



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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September 12, 2001

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Ray Eubank, Community Program Administrator
Florida Department of Community Affairs
Division of Community Planning
Bureau of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, FL. 32399-2100

Re: Amendments to the Lee Plan
Transmittal Submission Package for the 2000/2001 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 2000/2001 Regular Amendment Cycle to the Lee Plan. The Local Planning Agency held public hearings for these plan amendments on the following dates: January 22, 2001; February 26, 2001; March 26, 2001; April 23, 2001; June 4, 2001, June 25, 2001 and, July 23, 2001. The Board of County Commissioners transmittal hearing for the plan amendments was held on August 29, 2001. 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
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(941)479-8585
Fax (941)479-8319
Email: oconnops@leegov.com

Included with this package, per 9J-11.006, are six copies of the adopted amendment, 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),

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Internet address <http://www.lee-county.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

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:

Wayne Daltry
Executive 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

2000/2001 LEE PLAN AMENDMENT CYCLE

SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT

- PAM 98-06** Amends 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." Also, amends Lee Plan Policy 1.1.6 and Table 1(a), Note 6.
- PAT 99-14** Amends the Community Facilities and Services Element by modifying Policy 39.1.4 to reflect the current status of Lee County Division of Natural Resources in completing the identified basin studies and providing technical floodplain information and analysis. Given that the identified basin studies have been completed, the amendment proposes that the references to the basin studies be removed from Policy 39.1.4. Policy 39.1.4 has been amended to contain references to the appropriate government agencies that will be assisting Lee County in the development of new floodplain information.
- PAT 99-20** Reevaluates the allocations of Table 1(b), Planning Community Year 2020 Allocations, for consistency with existing and approved developments.
- Amends Map 16, Planning Communities, of the Future Land Use Map series to revise the Planning Community boundaries to reflect the incorporation of Bonita Springs and on going "grass roots" planning efforts.
1. CPA2000-04 Amends the Planning Community Year 2020 Allocation Table, Table 1(b), to provide sufficient allocations to accommodate the proposed residential component of the Orange River property. This request was included in PAT 99-20, as part of the analysis for the Fort Myers Planning Community. The specific request of this privately initiated amendment were not transmitted.
 2. CPA2001-01 Amends the Planning Community Year 2020 Allocation Table, Table 1(b), to provide sufficient allocations to accommodate the proposed residential component of the Bonita Beach Road Residential Planned Development. This request was included in PAT 99-20, as part of the analysis for the Bonita Springs Planning Community. The specific request of this privately initiated amendment were not transmitted.
- CPA2000-02** Amends Map 12 of the Future Land Use Map Series to delete the Boca Grande Pass Marina from the Water Dependent Overlay (WDO) zone, and,

amends Goal 15 of the Lee Plan by adding the following Objective and Policy:

Objective 15.5: Port Facility. The Water Dependent Overlay for South Boca Grande is limited to the Port Facility south of Belcher Road.

Policy 15.5.1: The commercial and industrial uses permitted in the Port District (excluding those specific uses approved pursuant to resolutions Z-86-166, Z-93-009, and Z-99-054) are not permitted within that portion of the boundaries of the Boca Bay Community with the zoning designation of Port District.

CPA2000-03

Amends the Future Land Use Map series, Map 1, the Future Land Use Map, to change the Future Land Use designation from Mixed Use Interchange and General Interchange to Outlying Suburban for approximately 152.37 +/- acres of land generally located in the northwest quadrant of the interchange of I-75 and Daniels Parkway. The amendment also deletes Policy 1.3.6, the Mixed Use Interchange descriptor policy, and reclassifies approximately 2 +/- acres that would remain in the Mixed Use Interchange category as General Interchange. Also, amends the Planning Communities Acreage Allocation Table 1(b), for the Daniels Parkway Planning Community, to remove 68 residential acres from the Mixed Use Interchange category and add 68 residential acres to the Outlying Suburban category.

CPA2000-06

Amends Map 1 of the Future Land Use Map series for land near Eagle Road, Section 24, Township 43S, Range 23E, from Open Lands to Rural. In addition, the amendment adds a Footnote to Table 1 (a) clarifying an exception to the Rural category for the area limiting the density in this area to 1 du/2.25 acres. Staff believes that the Rural category is a more suitable designation for the site than the Open Lands category given the existing density of residential uses and the character of the area. The area will remain designated as a non-urban area without increases in the allowable commercial and industrial intensities and the request will have a minimal impact on public service providers.

CPA2000-07

Amends the Future Land Use Map Series by adding a map delineating an area in Sections 13 and 24, Township 44 South, Range 24 East and Sections 17, 18, 19, and 20 Township 44 South, Range 25 East as an urban infill area. In addition, amends Objective 1.7, Special Treatment Areas, of the Future Land Use Element by adding a new policy describing urban infill areas of the County.

The state of Florida may have money available, for both planning and implementation, for Urban Infill and Redevelopment Grants. The City of Fort Myers Planning staff have identified an area along Martin Luther King Boulevard that has already qualified for a planning grant. The area contains both incorporated and unincorporated properties. The proposed plan

amendment, identifying the area for the planning study, is required in order to qualify for and receive the grant funding. At this time the grant application has been submitted and the City has been approved for the planning grant funding. The Board of County Commissioners, when they co-signed the grant application, committed to a plan amendment that would identify the subject property as an Urban Infill area.

CPA2000-08

Amends the Future Land Use Map (FLUM) series, Map 1, to more closely reflect the Town of Fort Myers Beach adopted Future Land Use Map. The categories used in the Fort Myers Beach Future Land Use Map are intended for different purposes than the Lee County Future Land Use categories. The Town's categories are targeted specifically for conditions on Estero Island, whereas the County categories were created for use in the entire County and have to address a broader range of conditions. As such, there are no exact matches between the two. Some Fort Myers Beach Categories such as Boulevard and Pedestrian Commercial have only approximate matches with Lee County FLUM categories.

CPA2000-09

Amends the Future Land Use Series, Map 1, by updating the Conservation Lands land use categories to include lands purchased by Lee County with the Conservation 2020 program and one property bought by the State of Florida (TIITF). New language was added to Policy 1.4.6 which states, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances." The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels. The Conservation 2020 Program objective is to put into the public domain private lands that will sustain native plant and animal populations, help protect people and property from flooding, help replenish our underground drinking water supply, it will also 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.

CPA2000-10

Amends the Future Land Use Element by adding Research and Development as a permitted use under Policy 1.2.2, the Airport Commerce descriptor policy. The Research and Development land use is consistent with the uses that are already permitted in the Airport Commerce land use category. Providing for this use in Airport Commerce allows the County to better use the airport to attract new business in order to promote economic growth and diversification. Research and Development uses would benefit from a location proximate to the airport, the University, and I-75.

CPA2000-11

Amends the Future Land Use Element by modifying Policy 6.1.2.6 to clarify that extension of the interstate interchange use is not by right, but is permissive and subject to County review and approval.

Policy 6.1.2.6 states that “any contiguous property under one ownership **may** be developed as part of the interstate interchange...” This language does not guarantee that the interchange uses will be extended, nor does it state that the expansion of interchange uses is a choice made solely by the developer. The policy provides that certain criteria must be met in order to qualify for the expansion of the interchange, and once those criteria have been met, then the County has the ability to decide whether or not to allow it. The decision of whether or not to allow an interchange to be expanded should be made at the full discretion of the Board of County Commissioners given the potential impacts to the surrounding existing and future land uses. The existing language of Policy 6.1.2.6 does not make it clear enough that the County has full discretion over the expansion of the interchange uses. Staff has proposed amended language to the policy to help clarify this issue.

CPA2000-13

Amends the future Land Use Element by adding a policy to Goal 16, Private Recreational Facilities in the DR/GR, specifying minimum indigenous preserve area requirements. The purpose of the 200 acre indigenous preservation requirement for golf courses within the DR/GR is to protect water recharge, stormwater storage, and wildlife habitat. The criteria for achieving the indigenous preservation within these DR/GR developments should be stricter than areas within other Land Use Categories due to the sensitivity and importance of these lands to the general public. Policy 16.8 does not currently contain all the pertinent information for establishing minimum indigenous preservation criteria. It is important to amend Policy 16.8.12(2) of the Lee Plan to include minimum standards for indigenous preservation areas to insure the intent of the design criteria under Goal 16 is achieved.

CPA2000-14

Amends the Future Land Use Element by modifying Policy 16.3.9 to clarify the maintenance area intensity limitations. Policy 16.3.9 is ambiguous in its limitation on golf course maintenance areas. The 25,000 square feet per 18 hole regulation was intended to apply to the area of the maintenance building. Staff’s examination of the regulation, however, reveals that the limitation needs to be expanded to also include an acreage limitation that can accommodate other maintenance functions that may fall outside the primary maintenance building. The combination of the two limitations would prevent future confusion over the intent of the policy.

CPA2000-15

Amends the Future Land Use Element by modifying Policy 16.3.8.3 to clarify the setbacks from adjacent existing and planned residential uses. The LDC clearly states that the setback from golf course maintenance facilities to residential uses is measured from the edge of the “development area” to the residential property line. The proposed amendment to Lee Plan policy 16.3.8.3 is a reflection of the existing LDC regulation.

Certain vacant parcels in the DR/GR may be considered potential residential properties based on the property’s size, use, the zoning of surrounding

properties, the size of surrounding properties, and the ownership patterns in the area.

Golf course maintenance facilities present a negative visual appearance to the public when located immediately adjacent to public rights-of-way. The visual appearance along public roadways is a legitimate public interest. Additional standards for golf course maintenance areas are needed so that the public is not subjected to the negative visual impact that is brought about by these facilities. This impact should be kept internal to the development.

CPA2000-17

Amends the Future Land Use Element by removing Goal 13, Bonita Springs, and relocates policies which should continue to apply to the remaining unincorporated areas of Bonita Springs. The amendment evaluates the affect of the incorporation of the City of Bonita Springs and the provisions of Lee Plan Goal 13. The amendment proposes to delete from the Lee Plan those provisions in Goal 13 that will be responsibility of the City of Bonita Springs. The provisions of Goal 13 that do apply to the areas in south Lee County outside of the city limits are proposed to be retained and relocated. The amendment also adds a map, Map 13, depicting an irrigation well overlay to the Future Land Use Map series.

CPA2000-19

Amends the Lee Plan, text and Future Land Use Map series, to incorporate the recommendations of the Estero Community Planning Effort, establishing a Goal and subsequent Objectives and Policies specific to the Estero Community. The proposed goals, objectives, and policies are the result of a year long planning process. They directly reflect the vision that the Estero Community has for its future growth and development. Staff believes that this amendment should be viewed as a first step in a continuous process that addresses planning needs in Estero. Many issues have been addressed through this amendment, but there are others, such as those policies (or portions thereof) that staff has recommended for deletion, that will require more consideration in the future. The initial establishment of Goal 19 of the Lee Plan is the important first step that will open the door to address other land use planning issues in Estero as they arise. The Community identified a desire to maintain a "small town" feel and avoid high-rise residential uses while protecting existing neighborhoods from encroachment of potentially incompatible uses. The community has a desire to limit "tourist oriented uses," certain "detrimental uses," and high intensity uses along specific corridors. At the same time, the community expressed a desire for small-scale neighborhood commercial development.

CPA2000-21

This is a general update of the transportation element. The changes include a modification of Policy 22.1.4 to update the references to particular versions of the Highway Capacity Manual and the FDOT Level of Service Manual, a modification of Policy 26.1.3 to distinguish between traffic control devices and plans, an expansion of Goal 27 to include operations and maintenance among the aspects of transportation improvements that require coordination

with other governmental entities, addition of the new City of Bonita Springs to the list of cities in which the County declares a position of interest on land use decisions in Policy 27.1.3, and update of Policy 21.1.1 and the transportation map series to reflect the most recent MPO 2020 highway and transit plans.

CPA2000-22

Amends the Conservation and Coastal Management Element by adding a policy under Goal 78, Policy 78.1.6, stating that Lee County encourages the efforts of the South Florida Water Management District in establishing a Caloosahatchee Water Management Plan for the Caloosahatchee River. The South Florida Water Management District, the delegating entity over Southwest Florida's waterways, is establishing a Caloosahatchee Water Management Plan for the Caloosahatchee River through the participation of several studies and plans. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan supporting the effort.

CPA2000-23

Amends the Conservation and Coastal Management Element by adding a Policy under Goal 78, Policy 78.2.2, stating the County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed by the year 2002. The Charlotte Harbor National Estuary Program has issued a draft Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan stating the County will review the plan in order to identify goals, objectives and policies relating to the recommendations of the drafted plan.

CPA2000-25

Amends the Parks, Recreation and Open Space Element by adding a new Objective and/or policies to Goal 52, Development Requirements, clarifying the purpose of open space in non-residential projects. The purpose of open space in a development is to provide pervious land area to achieve appropriate buffering, visual relief, landscaping, surface water treatment, and preservation of existing native trees and plant communities. Open space in non-residential developments serves these functions as it does in residential developments. Goal 52 of the Lee Plan currently does not treat all types of open space equally, addressing only residential open space. In addition, a new objective is proposed to require innovative open space design at the time of zoning review. This is consistent with other provisions of the Lee Plan and with the LDC. The purpose of the open space design is to assess the natural features of the site early in the development process, thereby incorporating the existing native vegetation in a manner that provides visual relief and buffers adjacent uses. Goal 52 of the Lee Plan should be modified to recognize the importance of open space and innovative design that incorporates natural features within developments.

- CPA2000-26** Prior changes to the Transportation Element of the Lee Plan eliminated references to "backlogged" roads because they had all been addressed in one fashion or another, and clarified some references related to "constrained" roads. These changes were not reflected in the Capital Improvements Element, where Policy 70.1.3 still includes "backlogged" and "constrained" roads references that are now inconsistent with language in the Transportation Element. The amendment eliminates the "backlogged" roads reference and updates the "constrained" roads reference in Policy 70.1.3.
- CPA2000-27** Amends the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program. Lee Plan Policy 70.1.1 requires a Capital Improvements Program to be prepared and adopted on an annual basis. Florida Statute 163.3177(3)(b) requires that the Capital Improvements Element of the comprehensive plan be amended annually to reflect the modifications of the adopted Capital Improvement Program (CIP). This amendment incorporates the most recently adopted CIP in the Capital Improvements Element.
- CPA2000-29** Adds a definition for the term "Natural Resource Extraction" to the Lee Plan Glossary. In addition, amends the Future Land Use Element by adding the term "Natural Resource Extraction" to Goal 10 and its Objectives and Policies, where applicable, clarifying that natural resources other than minerals are subject to Goal 10 requirements. Principal resources sought in Lee County are sand, gravel, limestone, oil and gas which include both organic and inorganic materials. It should be ensured that all mined materials, organic and inorganic, are included under the language of Goal 10. The improved term, "Natural Resource Extraction," should be placed in the Lee Plan Glossary to support the new term.
- CPA2000-31** Amends Policy 1.7.1, Airport Noise Zones, of the Future Land Use Element by removing language pertaining to the dedication of noise and aviation easements to Lee County within noise zones 2 and 3. Also amends the Lee Plan by deleting Policy 32.2.6. pertaining to the Aviation Easements Program. In addition, amends the Lee Plan Glossary by removing the definition of the term aviation easement as it will no longer apply in the Lee Plan. The proposed amendment has no effect on existing or future land uses.

**CPA2000-25
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
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(941) 479-8585*

August 29, 2001

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2000-25**

☒

Text Amendment

☐

Map Amendment

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

STAFF REPORT PREPARATION DATE: March 16, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

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

2. REQUEST:

Amend the Parks, Recreation and Open Space Element by amending the language of Goal 52, and adding a new Objective and Policies to Goal 52, Development Requirements, clarifying the purpose of open space in non-residential projects. The request does not increase the required amount of open space. The allocation of open space in relation to preserving indigenous plant communities and large native trees is to be evaluated at the time of zoning review.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. REVISED STAFF RECOMMENDATION:** Planning staff recommends that Goal 52 and Objective 52.1 be amended as follows. Planning staff further recommends adding a new objective and policy under Goal 52 to specifically address open space in commercial and industrial developments.

GOAL 52: DEVELOPMENT DESIGN REQUIREMENTS. To require new developments to provide adequate open space for their future residents for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.

OBJECTIVE 52.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

OBJECTIVE 52.2: Development regulations will continue to require that new commercial and industrial developments provide sufficient open space for the benefit of their patrons and the general public.

POLICY 52.2.1.: The county must continue to review the open space requirements of the Land Development Code to determine if these requirements should be modified in any way to best meet the objectives of open space requirements within new commercial and industrial developments.

OBJECTIVE 52.3: New developments must use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing rights-of-way. This objective and subsequent policies are to be implemented through the zoning process.

POLICY 52.3.1: Any new development must with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. Properties Any new development with existing native trees without associated native groundcover or understory must is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

POLICY 52.3.2: Open space areas must be designed with adequate widths to preserve and allow the continued growth and viability of existing native trees.

POLICY 52.3.3: The county encourages new developments to incorporate existing native plant communities and/or native trees along proposed and/or existing rights-of-way.

POLICY 52.3.4: The county encourages new developments to incorporate large, contiguous open space areas in the development design.

POLICY 52.3.5: Proposed planned developments must submit an open space design plan with an assessment of the existing native plant communities and native trees. The open space design plan must delineate the indigenous preserves and/or native tree preservation areas.

2. LPA RECOMMENDED LANGUAGE: The LPA recommends that the Board of County Commissioners transmit this proposed amendment with the following language:

GOAL 52: DEVELOPMENT DESIGN REQUIREMENTS. To require new developments to provide adequate open space for their future residents for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.

OBJECTIVE 52.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

OBJECTIVE 52.2: Development regulations will continue to require that new commercial and industrial developments provide sufficient open space for the benefit of their patrons and the general public.

POLICY 52.2.1: The county must continue to review the open space requirements of the Land Development Code to determine if these requirements should be modified in any way to best meet the objectives of open space requirements within new commercial and industrial developments.

OBJECTIVE 52.3: New developments must are encouraged to use innovative open space designs to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing native vegetation. This objective and subsequent policies policy are to be implemented through the zoning process.

POLICY 52.3.1: Any new development must with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. Properties Any new development with existing native trees without associated native groundcover or understory must is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

POLICY 52.3.2: Open space areas must be designed with adequate widths to preserve and allow the continued growth and viability of existing native trees.

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POLICY 52.3.4: The county encourages new developments to incorporate large, contiguous open space areas in the development design.

POLICY 52.3.5: Proposed planned developments must submit an open space design plan with an assessment of the existing native plant communities and native trees. The open space design plan must delineate the indigenous preserves and/or native tree preservation areas.

3. ORIGINAL STAFF RECOMMENDATION: Planning staff recommends that Goal 52 and Objective 52.1 be amended as follows. Planning staff further recommends adding a new objective and policy under Goal 52 to specifically address open space in commercial and industrial developments.

GOAL 52: DEVELOPMENT DESIGN REQUIREMENTS. To require new developments to provide adequate open space for their future residents for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.

OBJECTIVE 52.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

OBJECTIVE 52.2: Development regulations will continue to require that new commercial and industrial developments provide sufficient open space for the benefit of their patrons and the general public.

POLICY 52.2.1: The county must continue to review the open space requirements of the Land Development Code to determine if these requirements should be modified in any way to best meet the objectives of open space requirements within new commercial and industrial developments.

OBJECTIVE 52.3: New developments must use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses. This objective and subsequent policies are to be implemented through the zoning process.

POLICY 52.3.1: Any new development must provide half of the required open space as existing native plant communities. Properties with existing native trees without associated native groundcover or understory must provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

POLICY 52.3.2: Open space areas must be designed with adequate widths to preserve and allow the continued growth and viability of existing native trees.

POLICY 52.3.3: The county encourages new developments to incorporate existing native plant communities and/or native trees along proposed and/or existing rights-of-way.

POLICY 52.3.4: The county encourages new developments to incorporate large, contiguous open space areas in the development design.

POLICY 52.3.5: Proposed planned developments must submit an open space design plan with an assessment of the existing native plant communities and native trees. The open space design plan must delineate the indigenous preserves and/or native tree preservation areas.

4. BASIS AND RECOMMENDED FINDINGS OF FACT:

- Goal 52 of the Lee Plan, as it currently reads, could be interpreted as requiring open space for residential developments, but not for commercial or industrial developments.
- Section 10-415 of the Lee County Land Development Code (LDC) clearly contains open space requirements for commercial and industrial developments, although they are less than those for residential developments.
- The proposed Lee Plan Policies do not increase the amount of required open space.
- It has been the experience of Planning staff, through the planned development rezoning review process, that many applications are requesting deviations from the open space requirements for commercial and industrial developments, without sufficient justification.
- The LDC requires less open space for commercial and industrial developments than for residential developments, even though the intensity of use is generally higher for commercial and industrial projects.
- The importance of functional open space in commercial and industrial developments is equal to or more than in residential developments due to the impacts that commercial and industrial uses have on the land.
- Land containing large native trees without the associated understory do not meet the LDC definition of indigenous plant community, however, the preservation of large native trees within projects is important to the quality of development and provides a consistent quality of life for the community.
- Preservation of indigenous plant communities and native trees provides benefits to the general public as well as to wildlife.
- The proposed open space policies do not increase the cost of development, and can reduce the landscaping cost by using the existing native vegetation to meet the LDC required buffers and trees.

C. BACKGROUND INFORMATION

Goal 52 of the Lee Plan currently requires new developments to provide adequate open space for their future residents. By stating that the open space is for future residents, implies that open space is only encouraged in residential developments. The LDC requires open space in commercial and industrial developments, although the requirements are generally less than those for residential developments. It has become apparent to staff, through zoning deviation requests to reduce open space within commercial and industrial developments, that there is a need to clarify the purpose and importance of open space in nonresidential projects within the Lee Plan. While the open space requirements for commercial and industrial projects are less than for residential projects, the intensity of use for

commercial and industrial projects is much greater, potentially leading to more negative environmental impacts. The Lee Plan as currently worded does not emphasize the need for open space in non-residential projects to provide a sound basis for requiring open space during the rezoning process. This proposal does not increase the required amount of open space. The proposed amendment to Goal 52 seeks to provide clarification of open space design in all projects during the rezoning process to insure the quality of indigenous plant communities and/or native tree preservation within open space areas.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Currently, **Chapter V, Parks, Recreation and Open Space**, only addresses open space requirements of residential developments under Goal 52 and the associate objective and policies. It was likely unintended that Goal 52 of the Lee Plan does not directly address the importance of open space in non-residential developments because the issue is incorporated into other areas of the Lee Plan as well as in the LDC. It is important to revise Goal 52 to clearly state the importance that is placed on the provision of open space within commercial and industrial development.

The Lee Plan contains language within the land use policies of Goals 6, 7, and 77 that address design of projects to achieve visual harmony, screening, buffering, protection of natural resources, and maintaining water quality. These policies are as follows:

- Policy 6.1.3 requires commercial planned developments to arrange uses as an integrated and cohesive unit in order to provide visual harmony and screening and protect natural resources.
- Policy 6.1.6 requires land development regulations requiring commercial development to provide adequate and appropriate landscaping, open space, and buffering.
- Policy 7.1.1 requires that applications for industrial development be evaluated by staff with particular attention to buffering and screening, impacts and effects on environmental and natural resources, and impacts on water quality.
- Policy 7.1.2 requires industrial planned developments to arrange uses as an integrated and cohesive unit in order to promote compatibility and screening, and protect natural resources.
- Policy 7.1.8 requires land development regulations requiring industrial uses to be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution.
- Policy 77.2.9 requires the county to maintain regulations, incentives, and programs for preserving and planting native plant species.

The provision of open space in non-residential developments is consistent with the policies listed above. Open space provides pervious land area for buffering, visual relief, landscaping, surface water

treatment, and preservation of existing native trees and plant communities. LDC Section 10-412 states the purpose and intent of LDC Division 6, Open Space, Buffering and Landscaping, is to improve the aesthetic appearance of commercial, industrial and residential developments through the requirement of minimum open space and landscaping in ways that compliment the natural and built environment. This section makes it clear that open space in commercial and industrial developments has the same importance as open space in residential developments.

The functions of open space in non-residential developments are many. In Urban Land Use Planning by Kaiser, Godschalk, and Chapin (4th Edition, 1995), the authors list examples of the services performed by open space including: water storage and purification, dispersal of atmospheric pollution, flood control, erosion control, topsoil accumulation, wildlife breeding and spawning, and wildlife and plant habitat (p. 295). The importance of these services is magnified in non-residential developments because they generally produce more negative environmental impacts than residential developments. Open spaces in non-residential developments also have a positive impact on surface water quality. Non-residential uses are generally located in the most urbanized areas with a high percentage of impervious surface. As areas of impervious surface increase, the volume of water infiltrating the soil is reduced and, consequently, more water flows off-site and unabated into natural surface waters. Open spaces can serve to filter the stormwater within the property and reduce the amount of off-site stormwater runoff. This function is particularly important in a coastal area such as Lee County, where there are greater possibilities for surface water contamination.

Many properties within Lee County contain large, native trees with pastureland as the only understory. These areas do not meet the LDC definition of indigenous vegetation community. However, it is important to preserve large, native trees even when the understory portion of the plant community is not present. Large trees provide visual relief and cooling in the urban environment that it would take decades for the code required trees to achieve. The LDC currently encourages the retention of native trees by offering protected tree credits for native trees retained on-site with a minimum four inch caliper. These credits apply toward meeting the general and buffer tree requirements. There is limited success at the time of local development order review to have the developer revise the site design to retain native trees.

Lee County has taken a number of steps to improve the aesthetics of developing areas and insure a consistent quality of life throughout the county. In December of 1998 the Board of County Commissioners (BOCC) adopted a revised landscape code and architectural standards. The landscape code revisions addressed buffering and landscape standards. Projects subject to these revisions are just beginning to be completed. The improvements to commercial and industrial sites are noticeable, and staff has received positive comments from citizens.

Additionally, the BOCC committed to a substantial street landscaping program in 1998 (advisory committee established 1996) to prioritize roadway corridors and establish landscaping designs. The LeeScape street-landscaping program has \$500,000 budgeted for the design and installation of landscaping each year along county maintained roadways. The first project completed was the landscaping of Daniels Parkway from Ben Pratt/Six Mile Cypress Parkway to the Southwest Florida International Airport. Lee County Department of Transportation has also planted native trees adjacent to the sidewalk along Gladiolus Parkway along Lakes Park to Summerlin Boulevard.

The County's Community Redevelopment Agency (CRA) efforts have resulted in additional landscaping on roadways in the community. The table below provides a summary of these projects:

Community	Amount Expended	Year Built	Project Location
Bonita Springs	\$3.5 million	1998-1999	Old 41
Tice/Ft. Myers Shore	\$462,673	2000	S.R. 80 (Phase I & II)
Tice/Ft. Myers Shore	\$240,580 (estimated)	2001	S.R. 80 (Phase III & IV)
Lehigh Acres	\$243,108	2000	Lee Boulevard
Lehigh Acres	\$280,000		Homestead Road
San Carlos Island	\$47,426	2000	
North Fort Myers	\$555,553	2000	Old 41 - N. Tamiami Trail
North Fort Myers	\$222,996	2001 (under Const.)	Bayshore Road

The proposed Lee Plan Objective 52.3 and subsequent policies are important to include in the Lee Plan to emphasize and clarify the county's commitment to insuring development occurs in an aesthetically pleasing manner while maintaining the natural character of Lee County as much as possible. The open space design objective and policies emphasize the importance of considering the natural features of the site in relation to preserving native trees and plant communities, providing visual relief, and buffering neighboring properties. The open space plan is most appropriately addressed at the zoning review stage instead of the development order review time since it is earlier in the design process and there is more flexibility to address the open space issues inherent to the specific property and development proposed. Addressing these issues at zoning review will enhance the final site designs submitted as local development orders, and increase the success of protecting Lee County's natural character. Additionally, in the case of Planned Development rezoning, the review process establishes a Master Concept Plan that establishes the permitted uses of the site as well as the location of open space and buffer areas.

The landscaping and architectural standards that were updated in 1998 did not address open space. It has become apparent through the rezoning process that it is necessary to clarify the importance of open space design. This proposal provides policies to clearly state open space design criteria. Some of the buffering and landscaping requirements may be met through designing the open space to preserve native trees and plant communities. The landscape, open space and architectural standards do not prohibit the development of the property nor do they eliminate uses.

Planning staff includes an attachment demonstrating the visual relief achieved by providing preserves retaining large, native trees along rights-of-way and within developments(see Attachment A).

Lee Plan Policy 110.6.1 directs county staff to generally assess the impact of any proposed regulation which potentially imposes new costs to taxpayers and private businesses. Currently open space needs to be factored in when the development order plan is designed, therefore, no additional cost should be generated by including the open space design on the Master Concept Plan. The proposed open space design criteria can reduce the landscaping costs through preserving existing native vegetation to meet the buffering and landscaping requirements. The required open space area remains as adopted in LDC Section 10-415. Additional lands are not required to be set aside as open space. Therefore the same amount of development area will be available on the parcel.

The BOCC established minimum open space requirements for residential, commercial and industrial developments per LDC Section 10-415. Residential developments are required to provide the greatest amount of open space at 35% for small projects and 40% for large projects to meet the needs of the residents. Commercial developments are required to provide slightly less open space at 20% for small projects and 30% for large projects to provide visual relief in the urban environment and sufficient surface water management areas. Industrial developments are required to provide the least amount of open space at 10% for small projects and 20% for large projects to provide adequate buffering and screening, as well as sufficient surface water management areas. These various open space requirements show that the LDC acknowledges the need and purpose of open space in non-residential developments. This amendment is meant to revise Goal 52 of the Lee Plan to be consistent with the existing LDC standards in terms of acknowledging the importance of open space in commercial and industrial projects. The amendment also provides the development community with guidance for designing open space within proposed projects.

B. CONCLUSIONS

The purpose of open space in a development is to provide pervious land area to achieve appropriate buffering, visual relief, landscaping, surface water treatment, and preservation of existing native trees and plant communities. Open space in non-residential developments functions as it does in residential developments. Goal 52 of the Lee Plan currently does not treat all types of open space equally, addressing only residential open space. This is not consistent with other provisions of the Lee Plan or with the LDC. Goal 52 of the Lee Plan should be modified to recognize the importance of open space in non-residential development.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit the proposed plan amendment as contained in Part I.B.1.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: March 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

Staff presented the proposed amendment to Goal 52 to include language clarifying open space within commercial and industrial developments; to add an objective regarding open space design to be addressed a zoning review; and to require preservation of large native trees within open space areas when native plant communities are not present. Staff noted that addressing open space and preservation requirements during zoning review allows more time to establish quality open space and preserves.

One LPA member was concerned with the language “we will continue to review or continue to require” under Objective 52.2 and Policy 52.1.2. The Department of Community Affairs wants objectives to be measurable. Staff concurred, but stated that the language reflects the County’s intention to keep the provisions in the land development code.

The LPA noted that the proposed amendment uses “encourage”, and wanted clarification on how the county encourages. Staff explained that some encouragement consists of credits given to preserve areas based on acreage and width to encourage larger preserve tracts.

Another issue raised was if the requirement to provide half of the open space as preservation area was consistent with the LDC. Staff verified that is the current LDC preservation requirement.

One member of the LPA was concerned that staff’s evaluation alluded to the need for more open space within commercial and industrial developments. Staff replied that the issue is not amount, but the quality of open space. Larger green areas with mature native trees provides more visual relief and cooling effect than the currently required 10-foot trees. Staff is asking for a critical evaluation of the site and adjacent uses to designate open space and preserve areas where they make the most impact.

A follow-up question by the LPA was how staff analyzed that the proposed policies would not adversely affect the cost of development. Staff replied that the recommended language does not increase the amount of open space required, and that preserved trees may be used to meet LDC landscape requirements actually reducing landscape costs.

One member had concern that the language should be in the LDC not the Lee Plan. Two members believed the policies should be in the Lee Plan to avoid problems during zoning review.

One LPA member noted that the preservation of trees is a good amendment, however, a standard should be established to determine which trees to preserve. It was suggested that the appropriate place for such standards is the LDC. Staff concurred, and stated that it was anticipated that LDC language would need to be amended to implement these open space and preservation policies.

The LPA had concerns over the use of “must” within the preservation policies. The main concern was that deviations or variances would not be granted. Discussion resulted in revision to the proposed language for Policy 52.3.1 to read as follows:

Any new development with existing indigenous vegetation must is encouraged to provide half of the required open space as existing native plant communities. ~~Properties with existing native trees without associated native groundcover or understory must~~ Any new development with existing native trees without associated native ground cover or understory is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

One member of the public supported the proposal. This person indicated that it was important for Lee County to remain special, and not turn into a “concrete jungle.” It was noted that people like to visit Sanibel where there is a strong tree ordinance. Also noted was the value of shade and percolation.

Another member of the public stated that originally he was opposed to the proposed language. However, he believes quality open space is important and the revised language addresses his concern over the ability to seek a deviation or variance from the preservation requirement. Additional concern was noted that the new requirement to preserve native trees should be separated from the indigenous preservation requirement, and incentives offered to preserve trees. It was recommended that the language requiring adequate widths to preserve and allow for continued growth and viability be deleted. Concern was also raised over encouraging preservation along rights-of-way. He believed that Policies 52.3.2 through 3.5 should be addressed in the LDC.

An LPA member asked for a legal opinion on where the language should be incorporated. The assistant county attorney summarized the importance of including open space and preservation policies in the Lee Plan. He indicated that without such policies attorneys and planners can argue that there’s no requirement in the plan to have open space in commercial areas. The county attorney added that “since the zoning process is a quasi-judicial process - substantial, competent evidence, et cetera - you get through that process and, you know, the judges across the street are going to agree. It’s not there; you can’t require it. So I think we need policies in the plan that make it clear what we’re trying to do...we have other policies in the plan that say you must submit TIS’s at certain times...That’s a submittal requirement. You must submit other things during the zoning process. Those are some other requirements that are in the plan. They’re general enough that they’re deemed appropriate and important enough that they’re deemed appropriate to be in the plan. I don’t truly believe that these policies are designed or will function as some additional burden that is not going to be able to be handled in the development community. I think they will be very beneficial in the long run.”

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommended transmittal of the amendment as revised below:

GOAL 52: DEVELOPMENT DESIGN REQUIREMENTS. To require new developments to provide adequate open space for their future residents for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.

OBJECTIVE 52.1: Development regulations will continue to require that new residential developments provide sufficient open space to meet the needs of their residents.

OBJECTIVE 52.2: Development regulations will continue to require that new commercial and industrial developments provide sufficient open space for the benefit of their patrons and the general public.

POLICY 52.2.1: The county must continue to review the open space requirements of the Land Development Code to determine if these requirements should be modified in any way to best meet the objectives of open space requirements within new commercial and industrial developments.

OBJECTIVE 52.3: New developments must are encouraged to use innovative open space designs to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing native vegetation. This objective and subsequent ~~policies~~ policy are to be implemented through the zoning process.

POLICY 52.3.1: Any new development must with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. ~~Properties~~ Any new development with existing native trees without associated native groundcover or understory must is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

POLICY 52.3.2: Open space areas must be designed with adequate widths to preserve and allow the continued growth and viability of existing native trees.

POLICY 52.3.3: The county encourages new developments to incorporate existing native plant communities and/or native trees along proposed and/or existing rights-of-way.

POLICY 52.3.4: The county encourages new developments to incorporate large, contiguous open space areas in the development design.

POLICY 52.3.5: Proposed planned developments must submit an open space design plan with an assessment of the existing native plant communities and native trees. The open space design plan must delineate the indigenous preserves and/or native tree preservation areas.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The majority of the LPA members determined that Policies 52.3.2 through 52.3.5 would be more appropriately addressed in the LDC.

C. VOTE:

NOEL ANDRESS	<u>Aye</u>
SUSAN BROOKMAN	<u>Opposed</u>
BARRY ERNST	<u>Aye</u>
RONALD INGE	<u>Aye</u>
GORDON REIGELMAN	<u>Aye</u>
VIRGINIA SPLITT	<u>Aye</u>
GREG STUART	<u>Aye</u>

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

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. **BOARD REVIEW:** One Board member commented the staff proposed amendment defines what Lee County has been trying to accomplish with its open space regulations. He also stated that it was important to receive the open space assessment at time of rezoning. This amendment was transmitted as part of the administrative agenda.

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

1. **BOARD ACTION:** The Board approved transmittal of staff's revised recommendation to DCA for their review.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board supported staff's findings of fact.

C. **VOTE:**

JOHN ALBION

Aye

ANDREW COY

Aye

BOB JANES

Aye

RAY JUDAH

Aye

DOUG ST. CERNY

Aye

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

DATE OF ORC REPORT: _____

- 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

**CPA2000-25
BoCC SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Attachment A

March 21, 2001



Photo 1 - View of the Cypress Trace Plaza Eckerd from Cypress Lake Drive. The native vegetation along the road frontage provides visual relief without blocking the view of the store.



Photo 2 - View of Cypress Trace Plaza entrance from U.S. 41. The project identification sign is in clear view with the preserve area provided along the road frontage.



Photo 3 - Native vegetation preserved along Cypress Lake Drive.



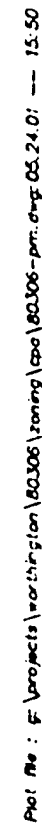
Photo 4 - Cypress Trace Plaza large buffer area with native vegetation preserved along Cypress Lake Drive.



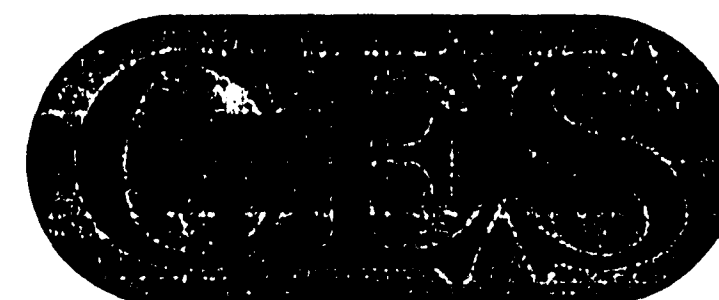
Photo 5 - Corner of Summerlin Road and Cypress Lake Drive. The pine flatwoods were removed from the commercial portion of the development.



Photo 6 - Commercial development along Cypress Lake Drive. Mature native vegetation was removed in favor of new planting adding to developer expense and reducing the function of the open space.



date 022801
drawn RHH
file name: PARCELMAP
job CPA

[illegible]

COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management

9200 Bonita Beach Road Suite 213
Bonita Springs, Florida 33923
Telephone (941) 495-0009 Fax (941) 495-7934

WORTHINGTON OF RENAISSANCE, LLC.
 PARCEL MAP

LEE COUNTY, FLORIDA

scale: $1'' = 300'$

SHEET

1 OF 1

date_

Boylan Environmental Consultants, Inc.

Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments
11000 Metro Pkwy., Suite 4, Ft. Myers, Florida 33912

South Florida Water Management District
Wetland Jurisdictional Determination

Project: The Renaissance

Craig D. Schmittler 8-25-2000
Craig Schmittler Date

WETLANDS		APPROX. ACREAGE
FLUCCS		
211H	WET PASTURE	29.80
411H	FLATWOOD WETLANDS	3.46
424H	MELALEUCA WETLANDS	62.29
500	DITCHES - OPEN WATER	27.86
621	CYPRESS	30.09
621/424	CYPRESS - MELALEUCA	3.17
624	PINE - CYPRESS	4.70
624/424	PINE - CYPRESS - MELALEUCA	16.20
645	WET PRAIRIE	1.15
740H	DISTURBED WETLANDS	2.35
TOTAL		143.61

UPLANDS		APPROX. ACREAGE
FLUCCS		
100	RESIDENTIAL	1.77
211	IMPROVED PASTURE	253.20
320	WAX MYRTLE	10.79
321	PALMETTO	12.14
411	PINE FLATWOODS	26.33
424	MELALEUCA	1.45
432	MIXED HARDWOODS	1.62
437	AUSTRALIAN PINE	0.40
740	DISTURBED	0.98
743	SOIL	0.09
800	ROADS	14.68
TOTAL		335.45

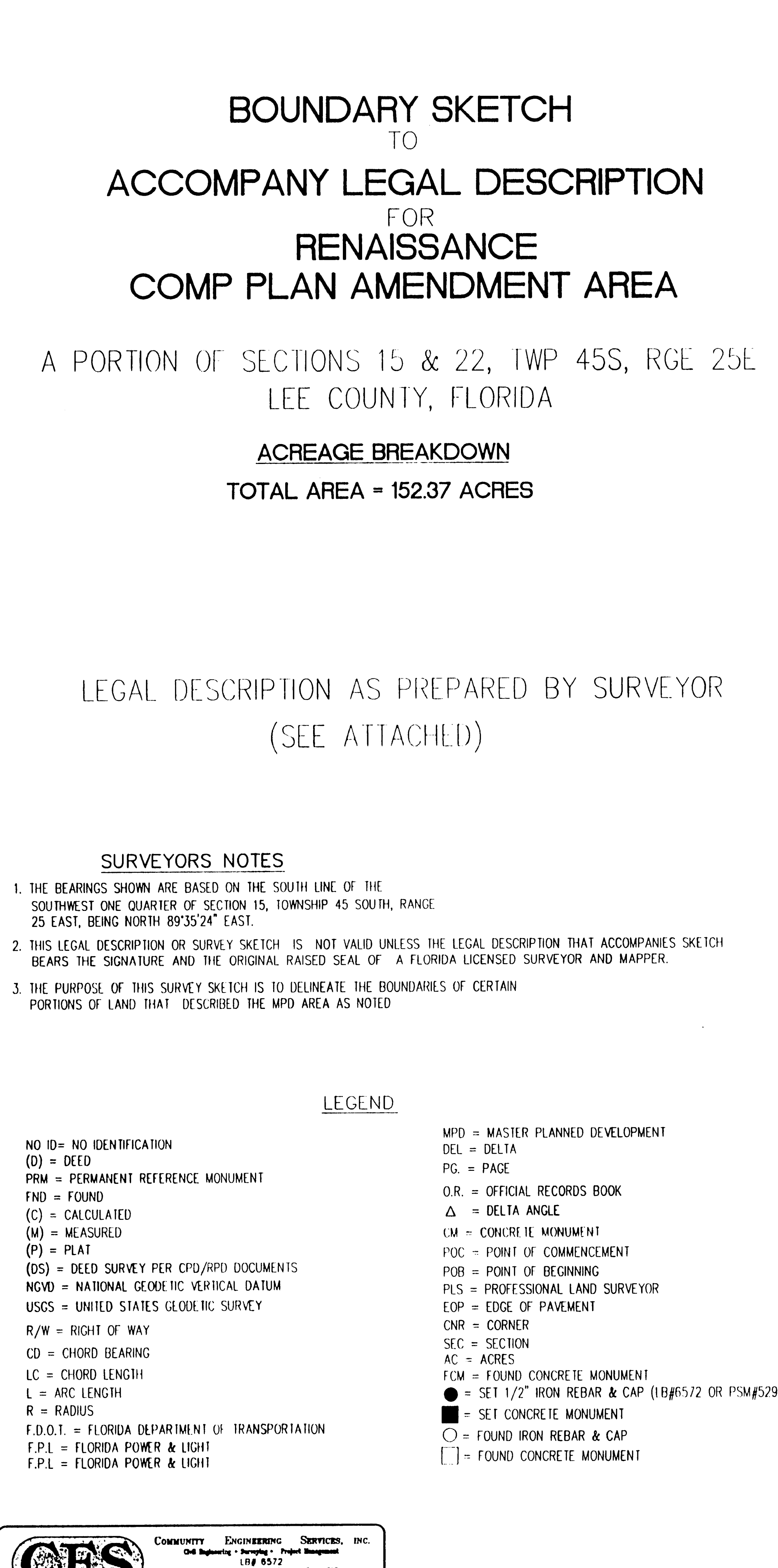
TOTAL UPLANDS = +/- 335.45 ACRES
TOTAL ACOE & SFWMD WETLANDS = +/- 143.61 ACRES
OPEN WATER = +/- 27.86 ACRES

JD Conducted
2-99

Wetland
OSW, Swales

NOV 6 2000

File: \\Bac\Bac\Bac\The Renaissance\2000\16152130





Boylan
Environmental
Consultants, Inc.

Wetland & Wildlife Survey / Environmental Permitting
Impact Assessment

11000 Metro Pkwy., Suite 4, Ft. Myers, Florida 33912

South Florida Water Management District
Wetland Jurisdictional Determination

Project: The Renaissance

Craig G. Schmittler PWS 3-25-2000
 Craig Schmittler Date

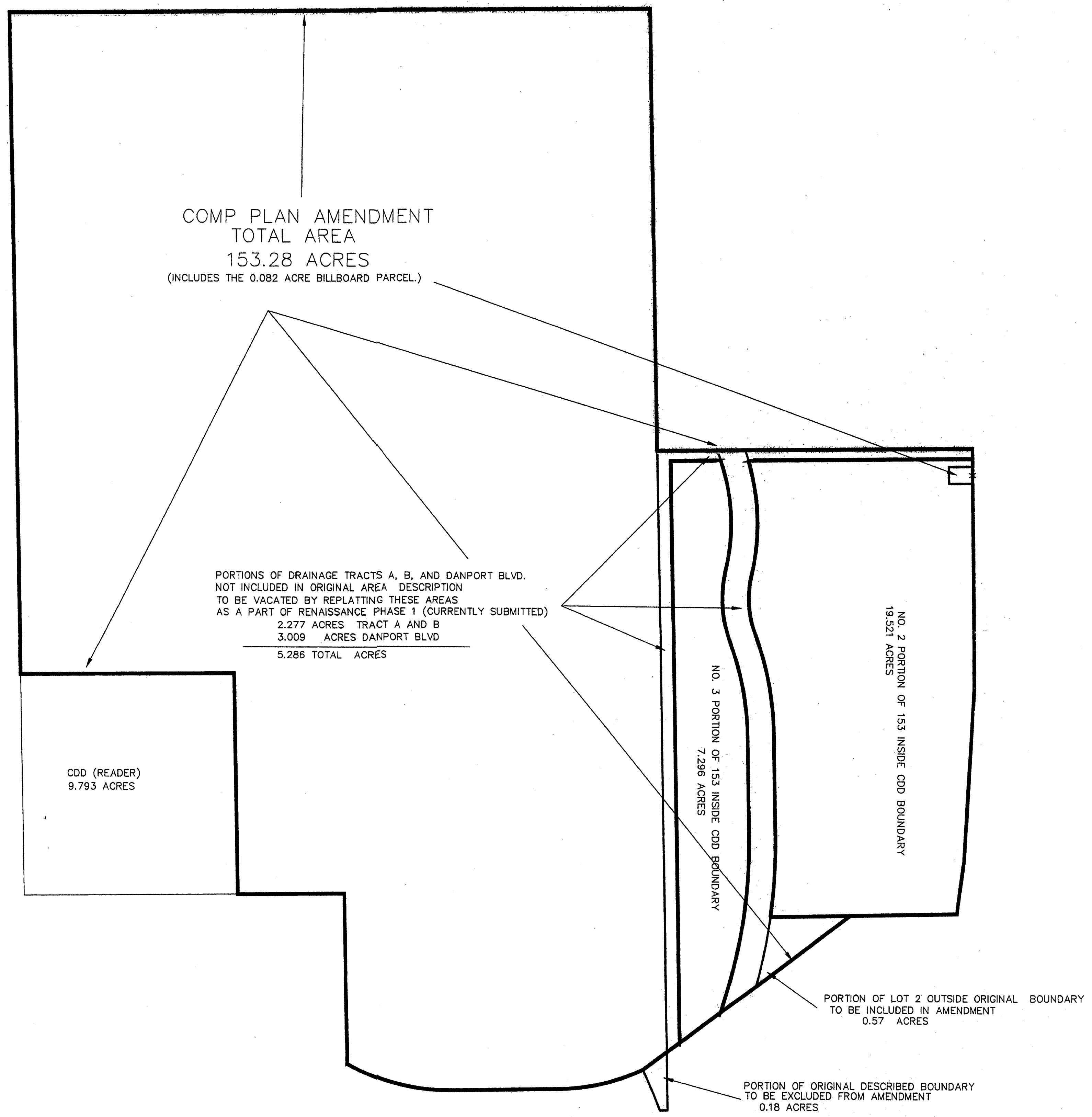
Craig Schmieler

Date _____

WETLANDS		APPROX ACREAGE
FLUCCS		
2211H	WET PASTURE	29.50
4111H	FLATWOOD WETLANDS	3.58
424H	MELALEUCA WETLANDS	52.29
500	DITCHES OPEN WATER	5.52
621	CYPRESS	30.09
621424	CYPRESS - MELALEUCA	3.17
624	PINE - CYPRESS	24.70
624424	PINE - CYPRESS - MELALEUCA	15.20
7043	WET PRAIRIE	1.75
740H	DISTURBED WETLANDS	2.35
	TOTAL	143.81

UPLANDS		
FLUCC	ACRE	APPROX ACREAGE
100	RESIDENTIAL	2.77
211	IMPROVED PASTURE	233.20
320	WAX MYRTLE	10.79
321	PALMETTO	32.14
314	PINE-FLATWOODS	26.33
421	MELALEUCA	1.45
431	MIXED HARDWOODS	5.62
437	AUSTRALIAN PINE	0.40
740	DISTURBED	0.98
743	SPOIL	8.08
800	ROADS	14.88
	TOTAL	335.45

511.728 ACRES



COMP PLAN AMENDMENT
TOTAL AREA
153.28 ACRES
(INCLUDES THE 0.082 ACRE BILLBOARD PARCEL.)

PORTIONS OF DRAINAGE TRACTS A, B, AND DANPORT BLVD.
NOT INCLUDED IN ORIGINAL AREA DESCRIPTION
TO BE VACATED BY REPLATTING THESE AREAS
AS A PART OF RENAISSANCE PHASE 1 (CURRENTLY SUBMITTED)
2.277 ACRES TRACT A AND B
3.009 ACRES DANPORT BLVD
5.286 TOTAL ACRES

CDD (READER)
9.793 ACRES

NO. 2 PORTION OF 153 INSIDE CDD BOUNDARY
19.521 ACRES

NO. 3 PORTION OF 153 INSIDE CDD BOUNDARY
7.296 ACRES

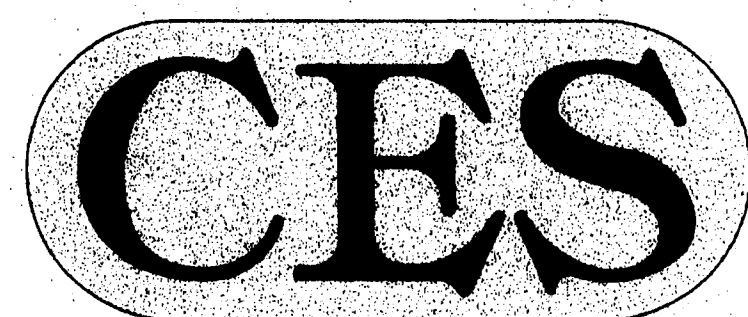
PORTION OF LOT 2 OUTSIDE ORIGINAL BOUNDARY
TO BE INCLUDED IN AMENDMENT
0.57 ACRES

PORTION OF ORIGINAL DESCRIBED BOUNDARY
TO BE EXCLUDED FROM AMENDMENT
0.18 ACRES

PLEASE NOTE THAT THE AREAS AS SHOWN ARE BASED ON
ACTUAL SURVEY DATA AND MAY VARY FROM THOSE AREAS AS
INDICATED ON PARCEL INFORMATION ON RECORD IN OFFICES OF LEE COUNTY FLORIDA.

date 032901
drawn
file name: AMEND_KEY
job CDD/153

No.	Date	Revisions



COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
9200 Bonita Beach Road Suite 213
Bonita Springs, Florida 33923
Telephone (941) 495-0009 Fax (941) 495-7934

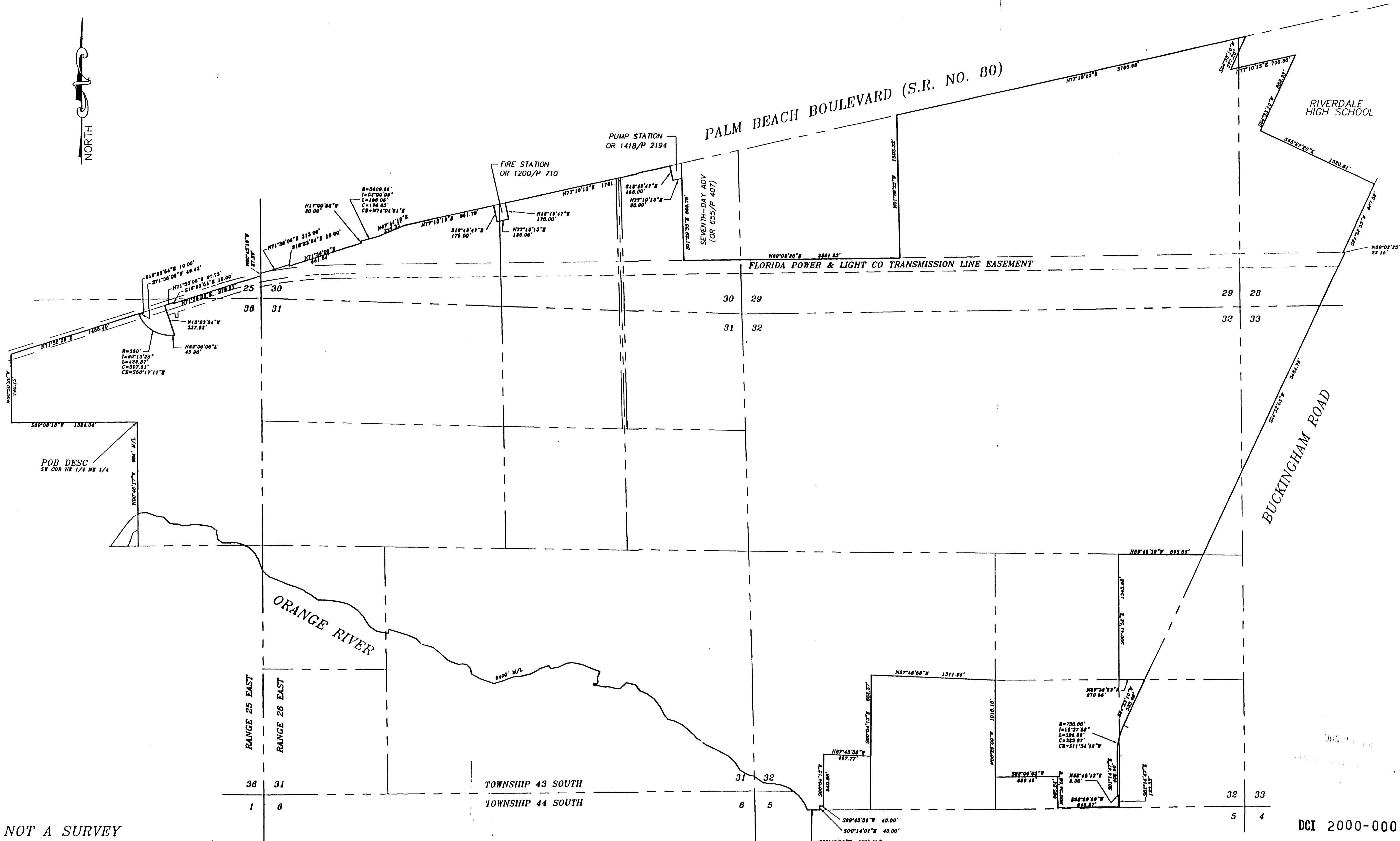
COMP PLAN AMENDMENT AREAS
PARCEL KEY MAP

scale: 1"=200'
1"=10'

SHEET

1 of 1

date



THIS IS NOT A SURVEY

W. Britt Pomeroy, Jr.
W. BRITT POMEROY, JR. (FOR THE FIRM - LB#642)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 8-19-00

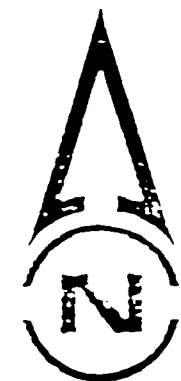
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DCI 2000-00069

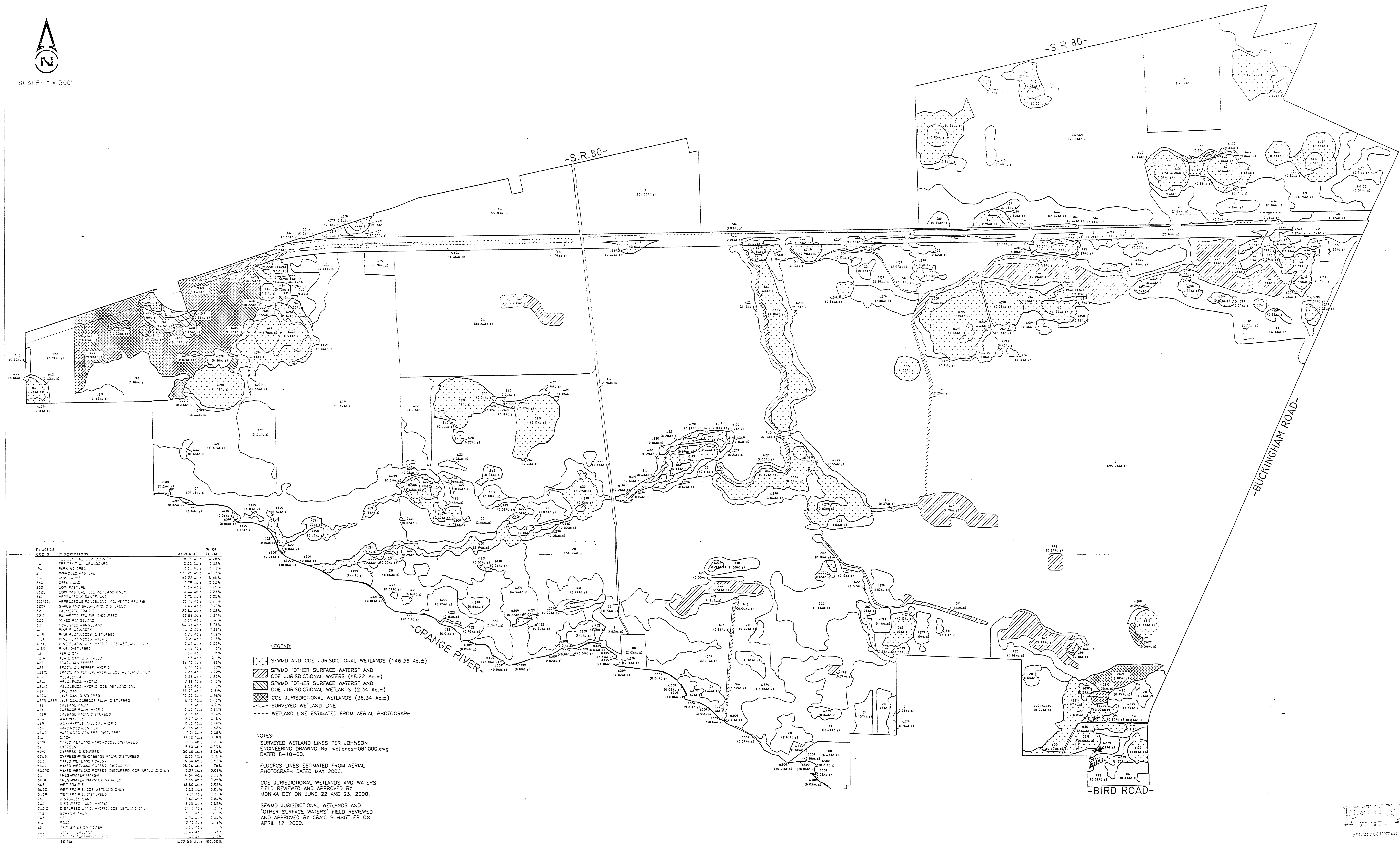
SKETCH TO ACCOMPANY DESCRIPTION
PARCEL IN
SECTIONS 25 & 36, T. 43 S., R. 25 E.
SECTIONS 28, 29, 30, 31, 32 & 33, T. 43 S., R. 26 E.
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.				
ENGINEERS, SURVEYORS AND ECOLOGISTS				
2158 JOHNSON STREET, P.O. BOX 1550, FORT MYERS, FLORIDA 33902-1550, PHONE (941) 334-0046				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
Sept., 2000	991536	25-43-25	1" = 500'	1 OF 1

J:\951536\Sketch_Desc_Jenning.dwg Mon Sep 18 13:11:37 2000 mcp



SCALE: 1" = 300'



LEGEND:

- SPWMD AND COE JURISDICTIONAL WETLANDS (146.35 AC.±)
- SPWMD "OTHER SURFACE WATERS" AND COE JURISDICTIONAL WATERS (48.22 AC.±)
- SPWMD "OTHER SURFACE WATERS" AND COE JURISDICTIONAL WETLANDS (2.34 AC.±)
- COE JURISDICTIONAL WETLANDS (36.34 AC.±)
- SURVEYED WETLAND LINE
- WETLAND LINE ESTIMATED FROM AERIAL PHOTOGRAPH

NOTES:

SURVEYED WETLAND LINES PER JOHNSON ENGINEERING DRAWING No. wetlands-081000.dwg DATED 8-10-00.

FLUCFCS LINES ESTIMATED FROM AERIAL PHOTOGRAPH DATED MAY 2000.

COE JURISDICTIONAL WETLANDS AND WATERS FIELD REVIEWED AND APPROVED BY MONIKA DEY ON JUNE 22 AND 23, 2000.

SPWMD JURISDICTIONAL WETLANDS AND "OTHER SURFACE WATERS" FIELD REVIEWED AND APPROVED BY CRAIG SCHMITTLER ON APRIL 12, 2000.

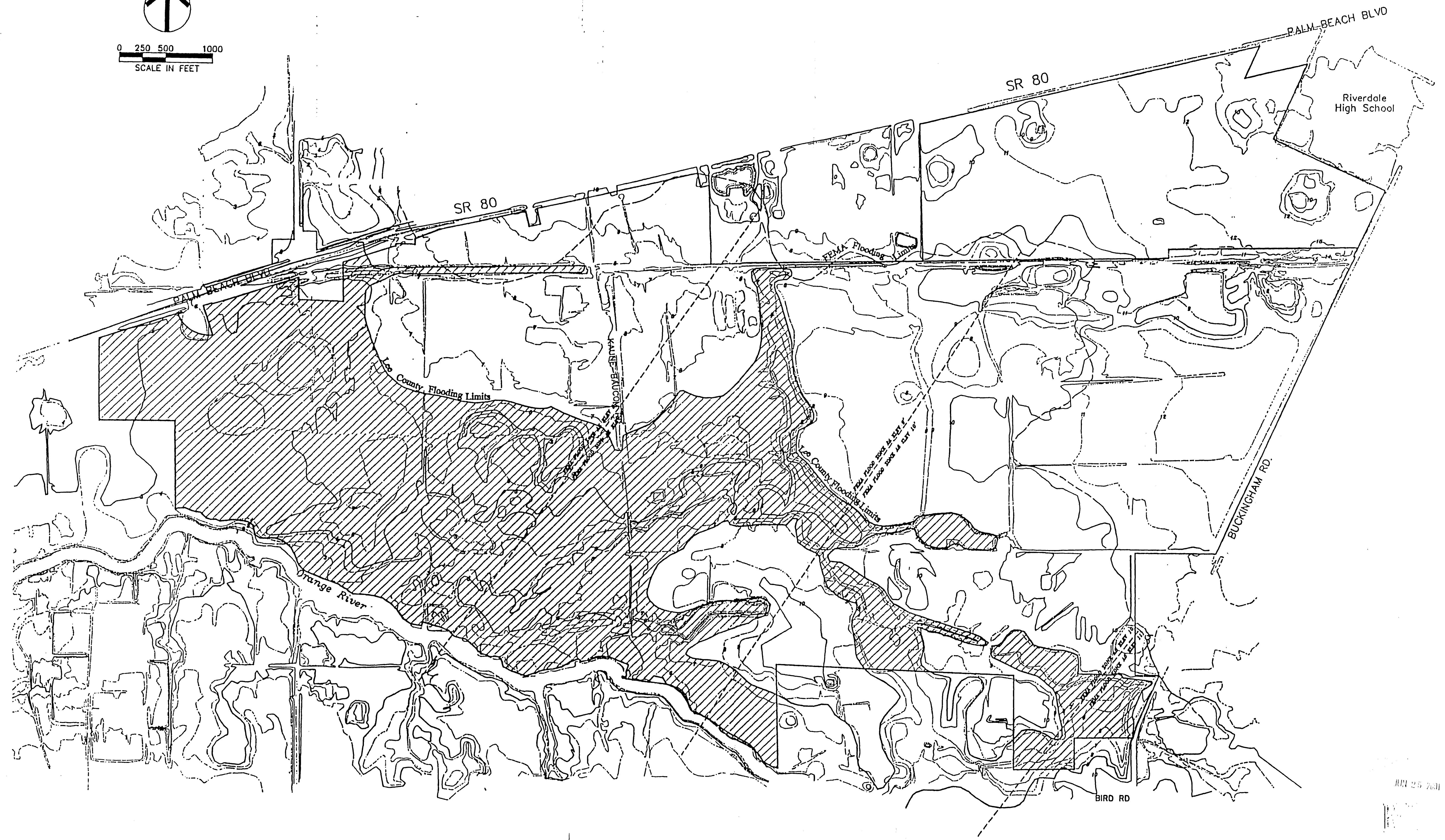
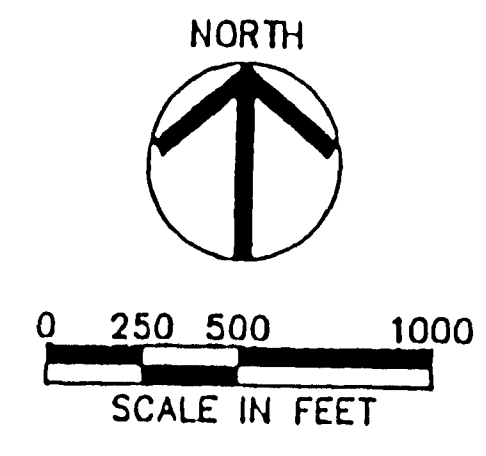
REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
REVISED WETLANDS 11 AND 14	A.W.	9/14/00	1"=300'
REVISED BOUNDARY ALONG RIVER	K.C.P.	9/14/00	VERTICAL SCALE
	P.A.F.	9/14/00	N/A

DATE	SEC./TWP./RNG.
9/14/00	25.36/43S/25E
	29.30/31.32/43S/26E

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
4575 Via Royale Suite 201 Ft. Myers, FL 33919

BAUCOM PROPERTY
FLUCFCS AND WETLANDS MAP

EXHIBIT C.1
DRAWING No.: 99BBP402FW-1
SHEET No.: 1



1' CONTOUR BASED ON LEE COUNTY AERIAL DATA OF VARIOUS DATES.

EXHIBIT C.3 OCT 2000-00069

Lee County, Florida

Topographic Map
and Flooding Limits

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS AND ECOLOGISTS
2158 JOHNSON STREET, P.O. BOX 1350, FORT MYERS, FLORIDA 33902-1350, PHONE (813) 334-0048

DATE	PROJECT NO.	FILE NO.	SCALE
09/23/99	19991536	28-44-26	1" = 500'