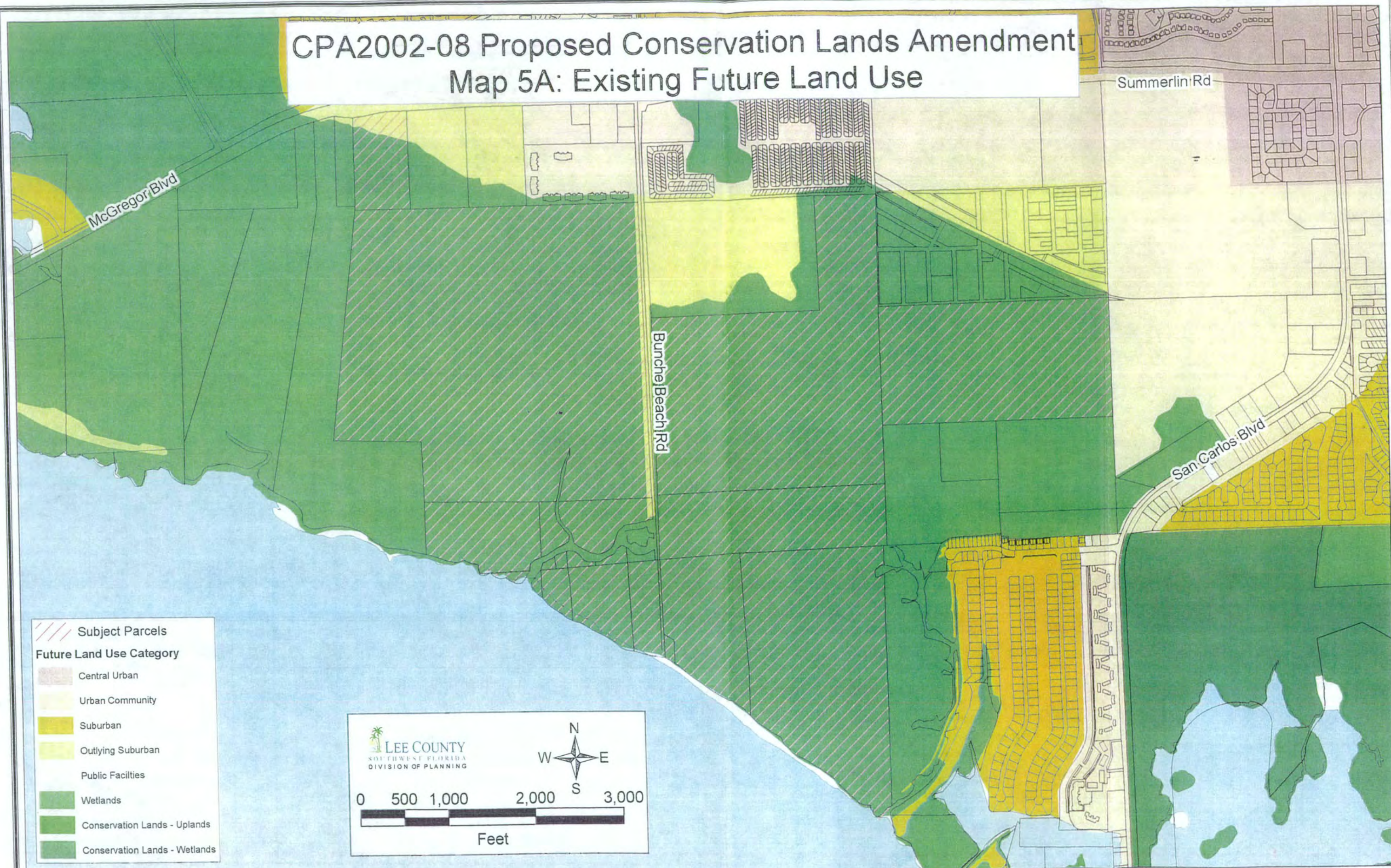
## Map 4B: Proposed Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

## Map 5A: Existing Future Land Use





# CPA2002-08 Proposed Conservation Lands Amendment

## Map 5B: Proposed Future Land Use

