



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

April 18, 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

18th 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 FAIN INSURANCE, INC.

COND. FLOOR
WRKS. CNTR.
OMN. DEV.

00:06 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.

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

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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

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

October 23, 2003

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

☐

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: 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) adopt 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:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLAR	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
DAN DELISI	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<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: September 5, 2003

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

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

B. STAFF RESPONSE

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: October 23, 2003

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

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

- 1. BOARD ACTION:** The Board voted to adopt the amendment.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION

AYE

ANDREW COY

ABSENT

BOB JANES

AYE

RAY JUDAH

AYE

DOUG ST. CERNY

AYE

**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**

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
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
TOTAL		4127.64			

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

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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	4.36	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

Attachment 4

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

Purchased by

South Florida Water Management District (SFWMD)

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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 TIIF**

STRAP	Acres	Zoning	Future Land Use
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**

STRAP	Acres	Zoning	Future Land Use
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: Shirley E. Rost
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: James G. Jaeger
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

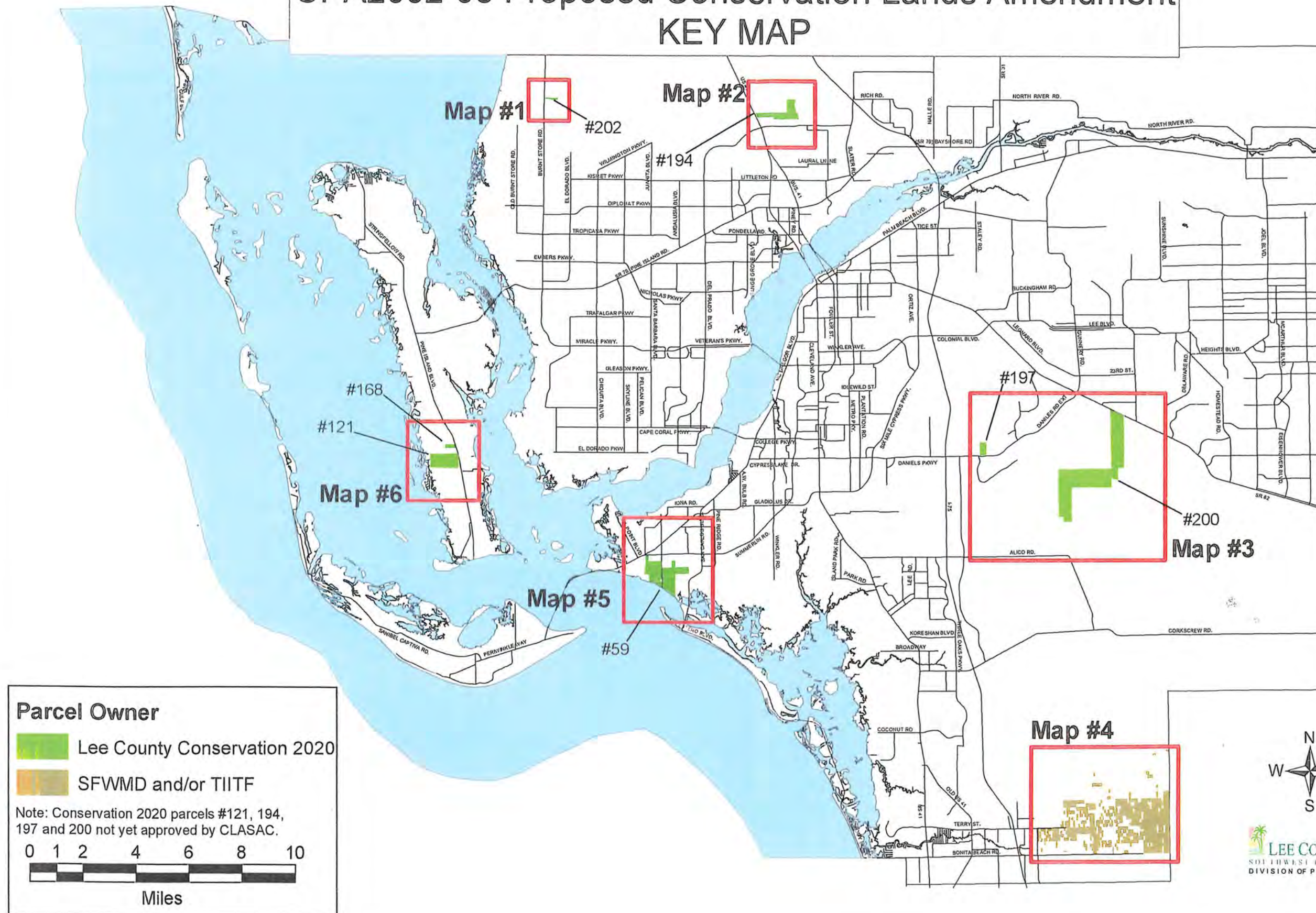
CHARLIE GREEN
CLERK CIRCUIT COURT

BY ucp D.C.

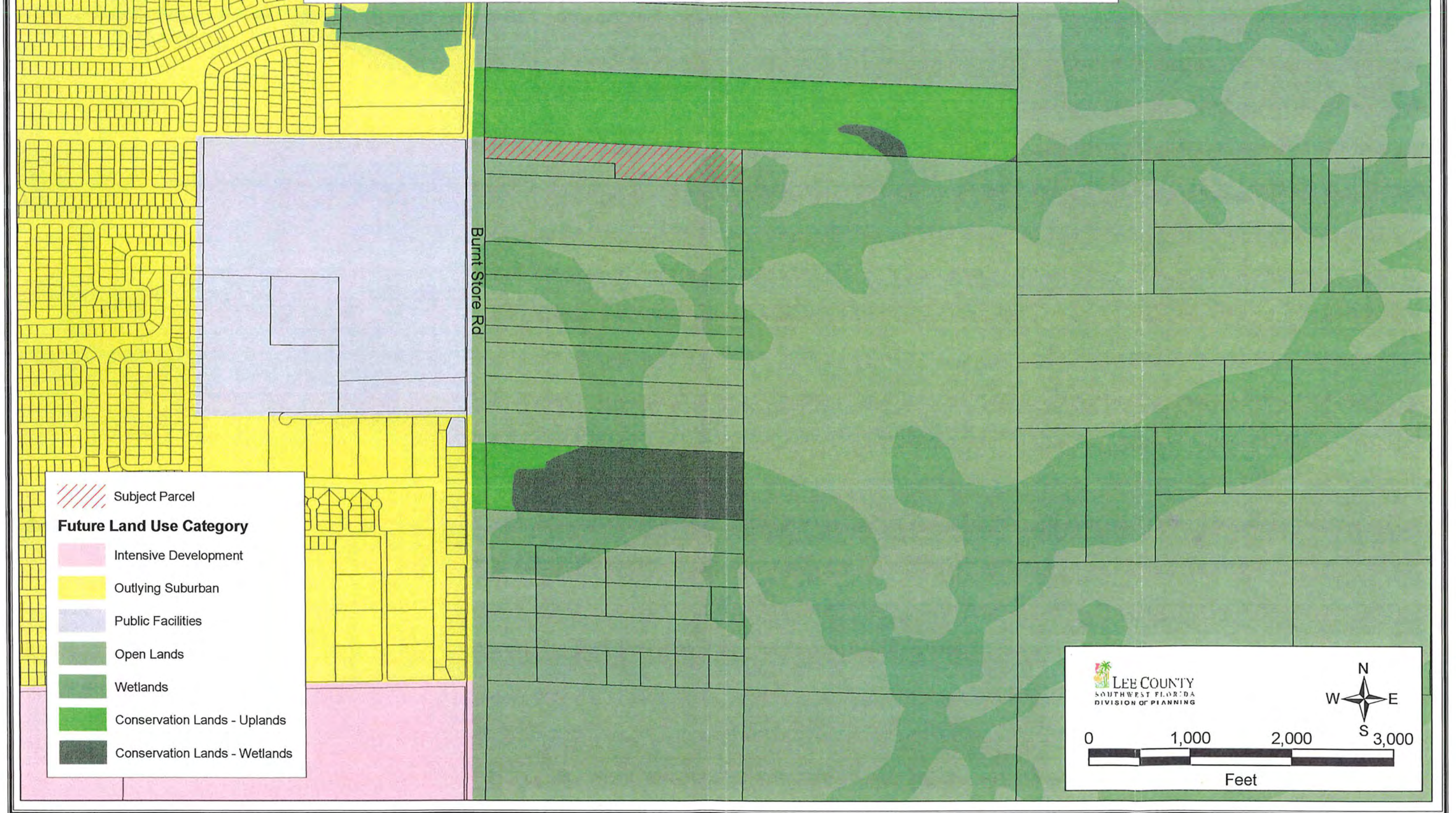
BUREAU OF ADMINISTRATIVE CODE

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

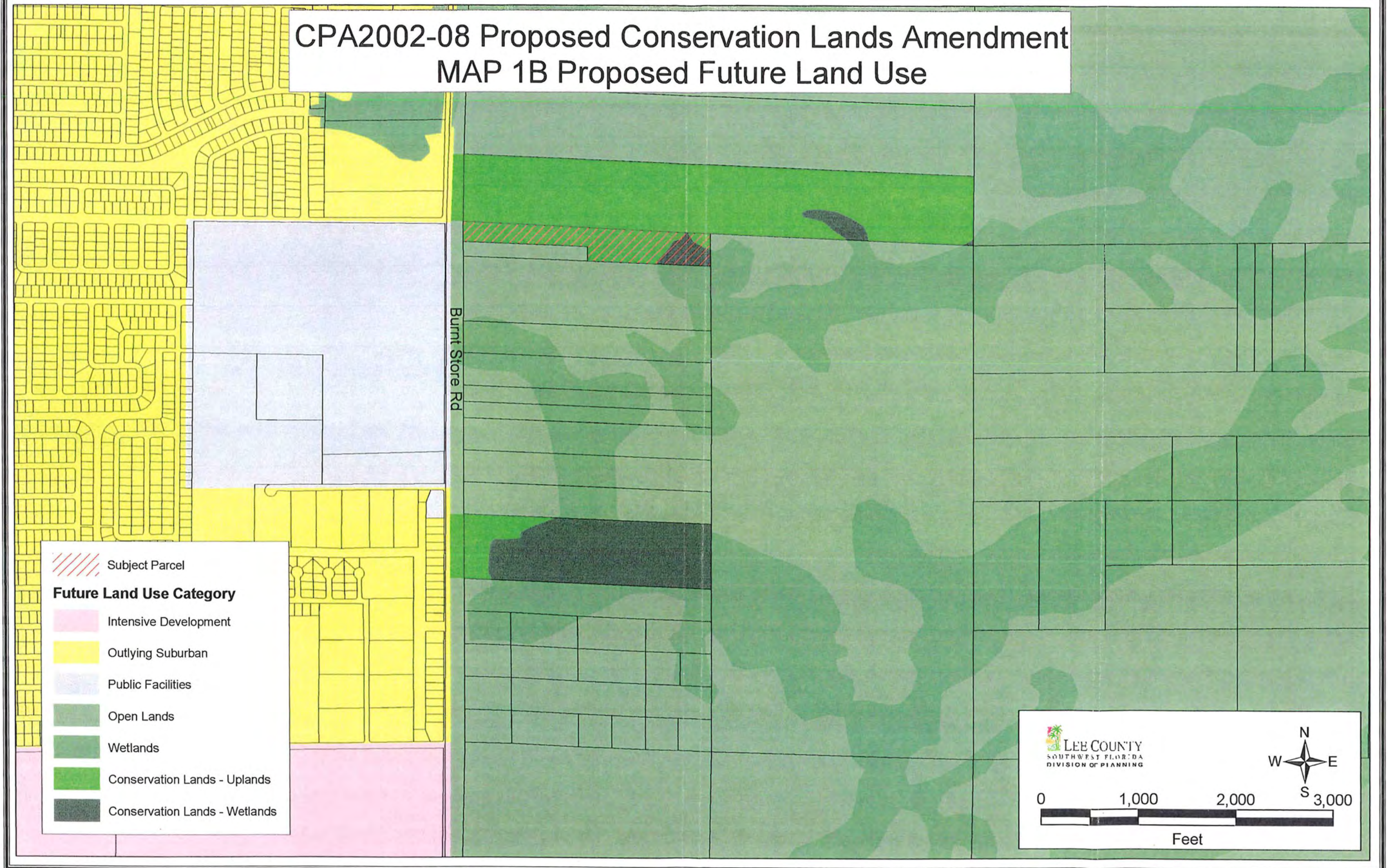
CPA2002-08 Proposed Conservation Lands Amendment KEY MAP



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

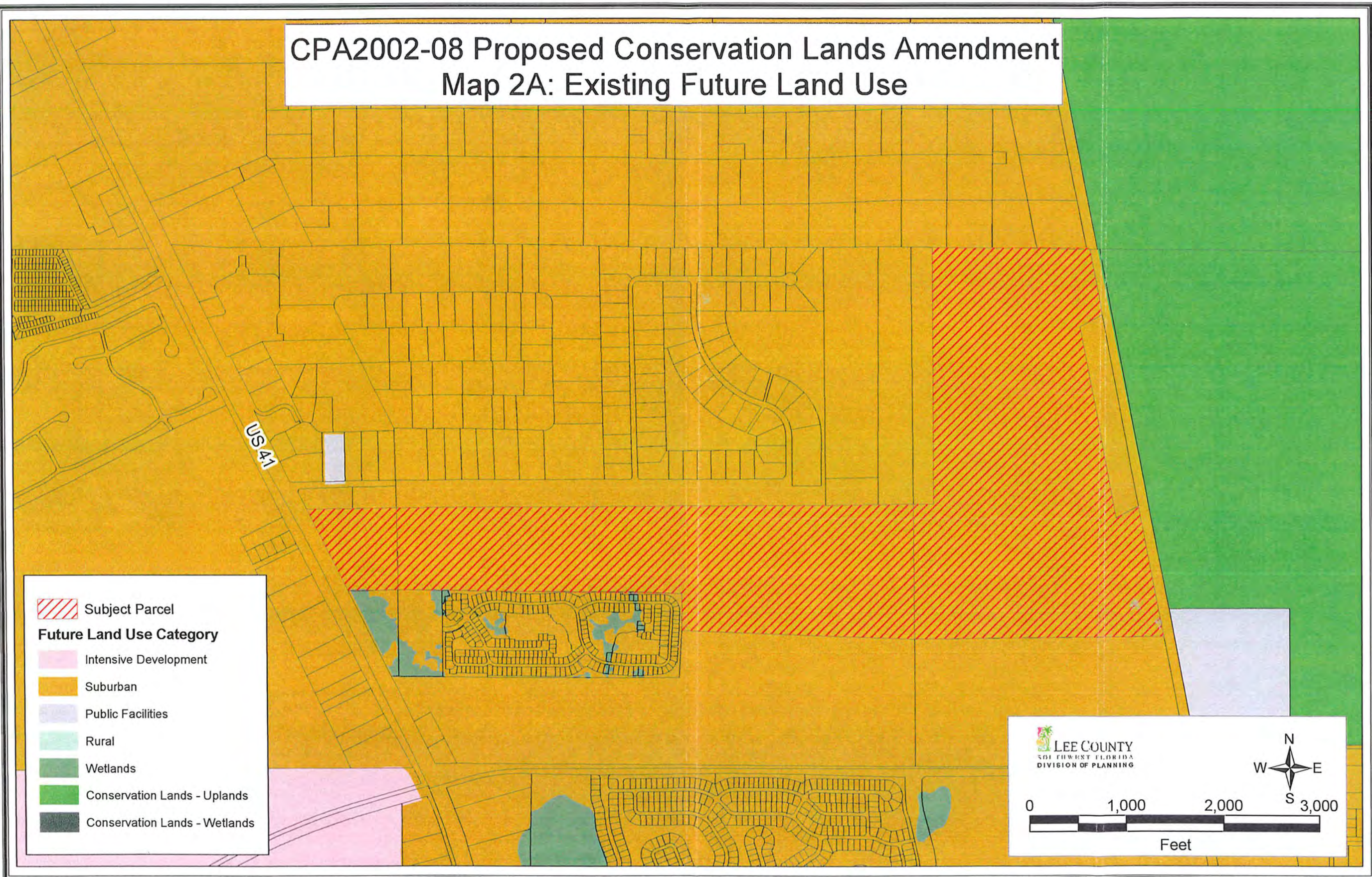


CPA2002-08 Proposed Conservation Lands Amendment MAP 1B Proposed Future Land Use



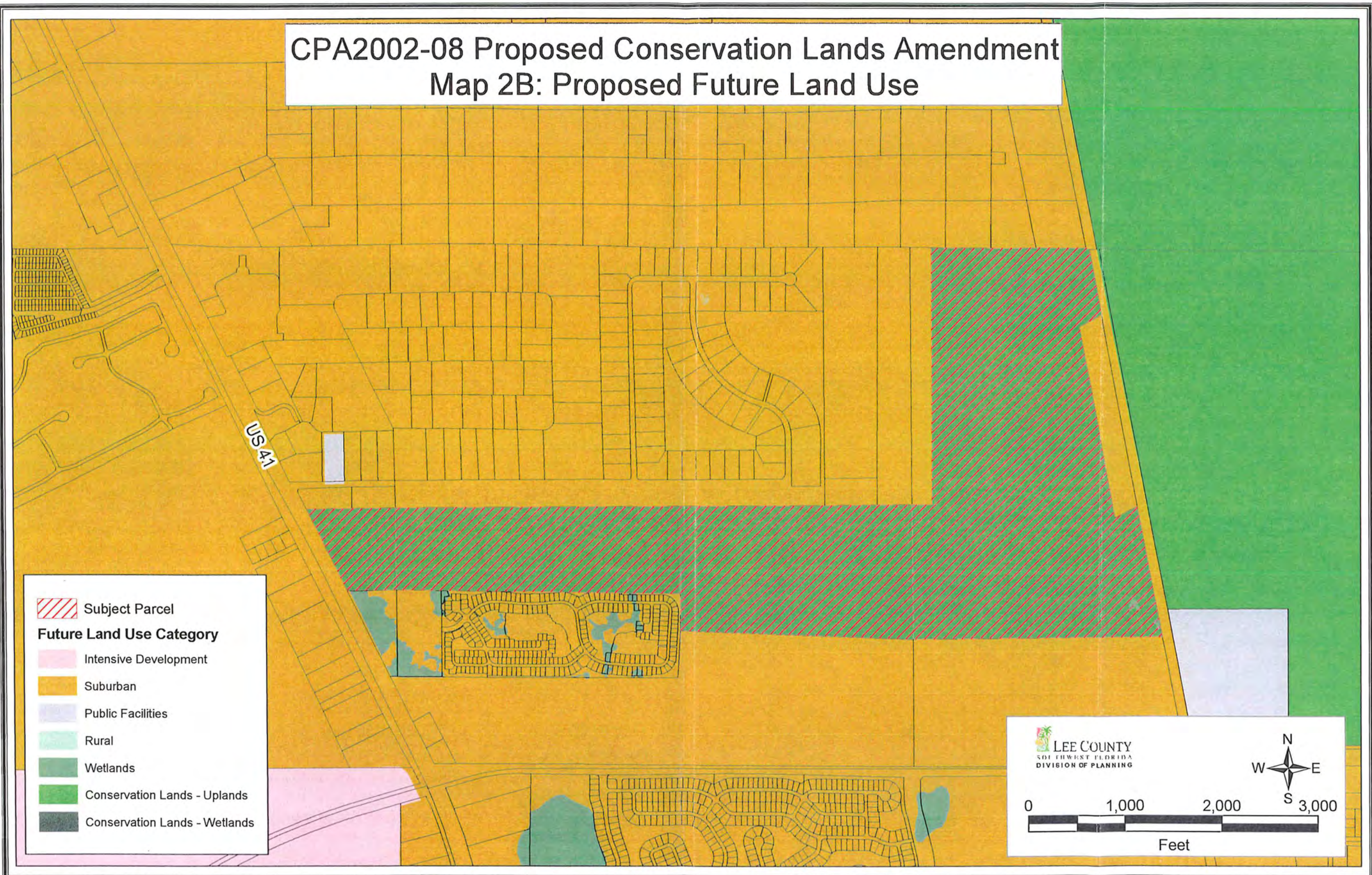
CPA2002-08 Proposed Conservation Lands Amendment

Map 2A: Existing Future Land Use



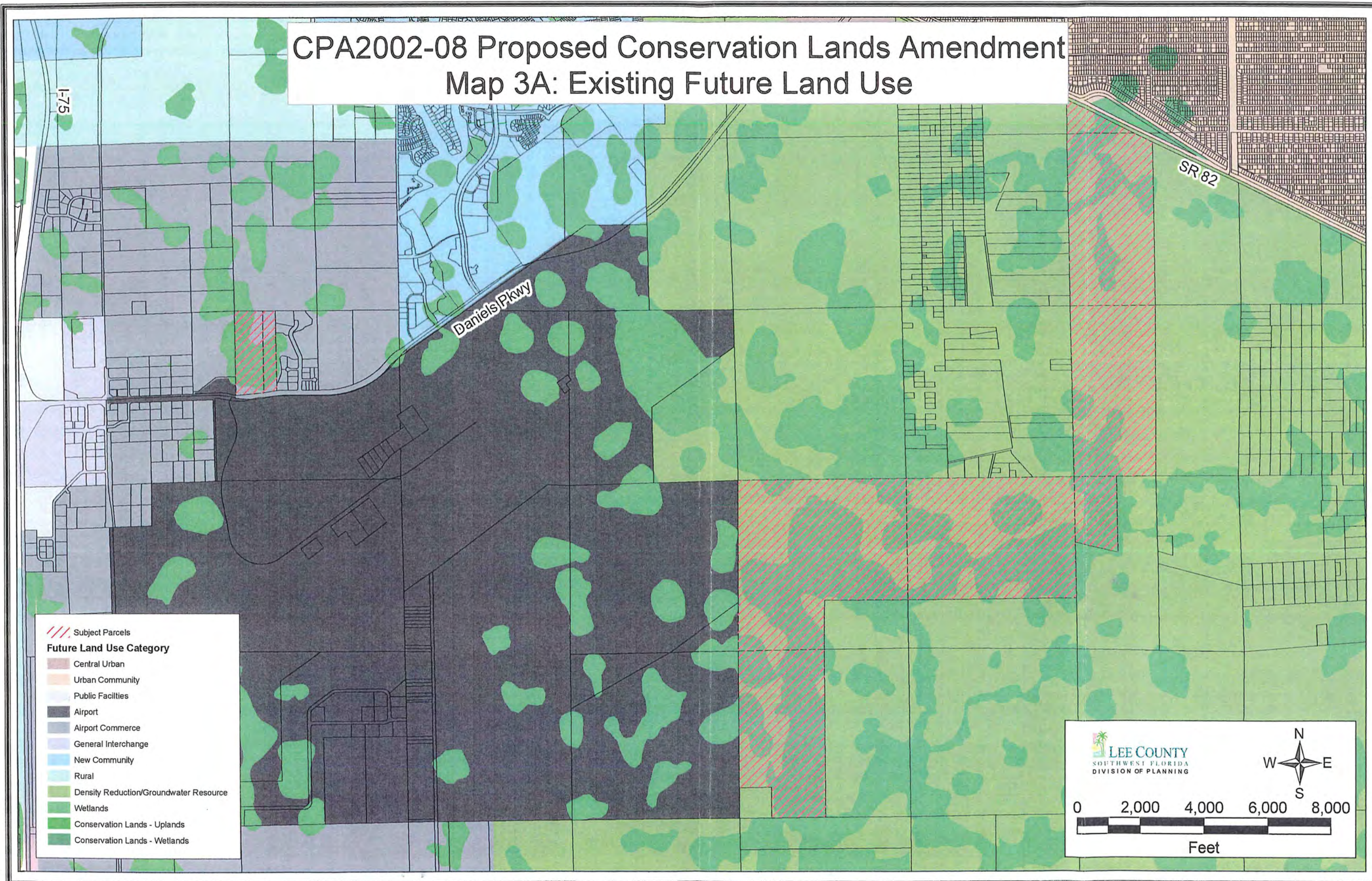
CPA2002-08 Proposed Conservation Lands Amendment

Map 2B: Proposed Future Land Use



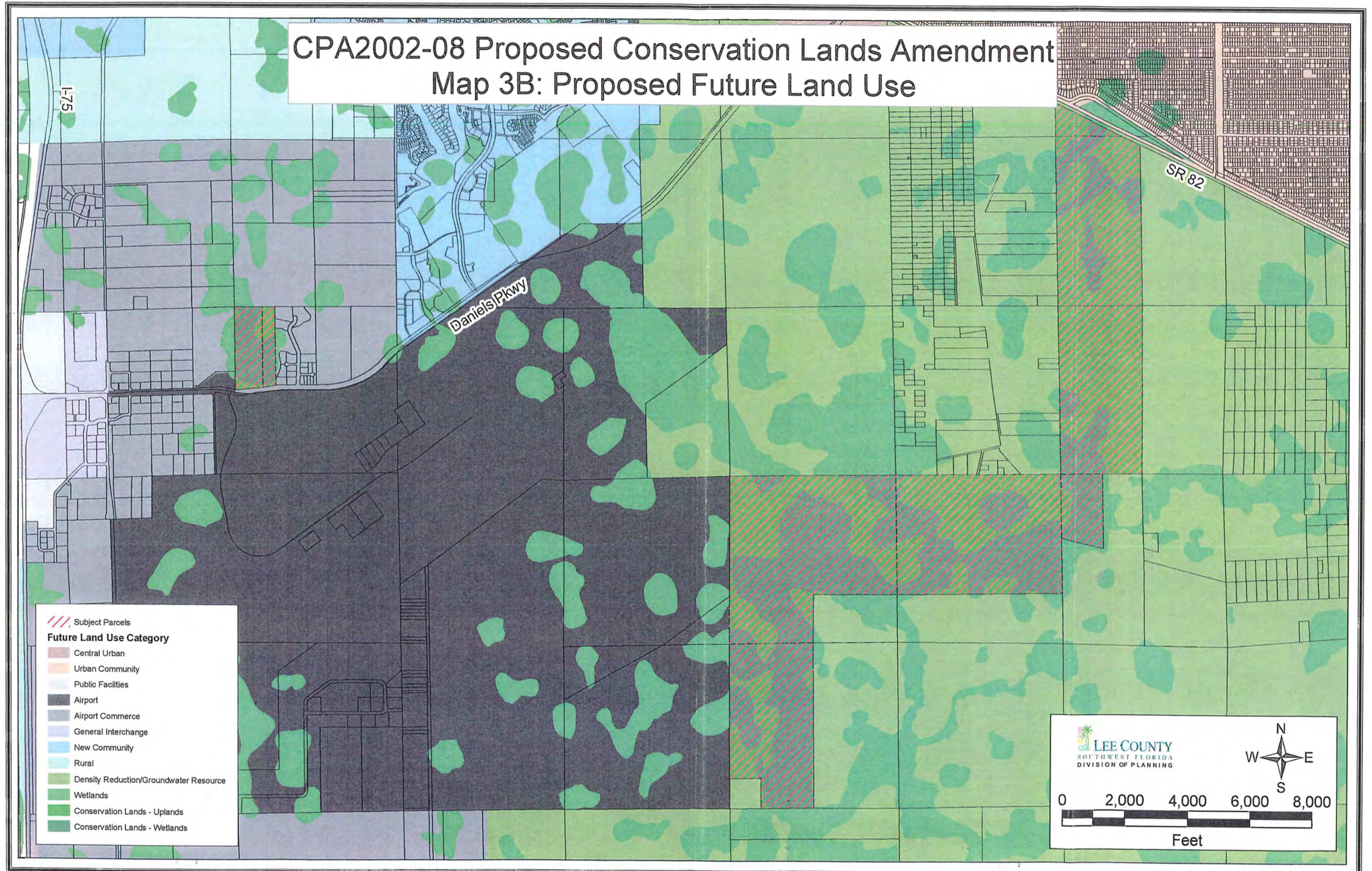
CPA2002-08 Proposed Conservation Lands Amendment

Map 3A: Existing Future Land Use



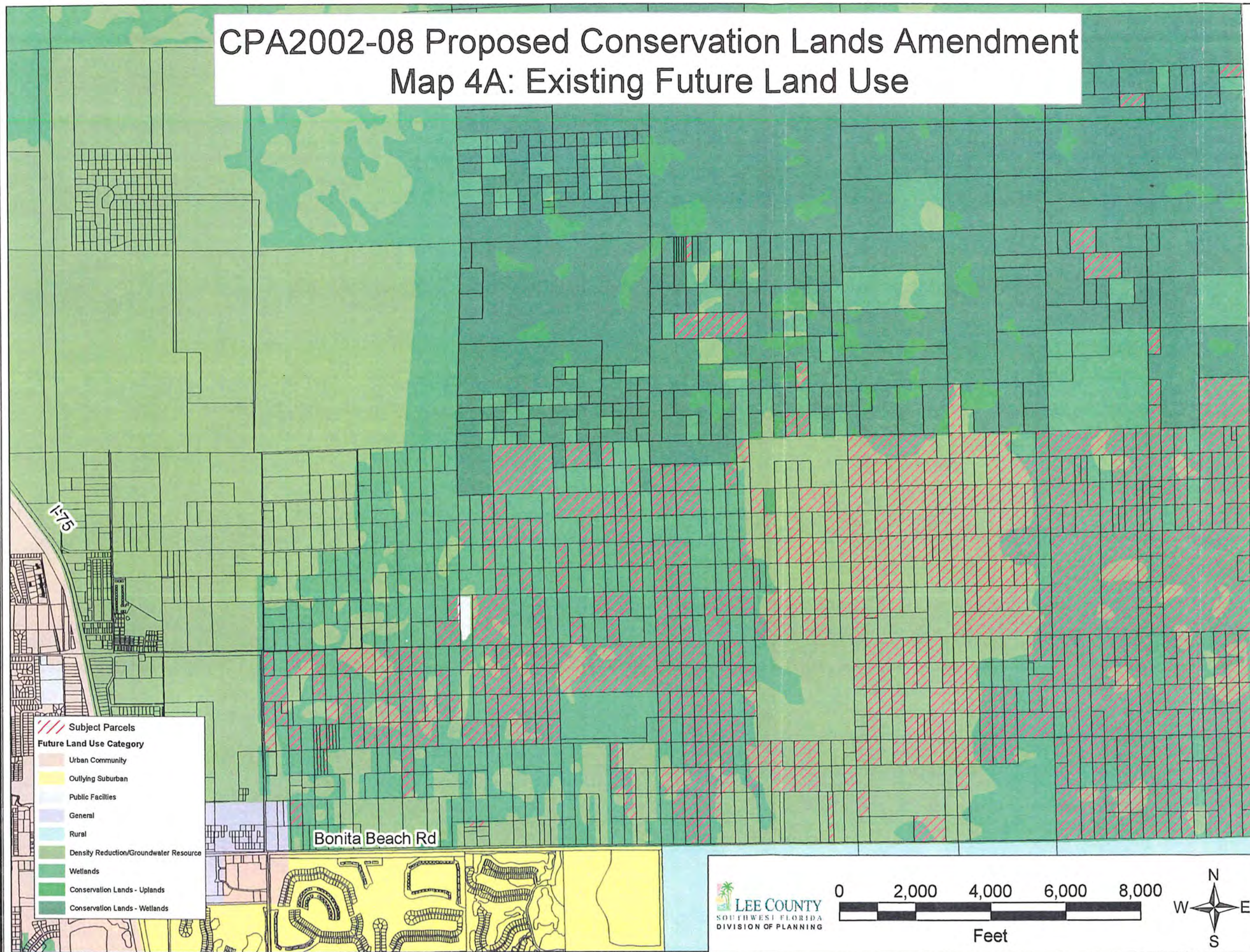
CPA2002-08 Proposed Conservation Lands Amendment

Map 3B: Proposed Future Land Use



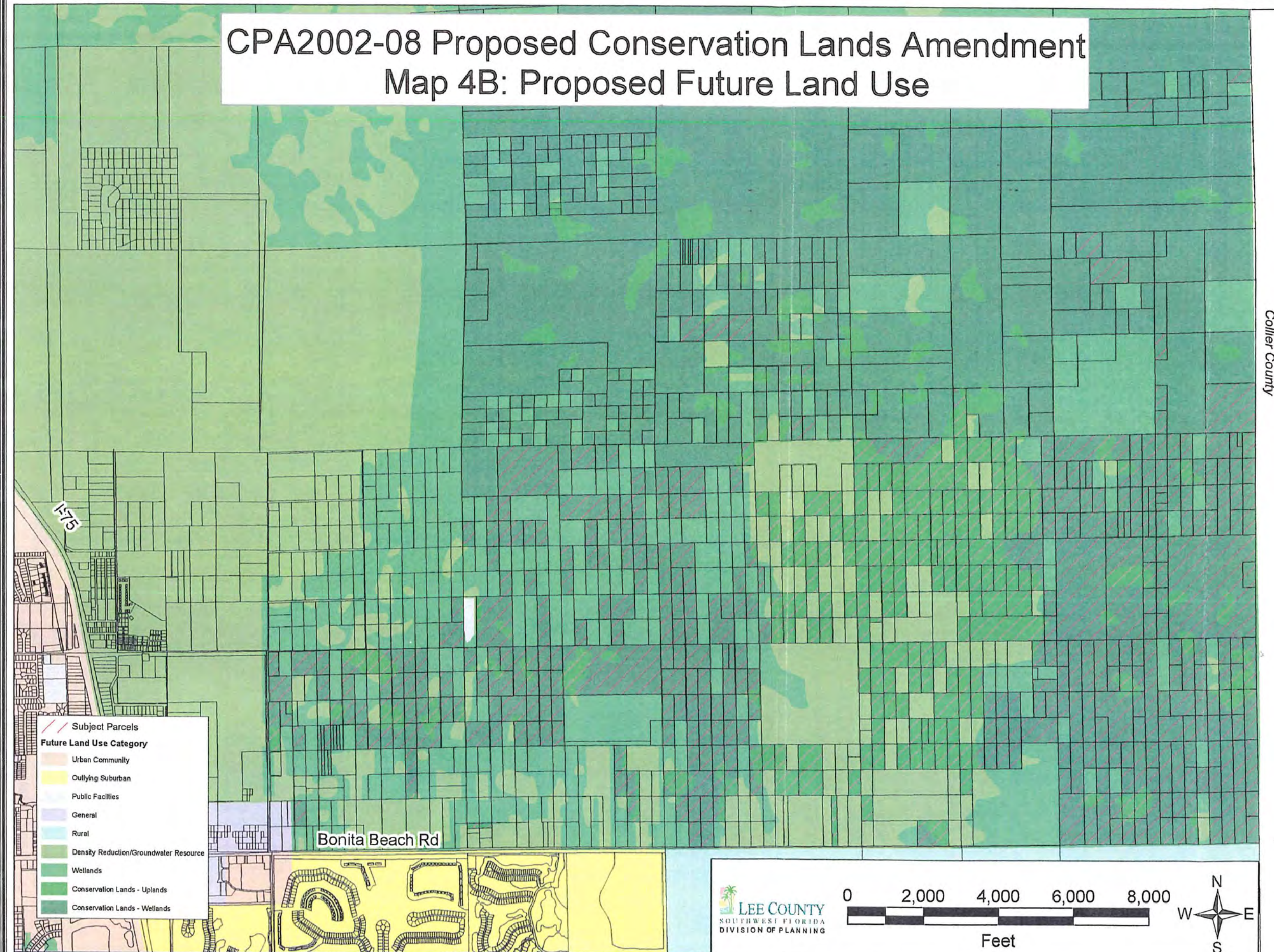
CPA2002-08 Proposed Conservation Lands Amendment

Map 4A: Existing Future Land Use



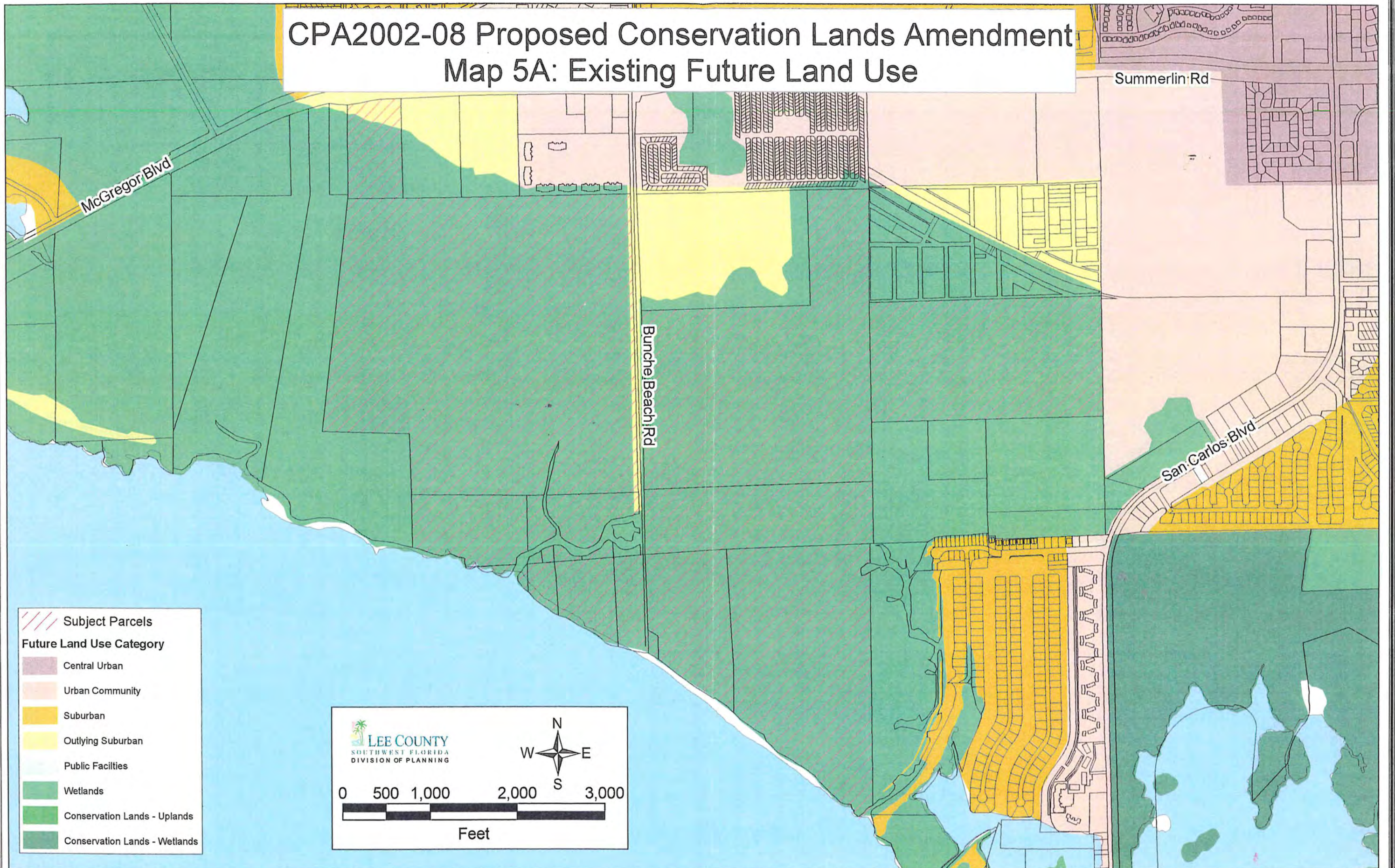
CPA2002-08 Proposed Conservation Lands Amendment

Map 4B: Proposed Future Land Use



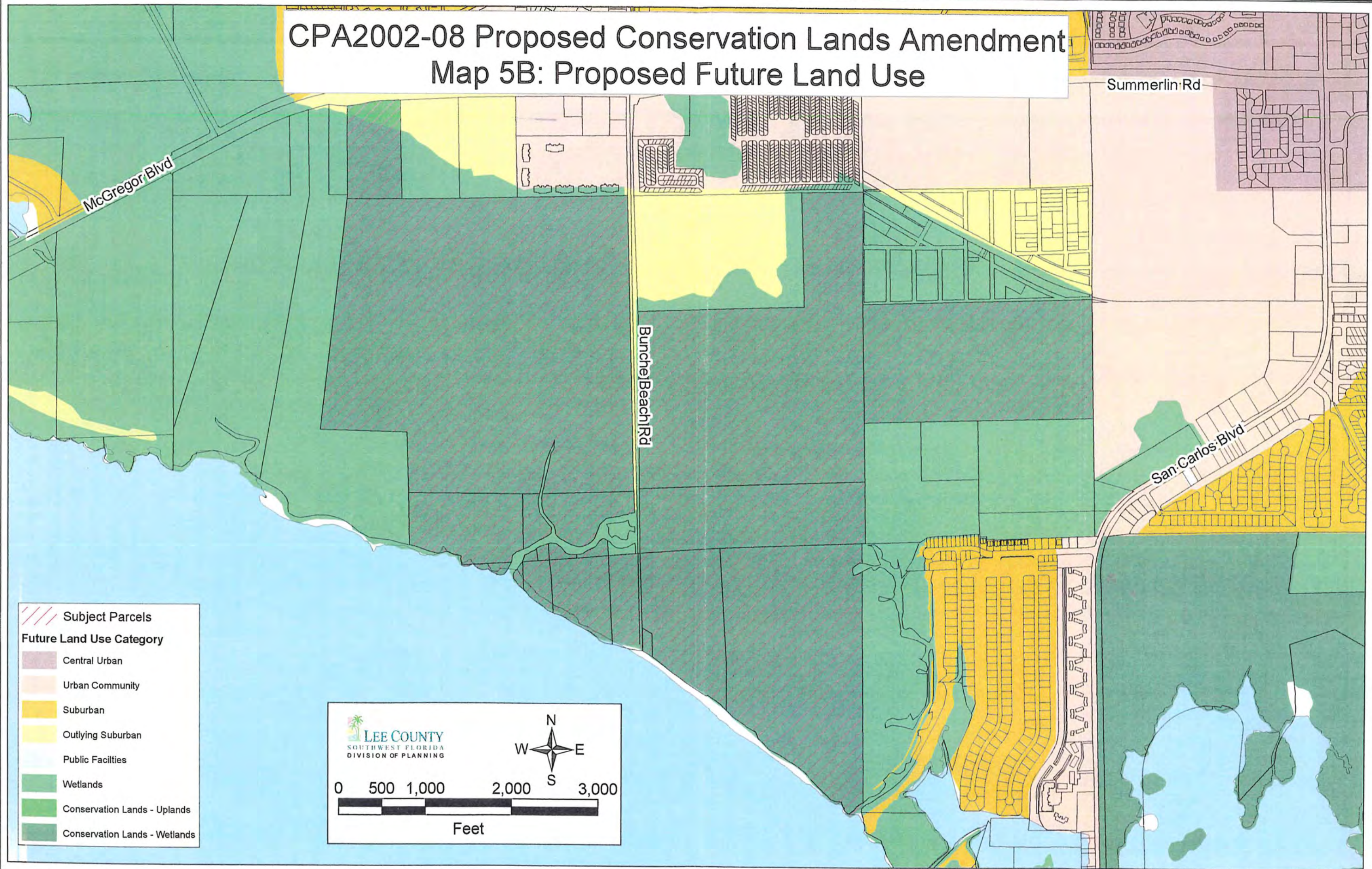
CPA2002-08 Proposed Conservation Lands Amendment

Map 5A: Existing Future Land Use

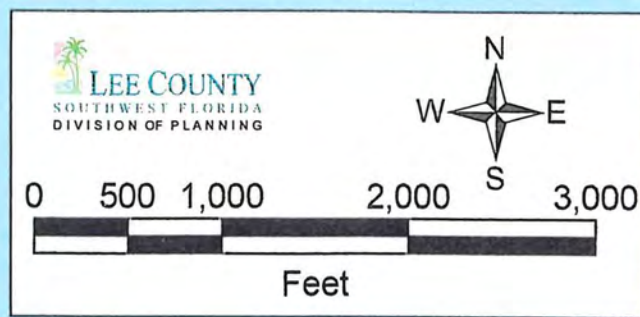


CPA2002-08 Proposed Conservation Lands Amendment

Map 5B: Proposed Future Land Use

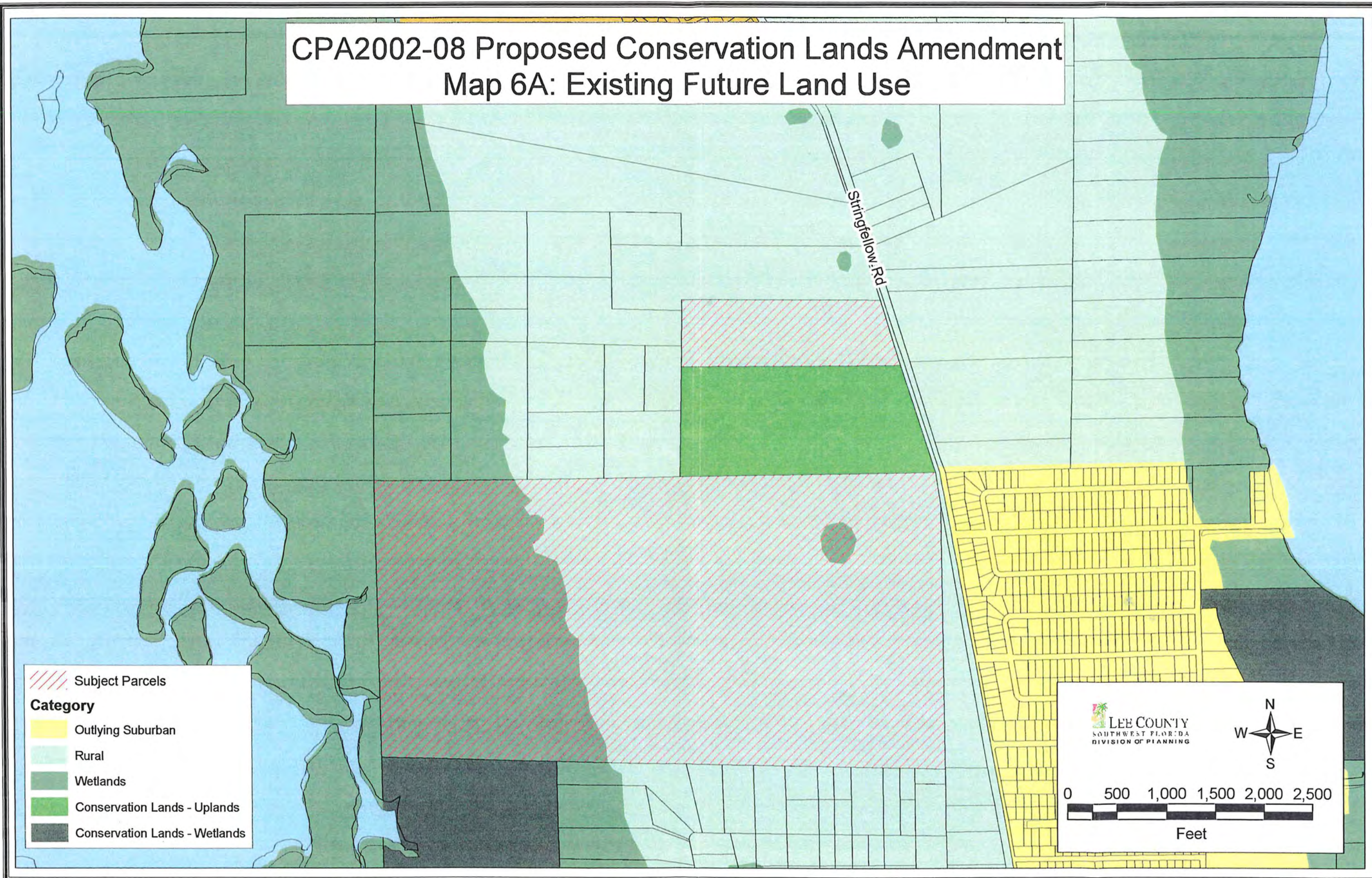


- /// Subject Parcels
- Future Land Use Category**
- Central Urban
 - Urban Community
 - Suburban
 - Outlying Suburban
 - Public Facilities
 - Wetlands
 - Conservation Lands - Uplands
 - Conservation Lands - Wetlands



CPA2002-08 Proposed Conservation Lands Amendment

Map 6A: Existing Future Land Use



- Subject Parcels
Category
 Outlying Suburban
 Rural
 Wetlands
 Conservation Lands - Uplands
 Conservation Lands - Wetlands

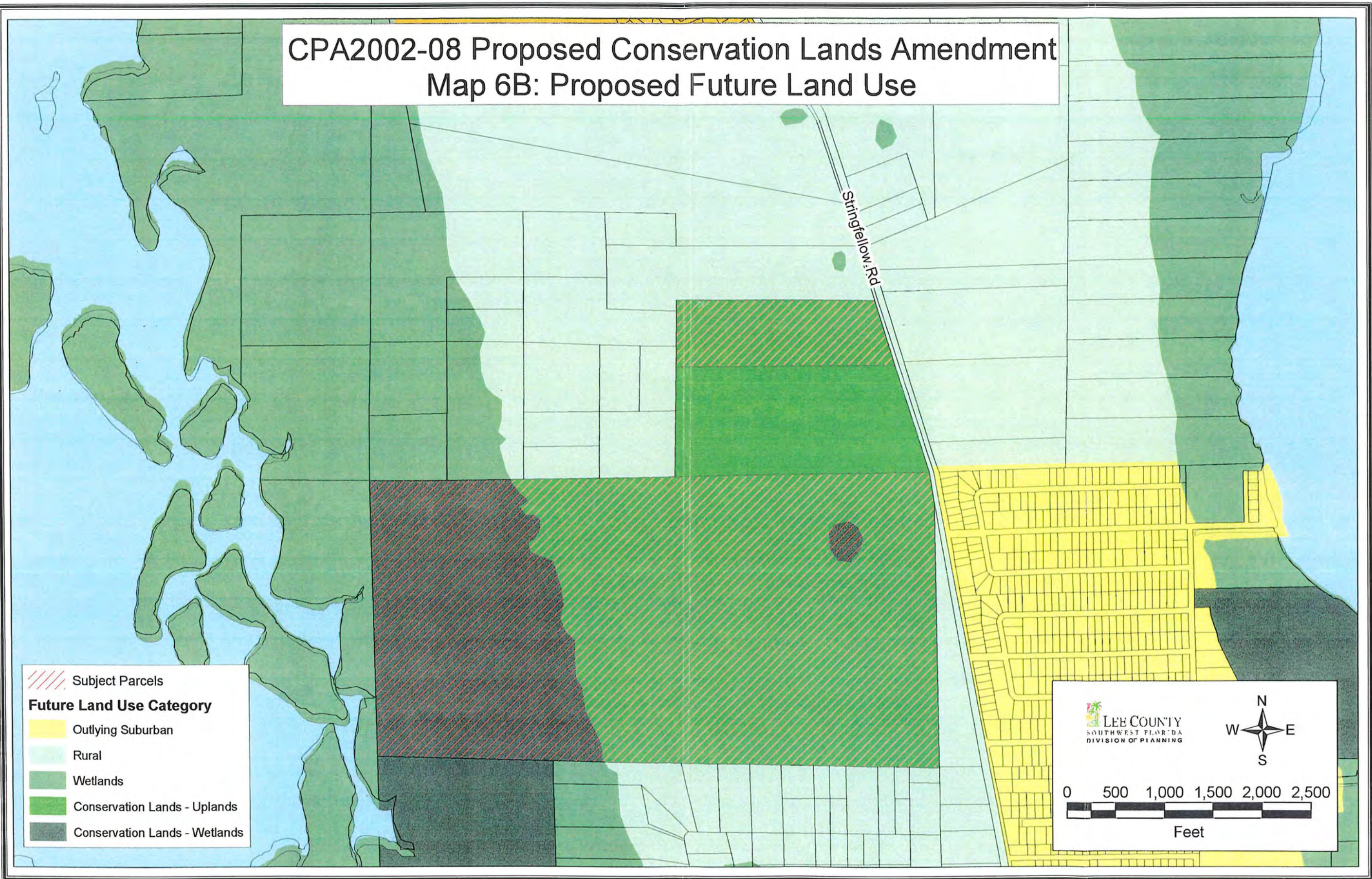
LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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Feet

CPA2002-08 Proposed Conservation Lands Amendment
Map 6B: Proposed Future Land Use



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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**BoCC Public Hearing Document
for the
October 23, 2003 Adoption Hearing**

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

September 5, 2003

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

☐

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: 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) adopt 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 \pm 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 \pm 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:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLAR	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
DAN DELISI	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<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	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

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

DATE OF ORC REPORT: September 5, 2003

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

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

B. STAFF RESPONSE

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: October 23, 2003

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

**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**

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
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
TOTAL		4127.64			

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

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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	4.36	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)

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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**

STRAP	Acres	Zoning	Future Land Use
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
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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**

STRAP	Acres	Zoning	Future Land Use
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: Shirley E. Rost
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: James G. Gaeger
County Attorney

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

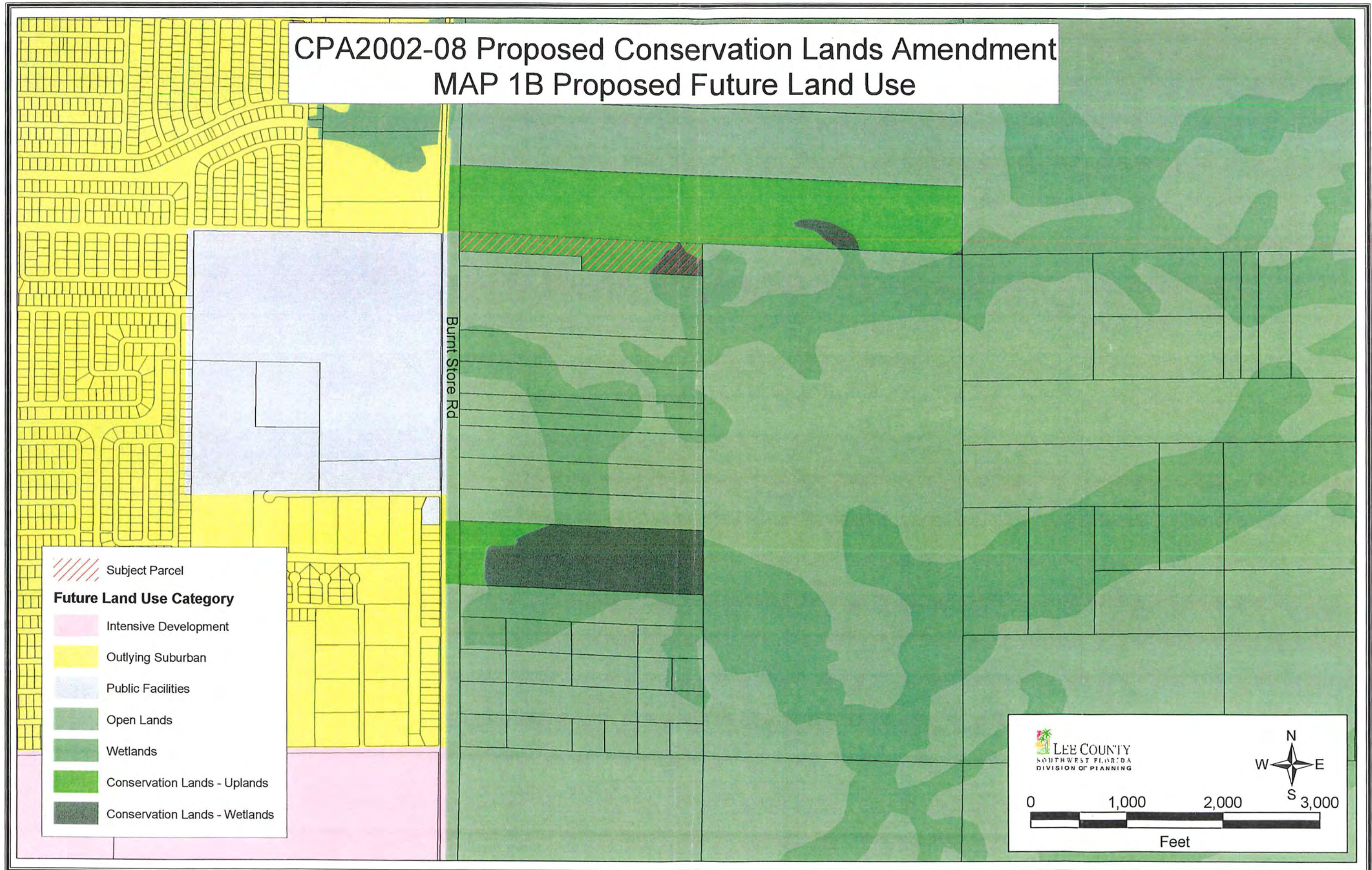
CHARLIE GREEN
CLERK CIRCUIT COURT

BY ucp D.C.

BUREAU OF ADMINISTRATIVE CODE

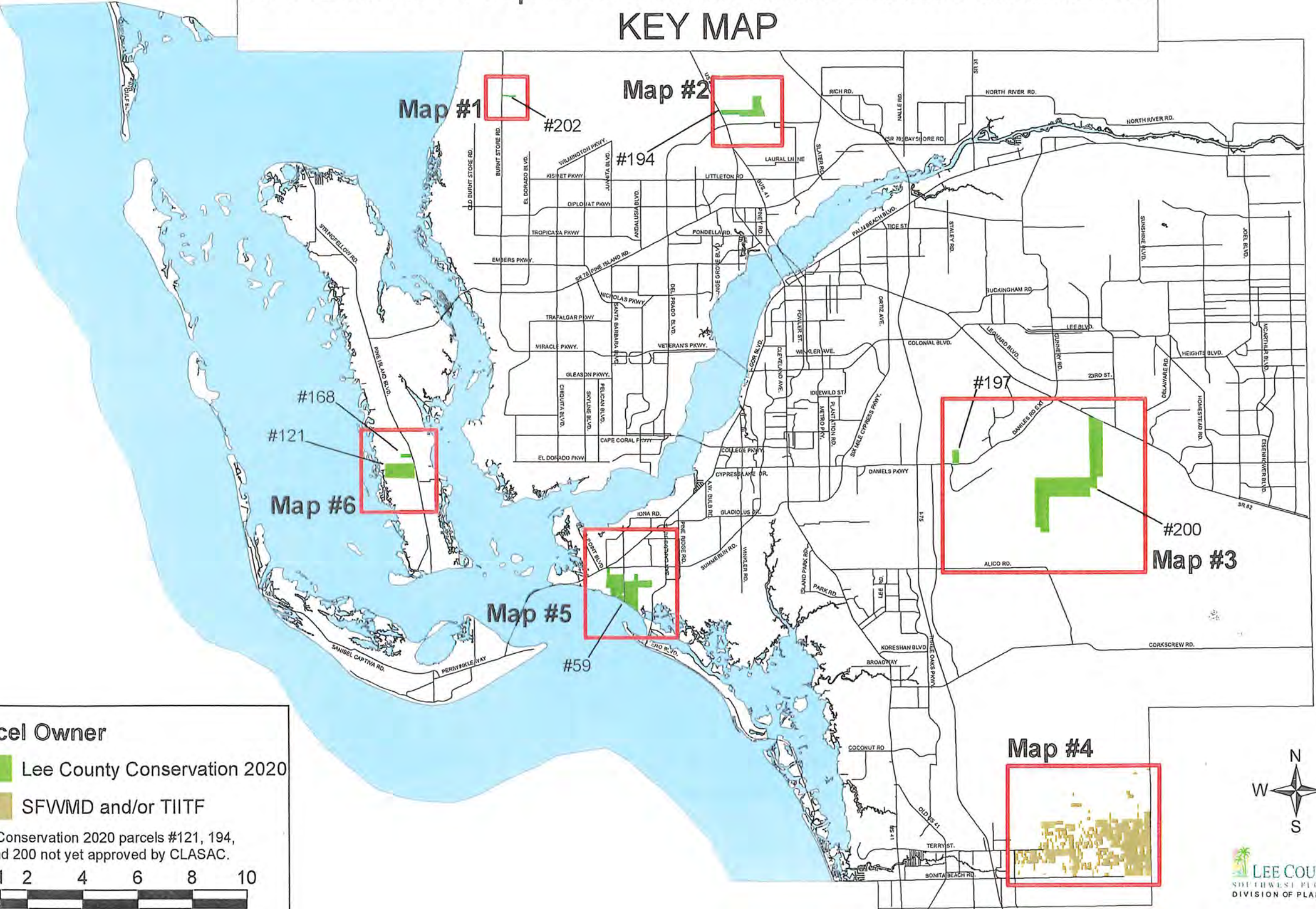
The Elliot Building • 401 South Monroe Street • Tallahassee, Florida 32399-0250 • (904) 488-8427

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



CPA2002-08 Proposed Conservation Lands Amendment

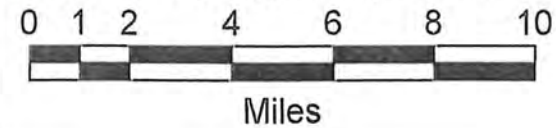
KEY MAP



Parcel Owner

- Lee County Conservation 2020
- SFWMD and/or TIITF

Note: Conservation 2020 parcels #121, 194, 197 and 200 not yet approved by CLASAC.



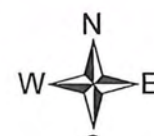
LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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

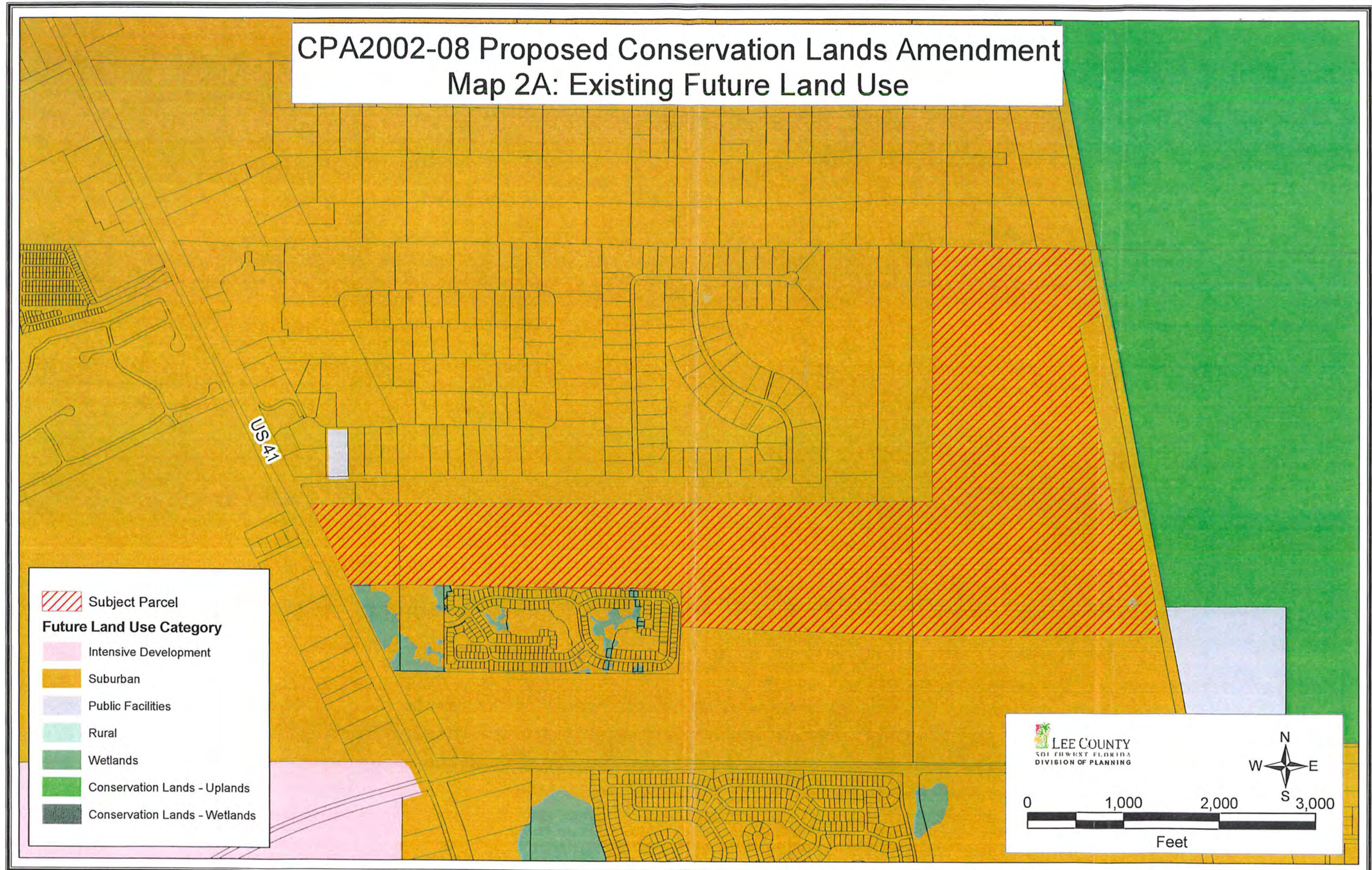
Burnt Store Rd

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



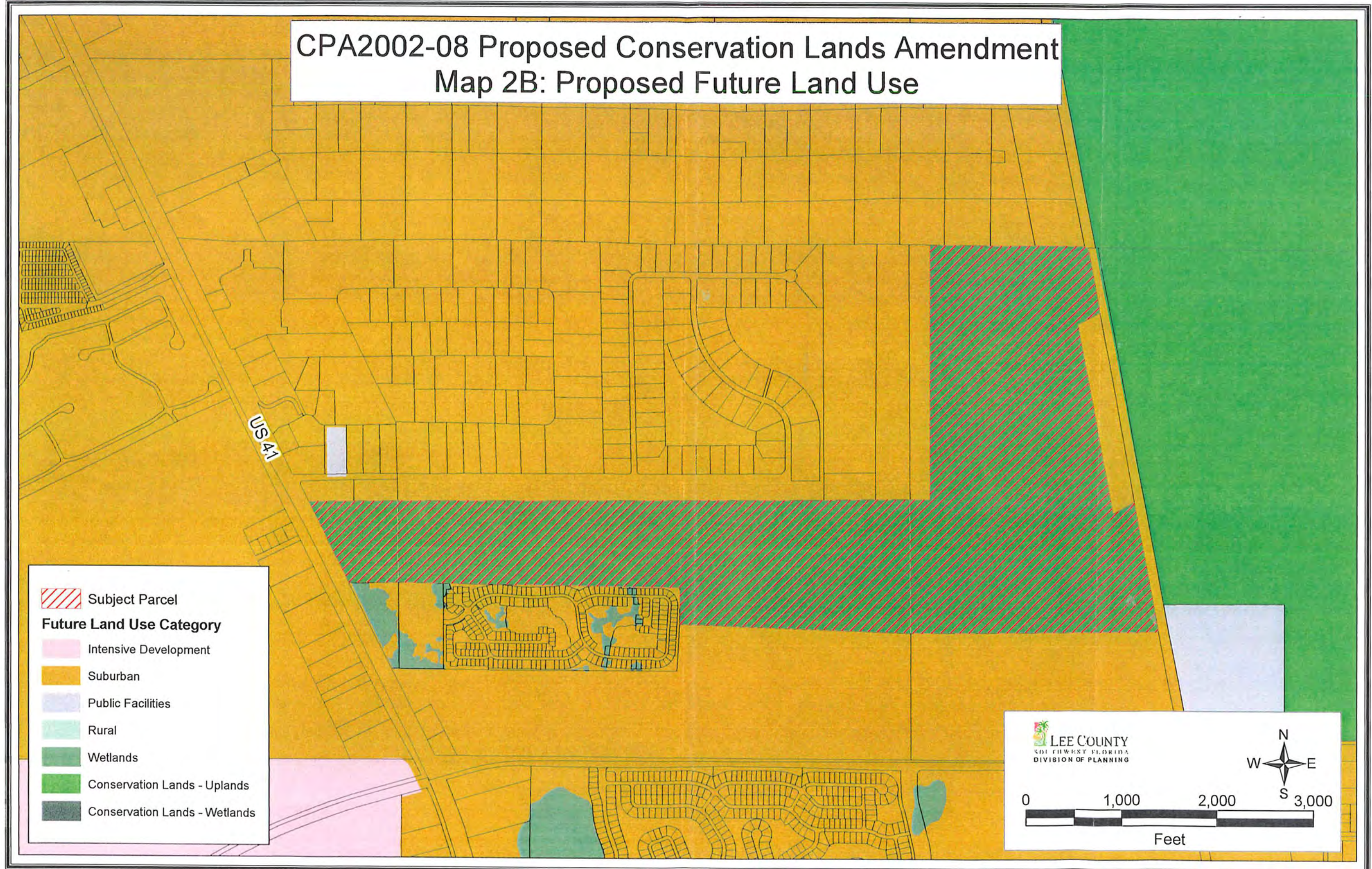
0 1,000 2,000 3,000
Feet

CPA2002-08 Proposed Conservation Lands Amendment
Map 2A: Existing Future Land Use



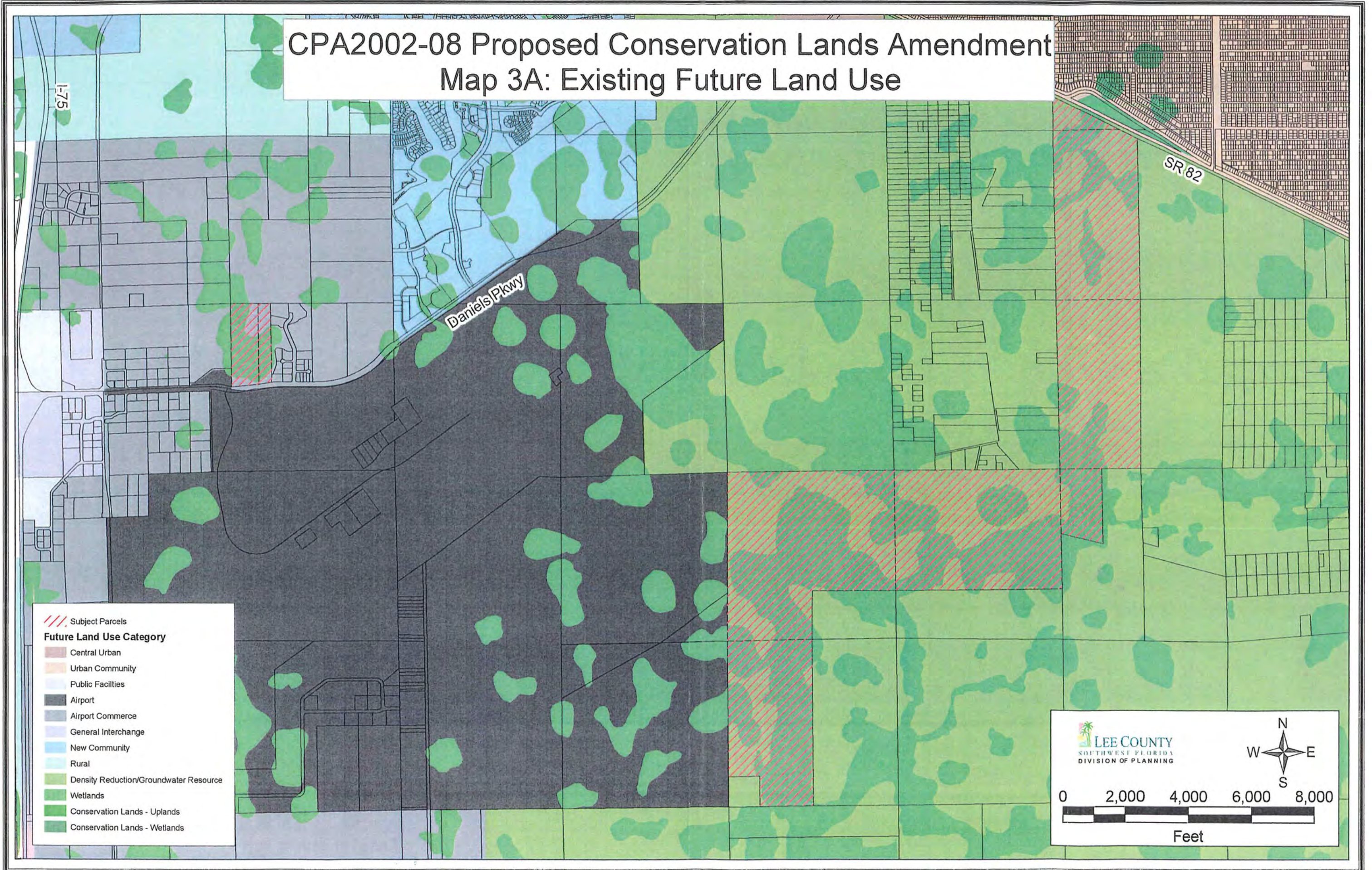
CPA2002-08 Proposed Conservation Lands Amendment

Map 2B: Proposed Future Land Use



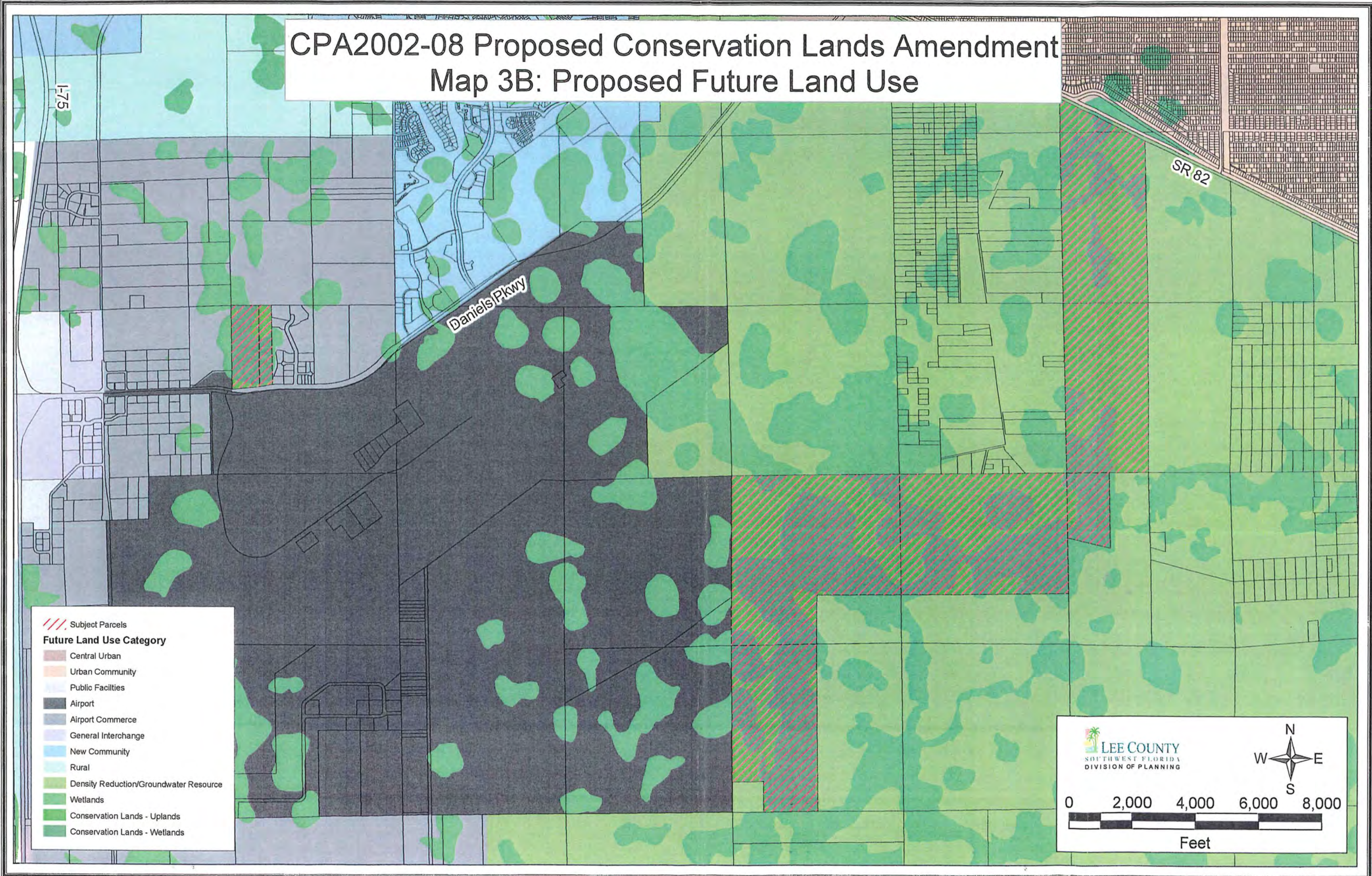
CPA2002-08 Proposed Conservation Lands Amendment

Map 3A: Existing Future Land Use



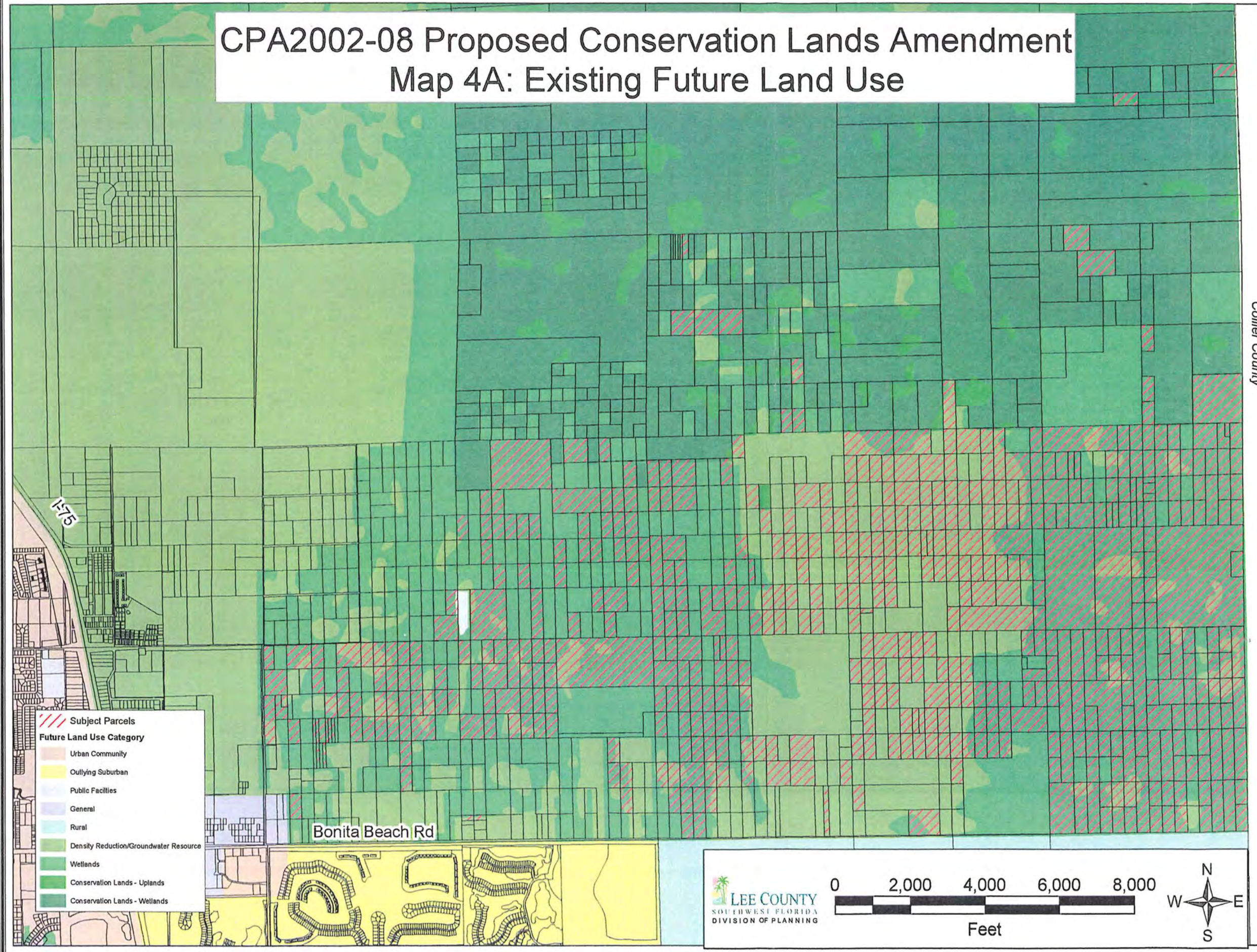
CPA2002-08 Proposed Conservation Lands Amendment

Map 3B: Proposed Future Land Use



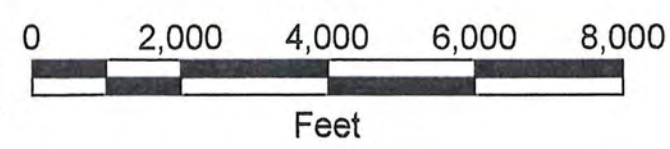
CPA2002-08 Proposed Conservation Lands Amendment

Map 4A: Existing Future Land Use



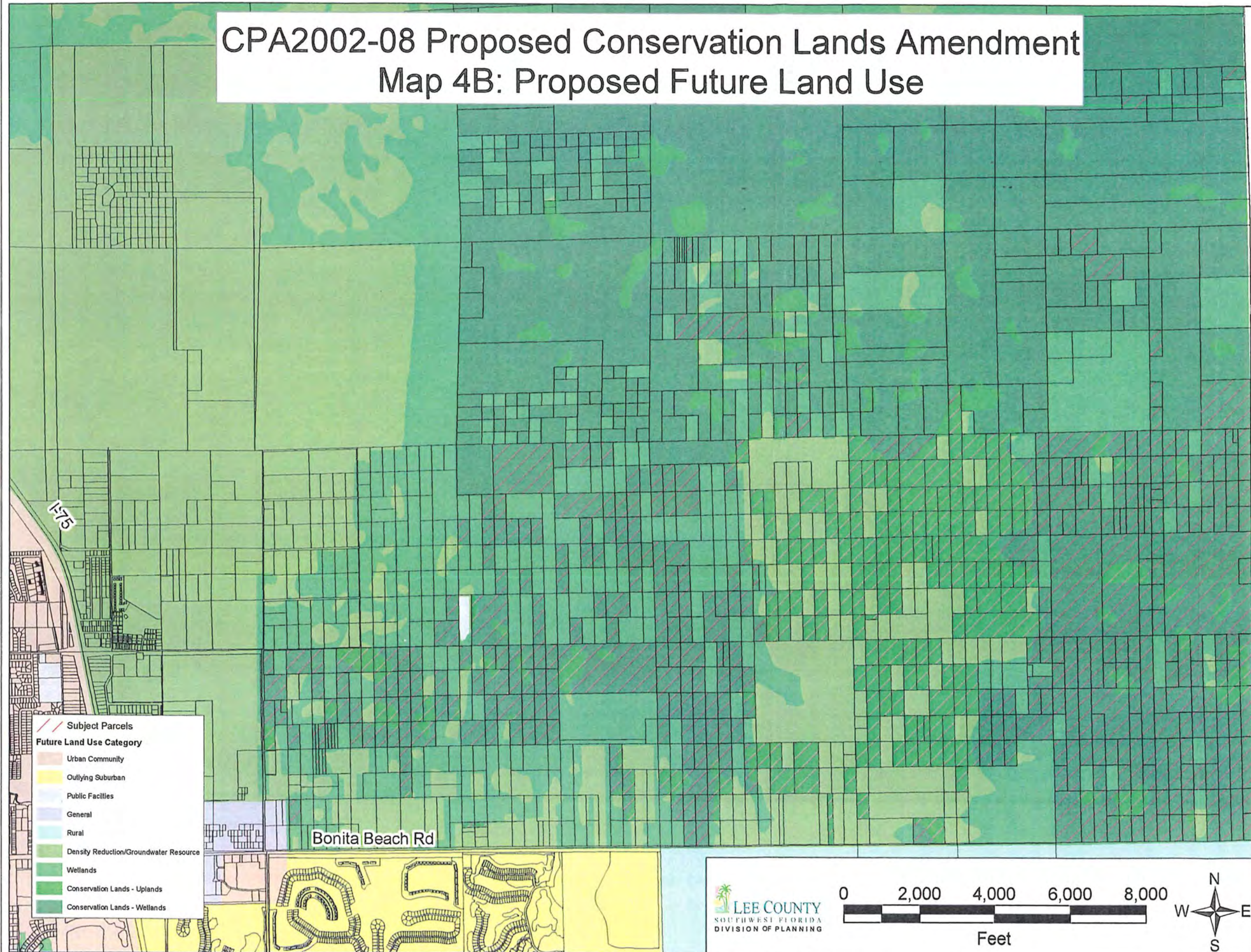
- Subject Parcels
- Future Land Use Category
- Urban Community
- Outlying Suburban
- Public Facilities
- General
- Rural
- Density Reduction/Groundwater Resource
- Wetlands
- Conservation Lands - Uplands
- Conservation Lands - Wetlands

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



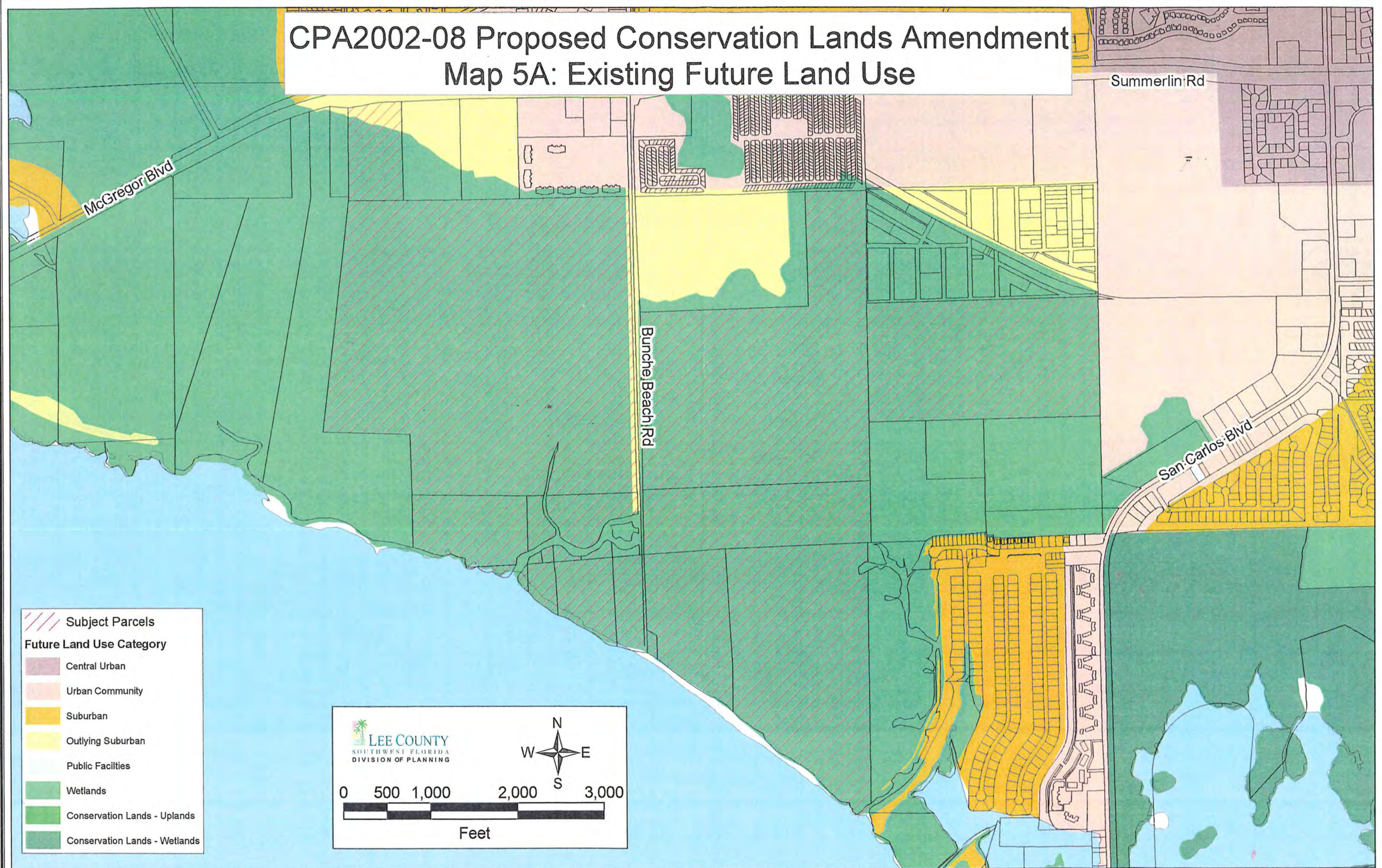
CPA2002-08 Proposed Conservation Lands Amendment

Map 4B: Proposed Future Land Use



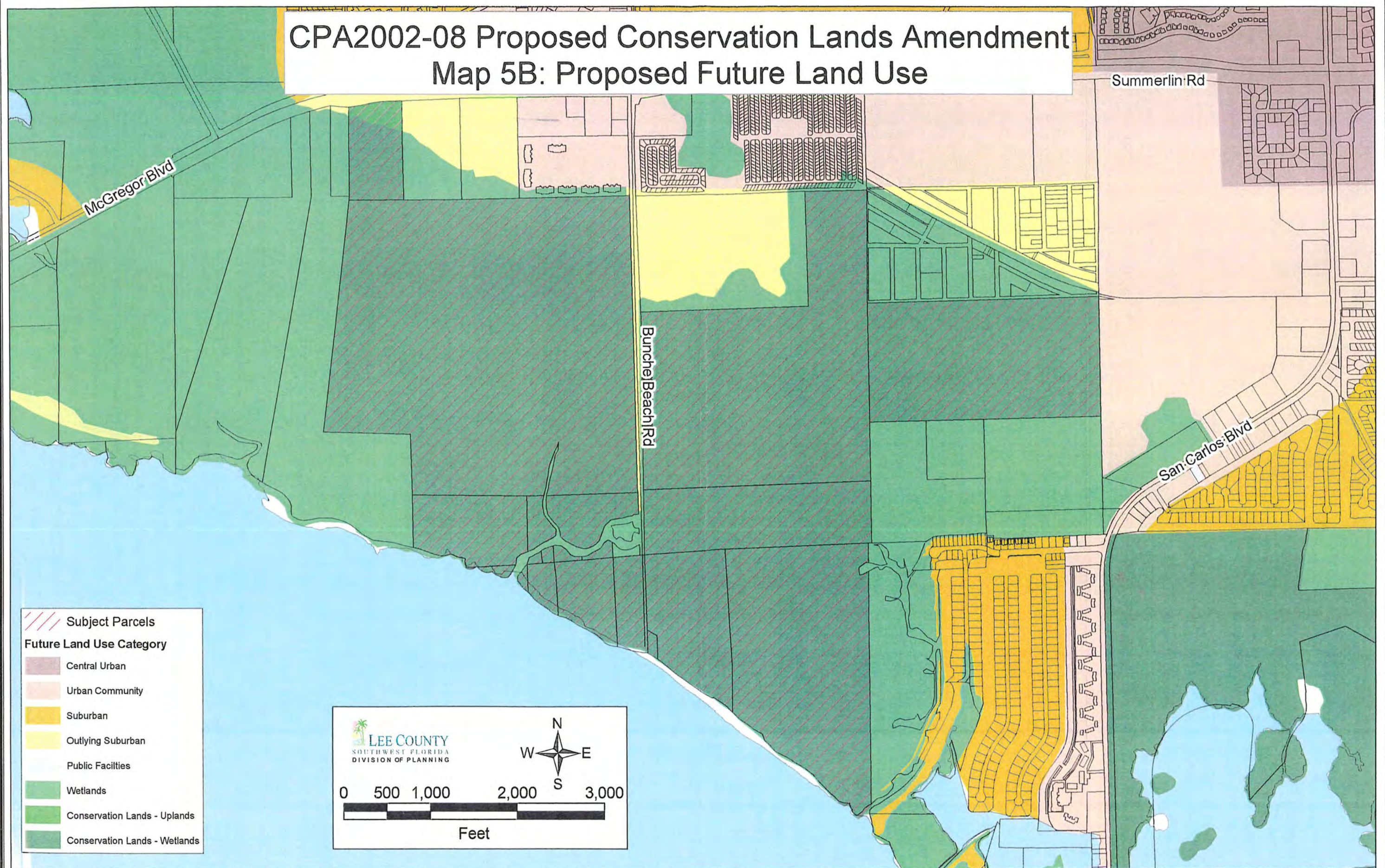
CPA2002-08 Proposed Conservation Lands Amendment

Map 5A: Existing Future Land Use

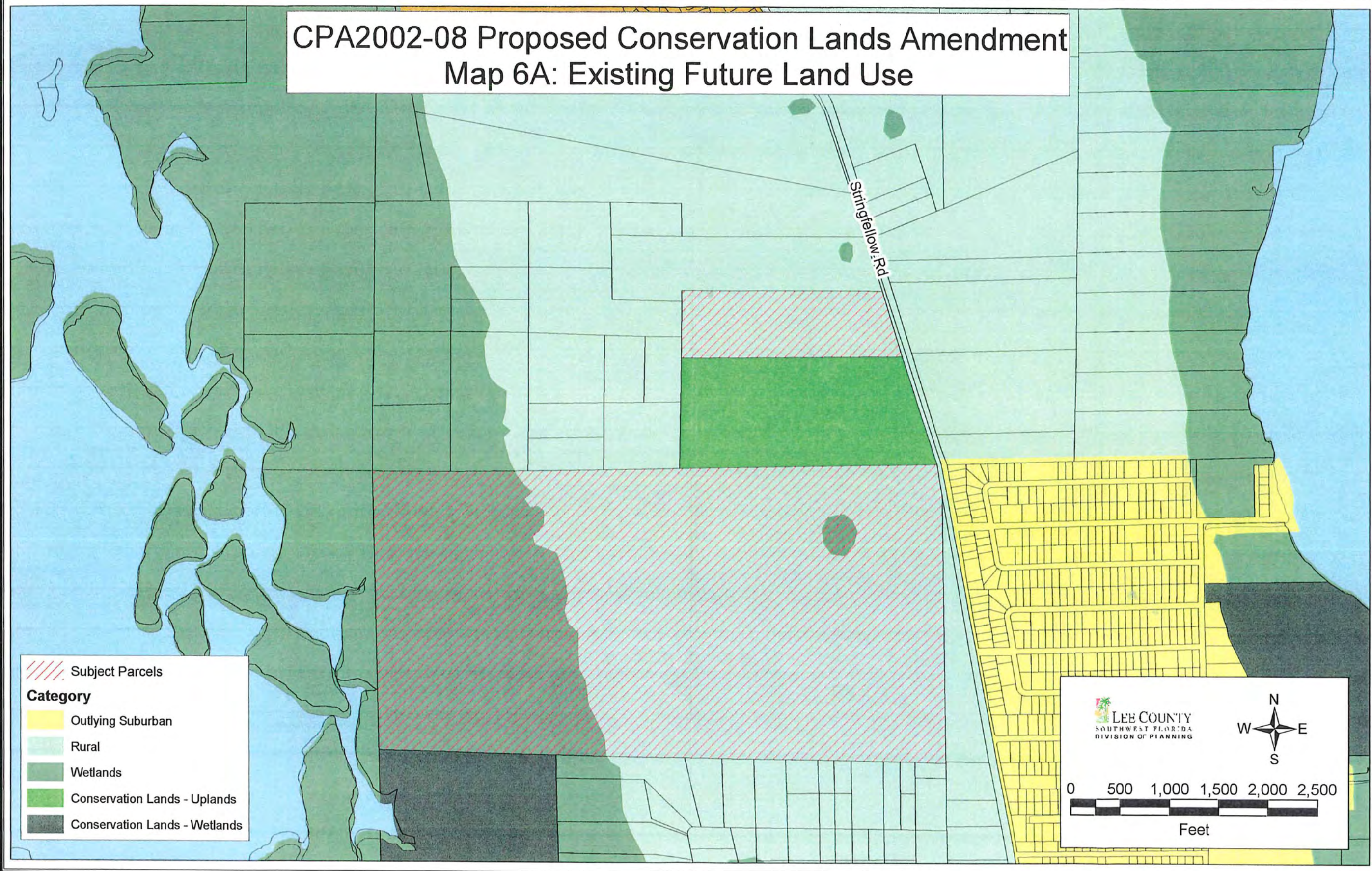


CPA2002-08 Proposed Conservation Lands Amendment

Map 5B: Proposed Future Land Use

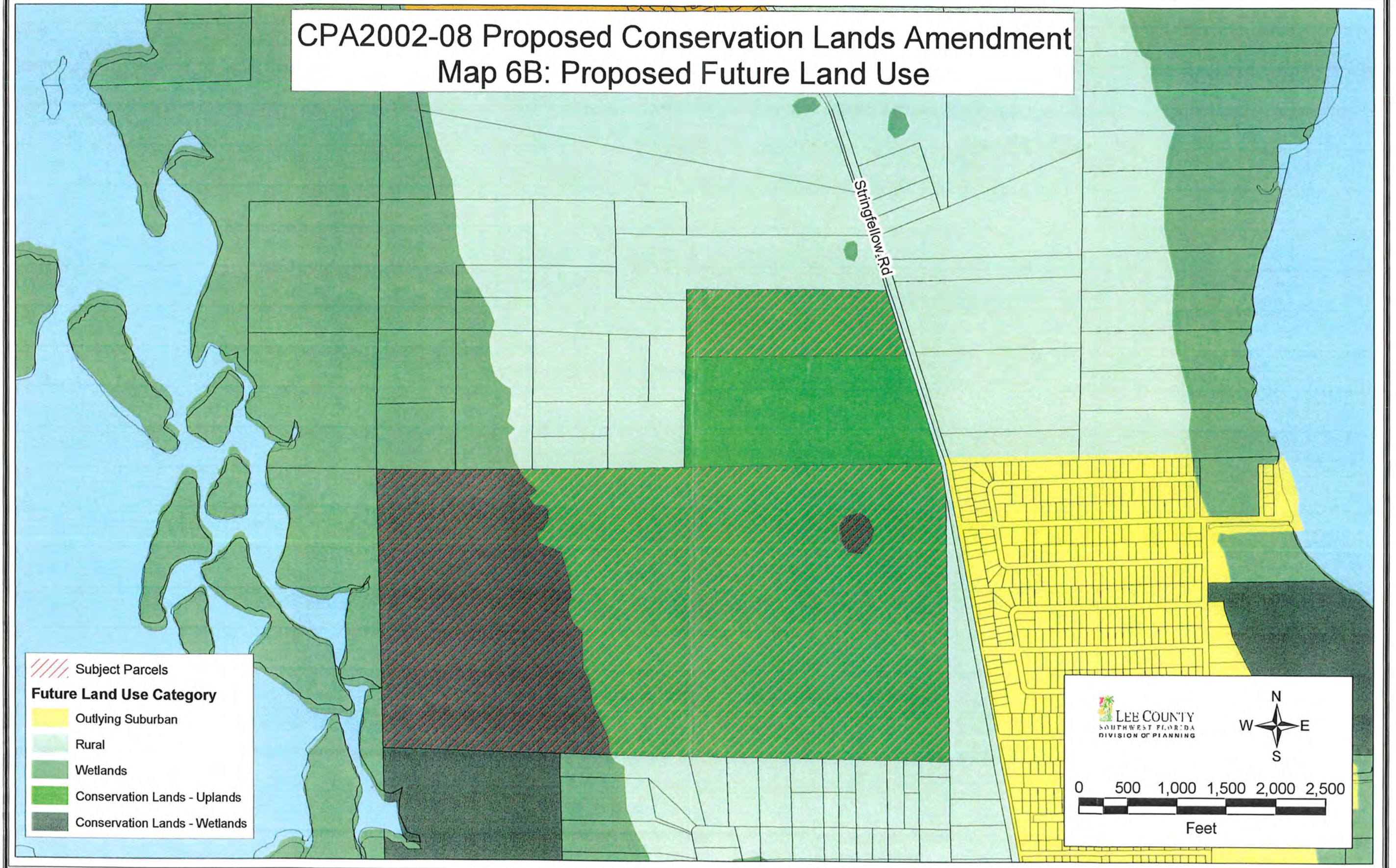


CPA2002-08 Proposed Conservation Lands Amendment
Map 6A: Existing Future Land Use



CPA2002-08 Proposed Conservation Lands Amendment

Map 6B: Proposed Future Land Use



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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Document

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

June 25, 2003

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

☐

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: 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 (TITF) 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 TITF PROPERTIES

TOTAL ACREAGE: 2,057.24 ± acres

LOCATIONS: The TITF 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 & TITF

TOTAL ACREAGE: 255.25 ± acres

LOCATIONS: The TITF 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:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLAR	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
DAN DELISI	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<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	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

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

DATE OF ORC REPORT:

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

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

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**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**

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
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
TOTAL		4127.64			

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

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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	4.36	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)
STRAP**

	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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 TIITF**

STRAP	Acres	Zoning	Future Land Use
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**

STRAP	Acres	Zoning	Future Land Use
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

 Charlie E. Rost
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: 

Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: 

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

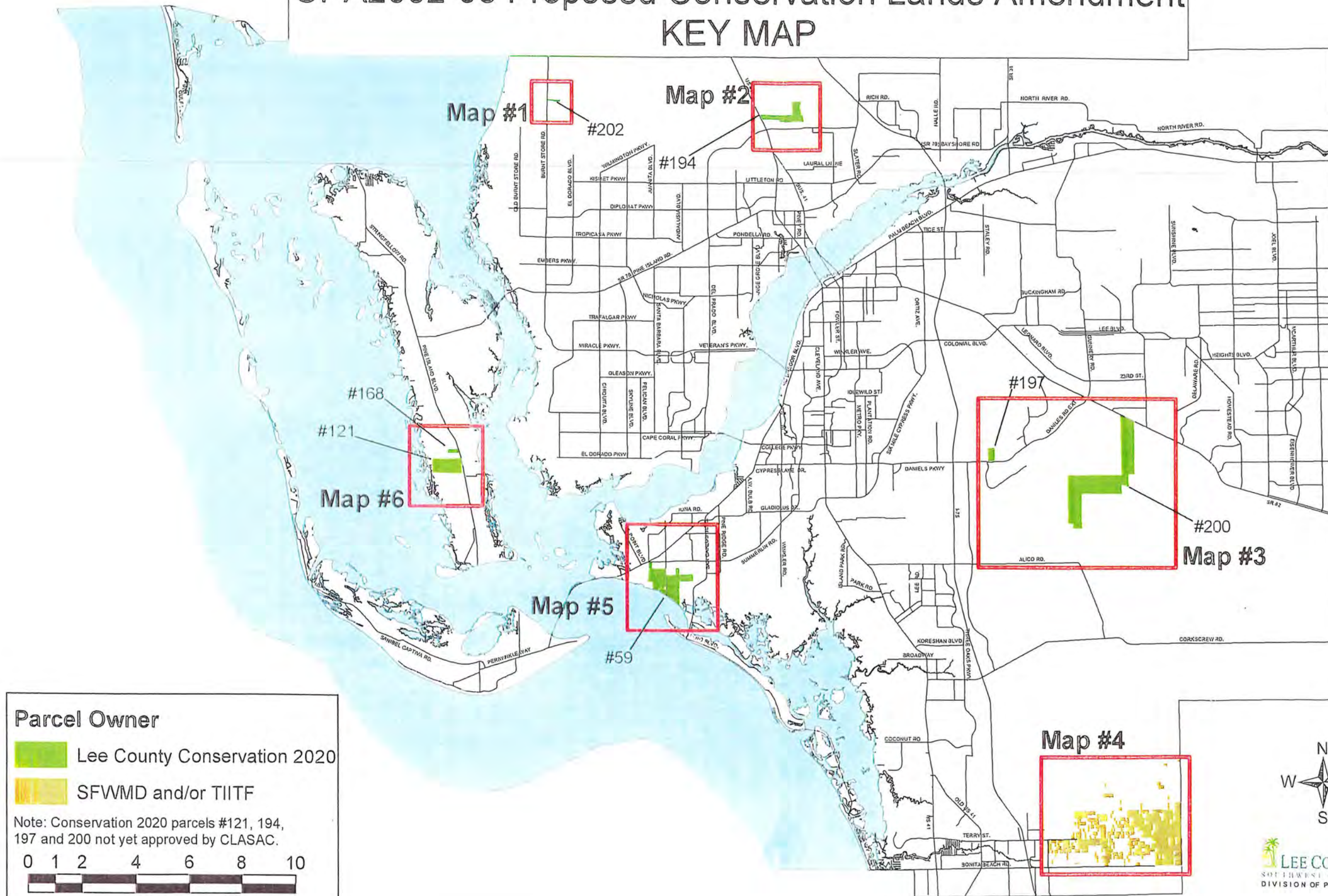
**CHARLIE GREEN
CLERK CIRCUIT COURT**

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

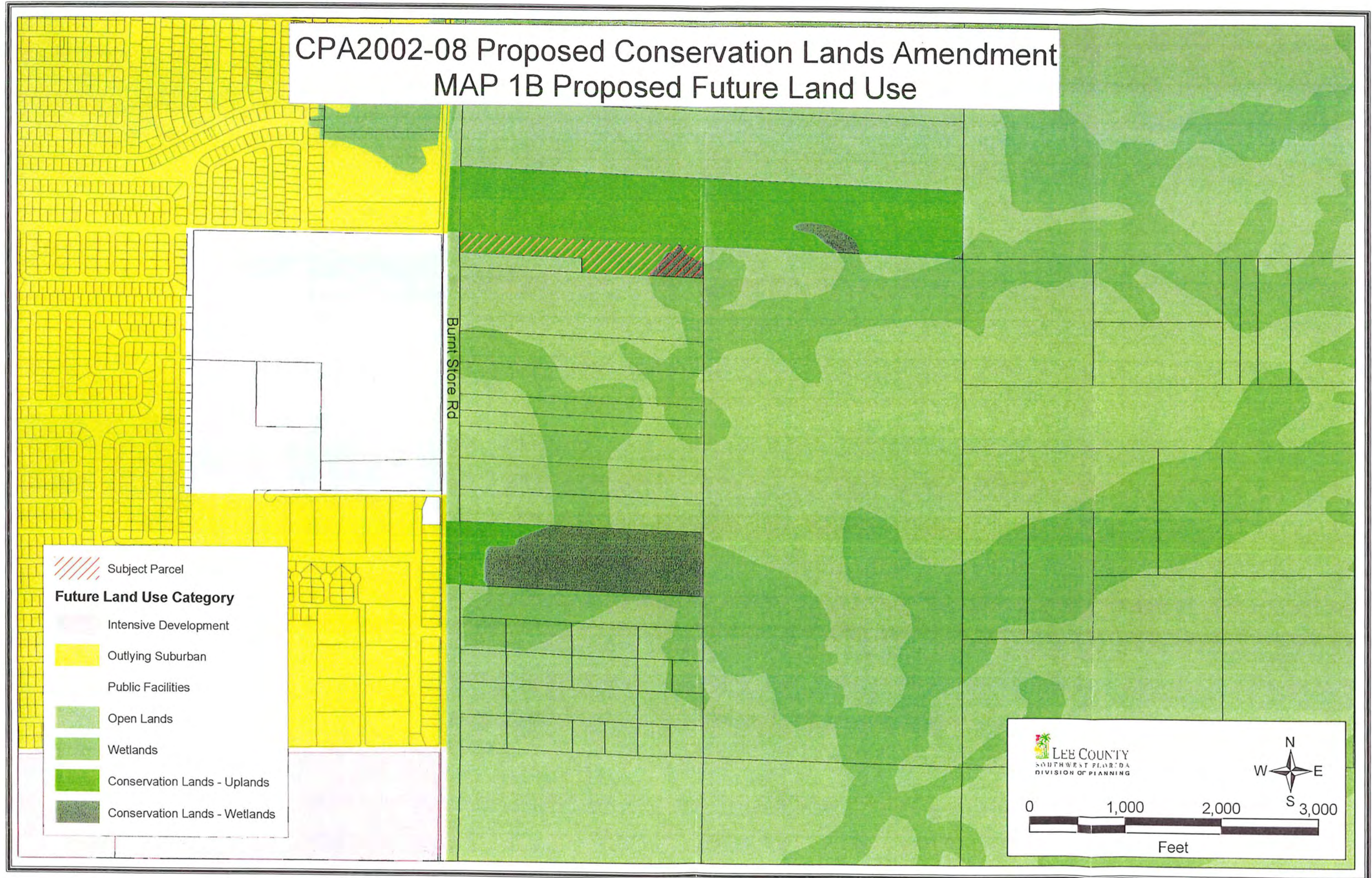
Burnt Store Rd

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



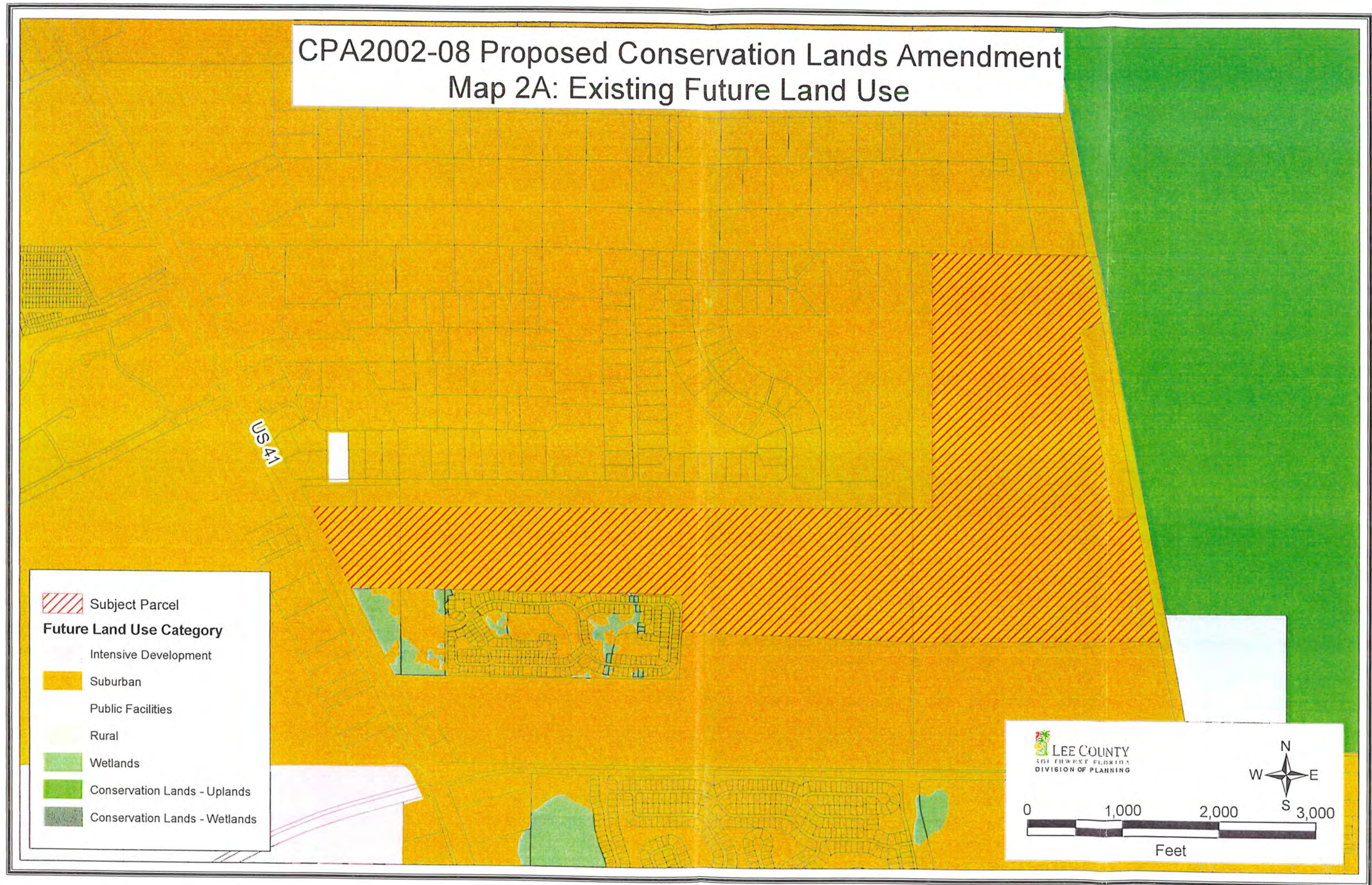
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CPA2002-08 Proposed Conservation Lands Amendment MAP 1B Proposed Future Land Use



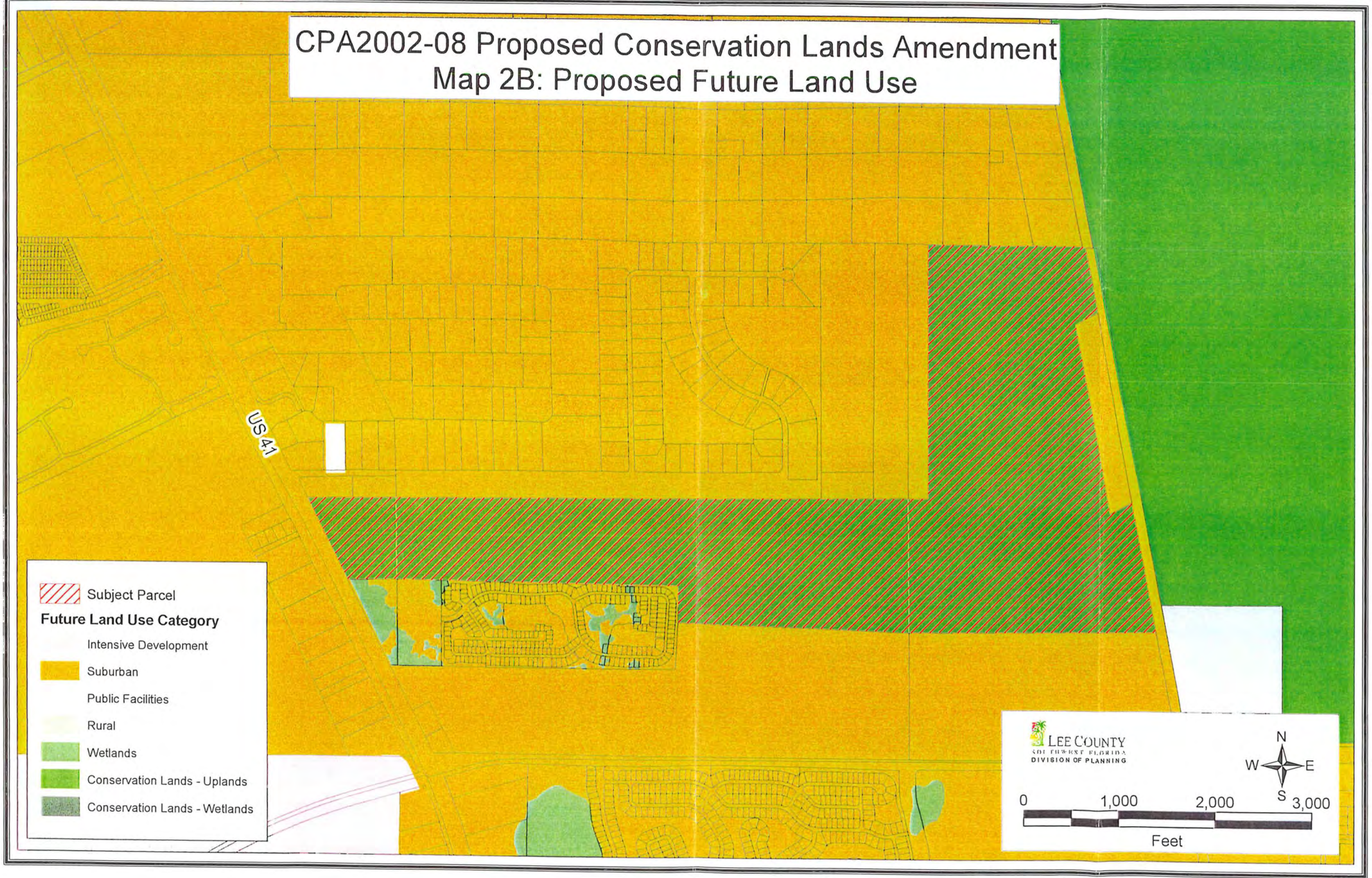
CPA2002-08 Proposed Conservation Lands Amendment









Map 2A: Existing Future Land Use




CPA2002-08 Proposed Conservation Lands Amendment

Map 2B: Proposed Future Land Use



-  Subject Parcel
- Future Land Use Category**
-  Intensive Development
-  Suburban
-  Public Facilities
-  Rural
-  Wetlands
-  Conservation Lands - Uplands
-  Conservation Lands - Wetlands

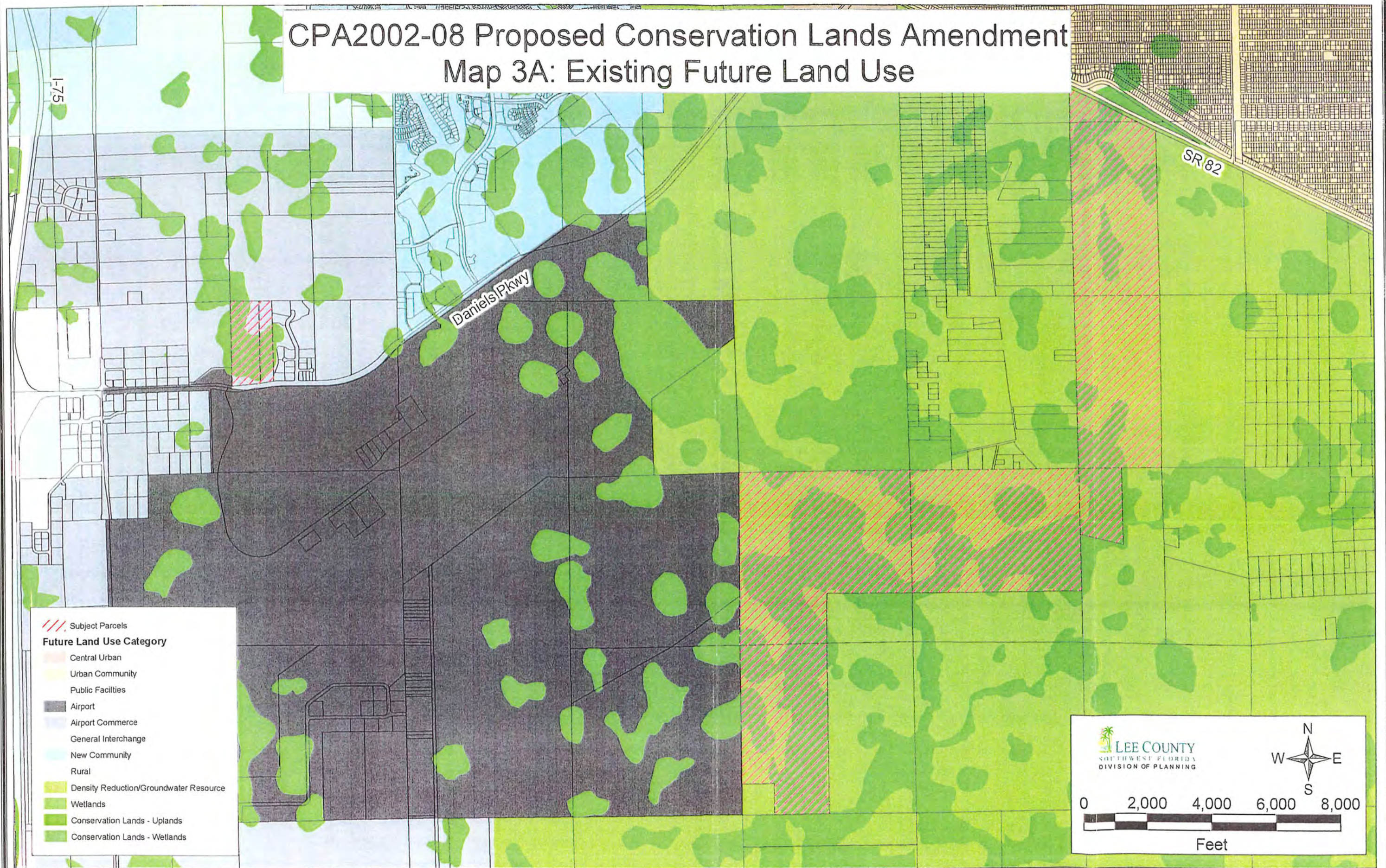

LEE COUNTY
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 DIVISION OF PLANNING

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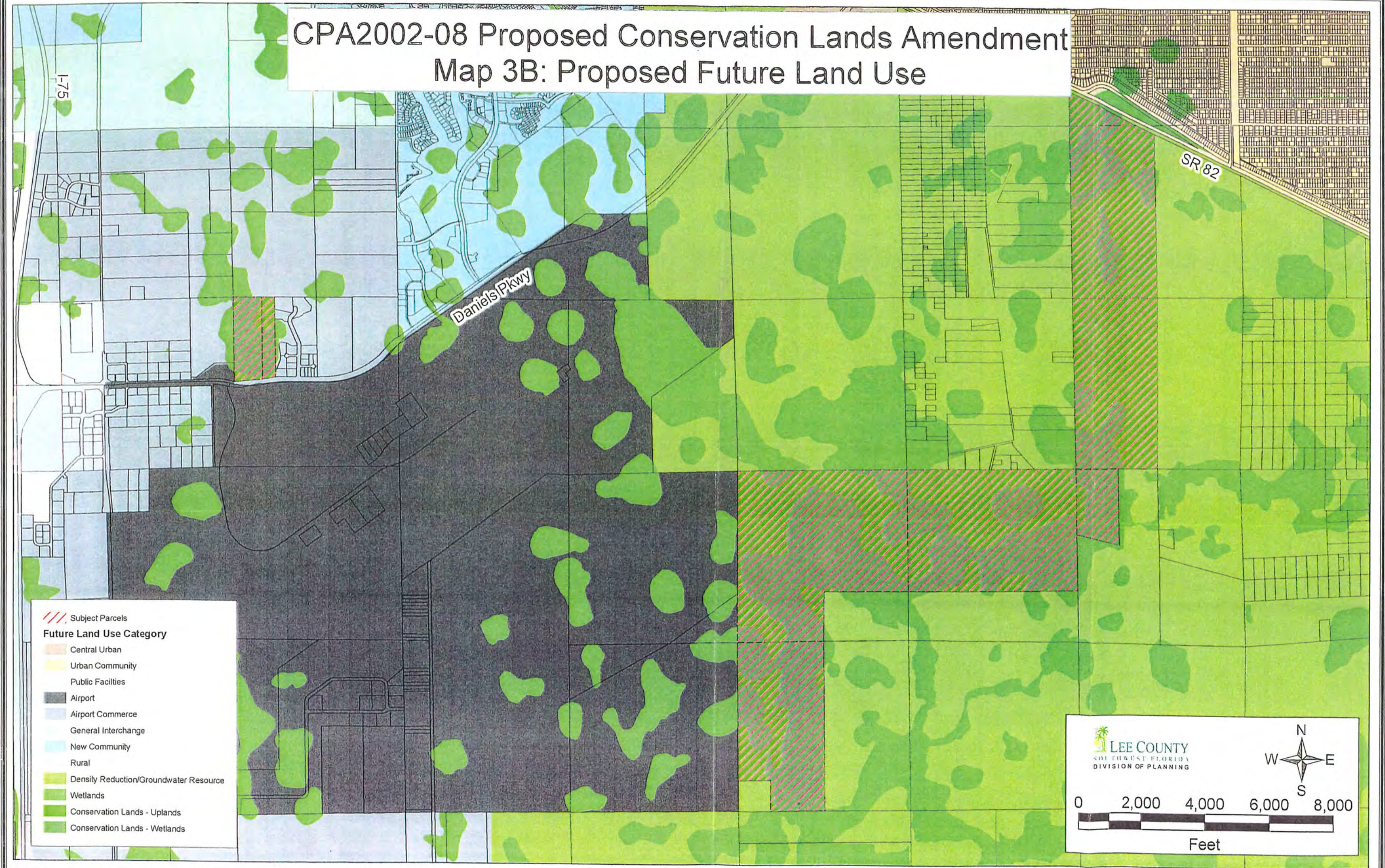
CPA2002-08 Proposed Conservation Lands Amendment

Map 3A: Existing Future Land Use



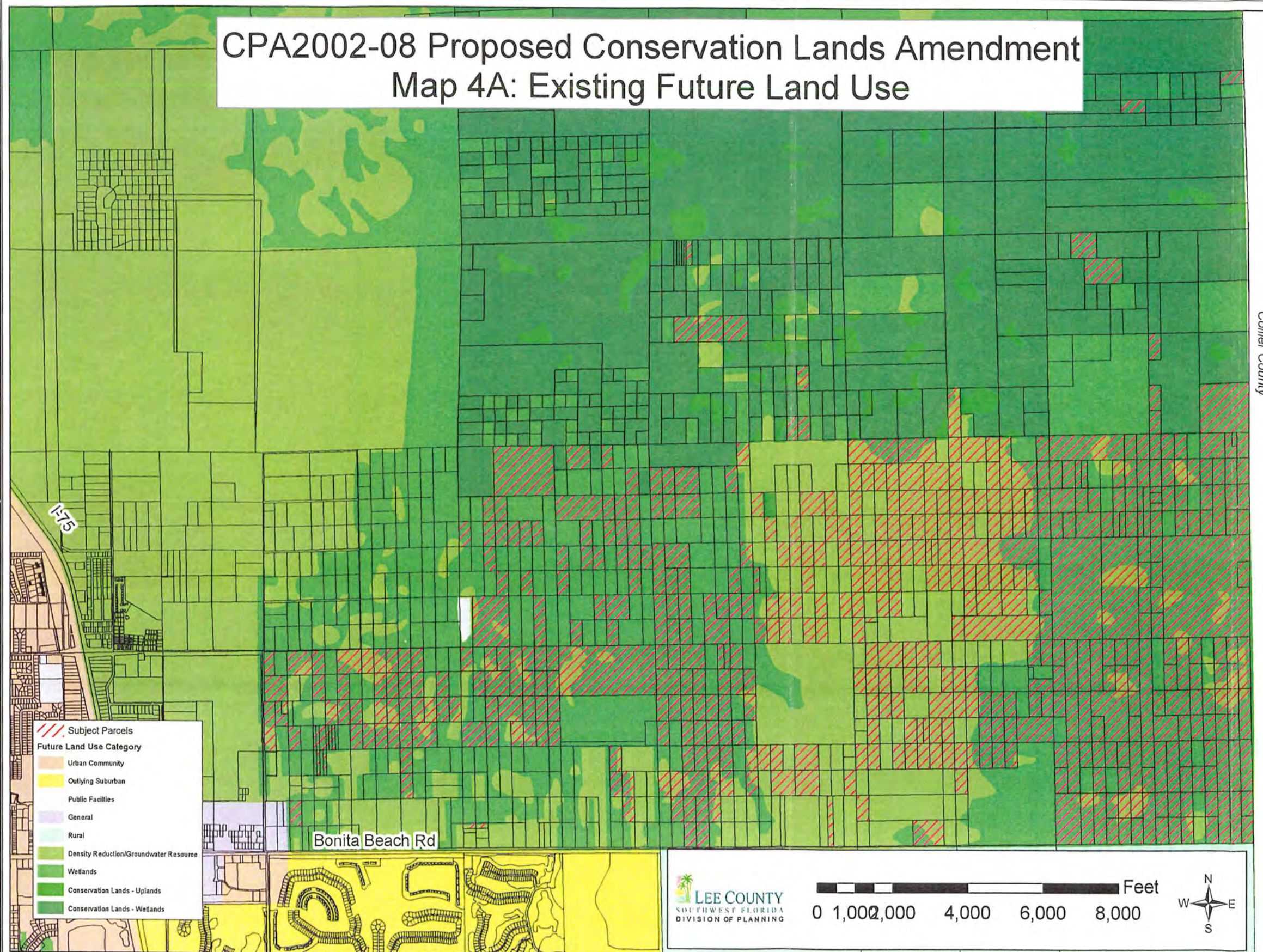
CPA2002-08 Proposed Conservation Lands Amendment

Map 3B: Proposed Future Land Use

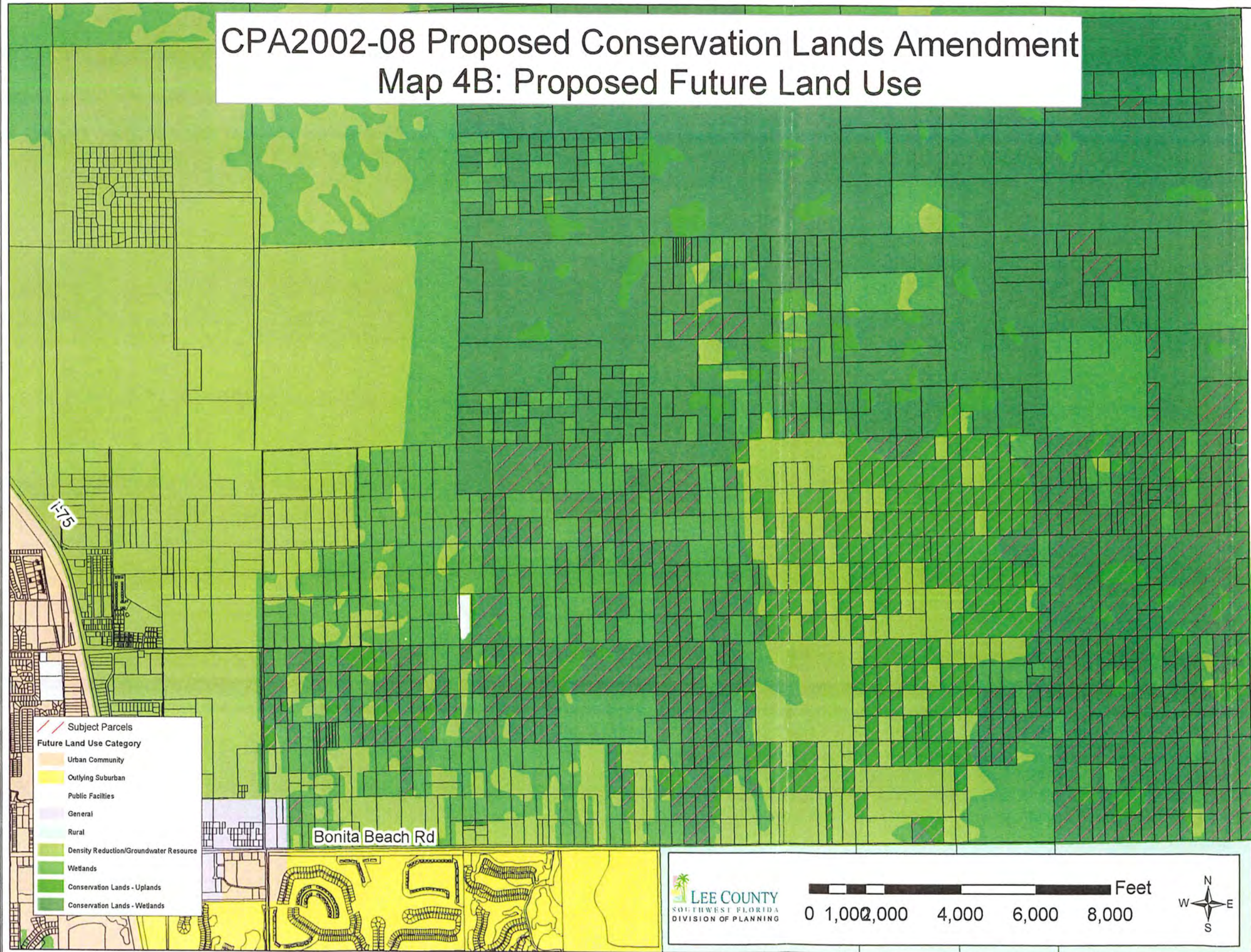


CPA2002-08 Proposed Conservation Lands Amendment

Map 4A: Existing Future Land Use

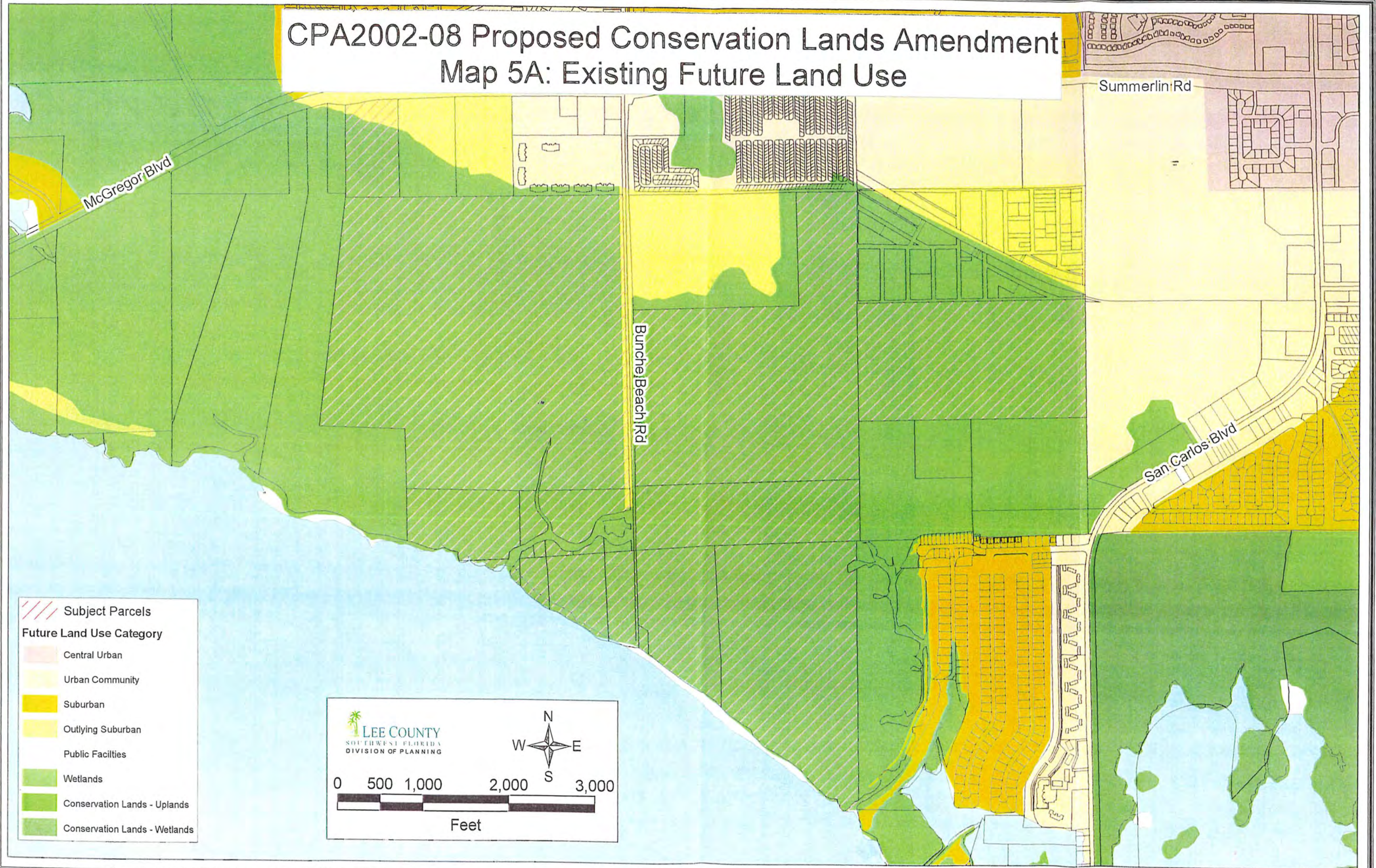


CPA2002-08 Proposed Conservation Lands Amendment
Map 4B: Proposed Future Land Use



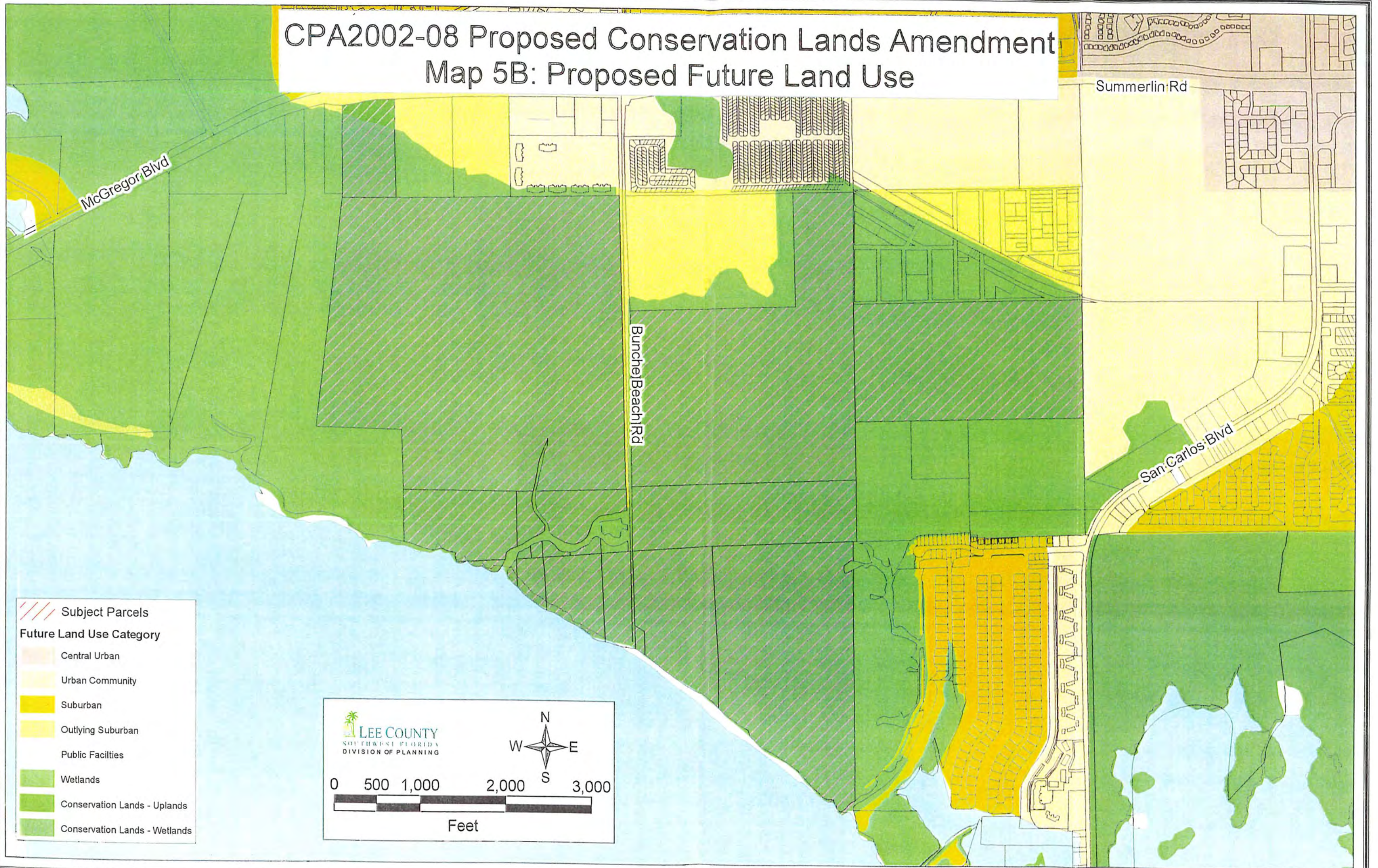
CPA2002-08 Proposed Conservation Lands Amendment

Map 5A: Existing Future Land Use



CPA2002-08 Proposed Conservation Lands Amendment

Map 5B: Proposed Future Land Use



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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**BoCC Public Hearing Document for the
June 25th 2003 Public Hearing**

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

April 28, 2003

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

☐

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: 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.

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:

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

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

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

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

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

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

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**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**

Conservation 2020 Nomination Number	STRAP	Acres	Date Acquired	Zoning	Future Land Use
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
TOTAL		4127.64			

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

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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	4.36	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)
STRAP**

	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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)**

STRAP	Acres	Zoning	Future Land Use
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 TIITF**

STRAP	Acres	Zoning	Future Land Use
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**

STRAP	Acres	Zoning	Future Land Use
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:

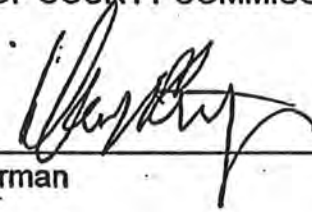
JOHN E. MANNING	<u>ABSENT</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW W. COY	<u>AYE</u>
JOHN E. ALBION	<u>AYE</u>

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

CHARLIE GREEN, CLERK
LEE COUNTY, FLORIDA


By: Shirley E. Rost
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS

By: 
Chairman

LEE COUNTY ATTORNEY'S OFFICE
APPROVED AS TO FORM:

By: James G. Yaeger
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

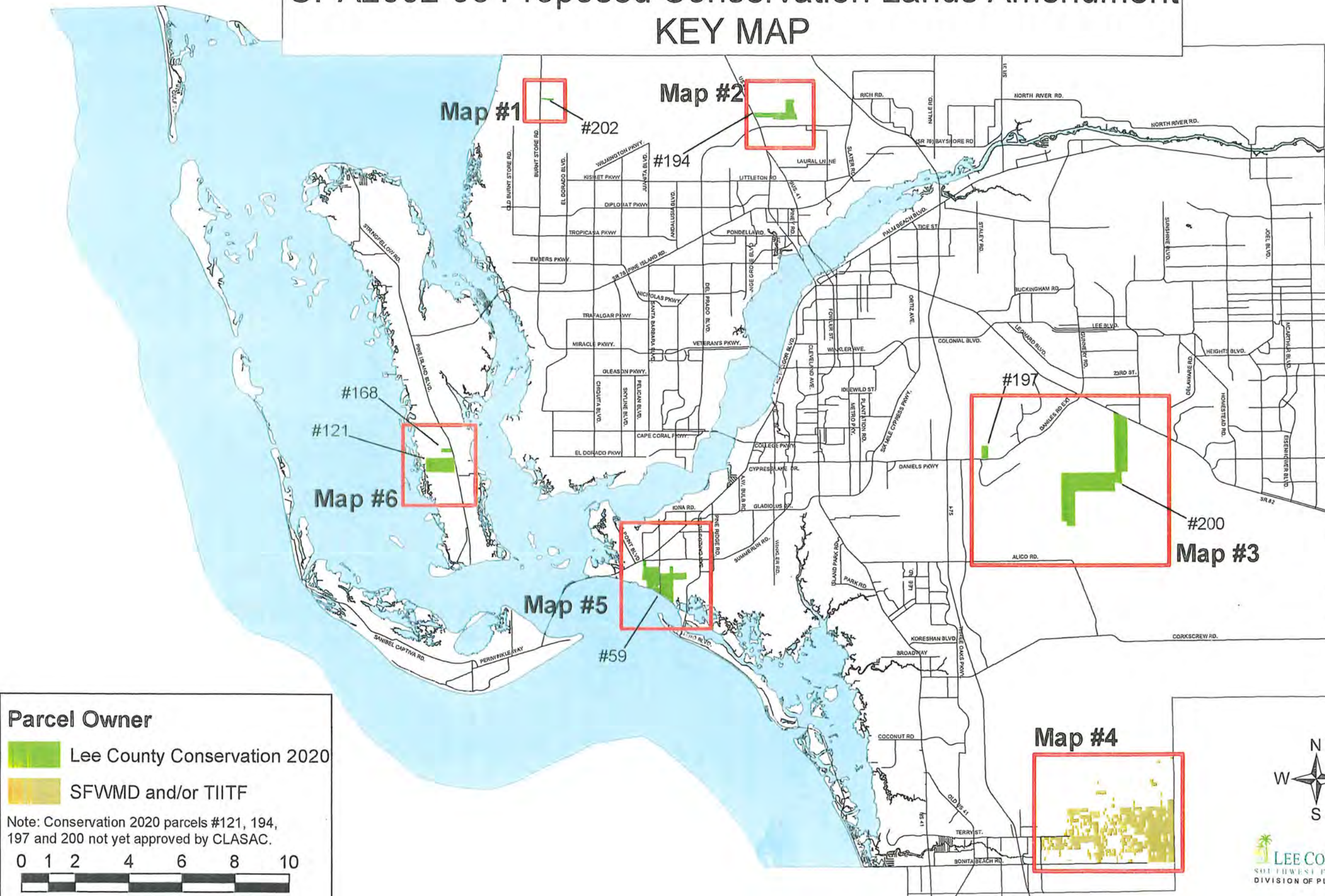
CHARLIE GREEN
CLERK CIRCUIT COURT

BY ucf 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



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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

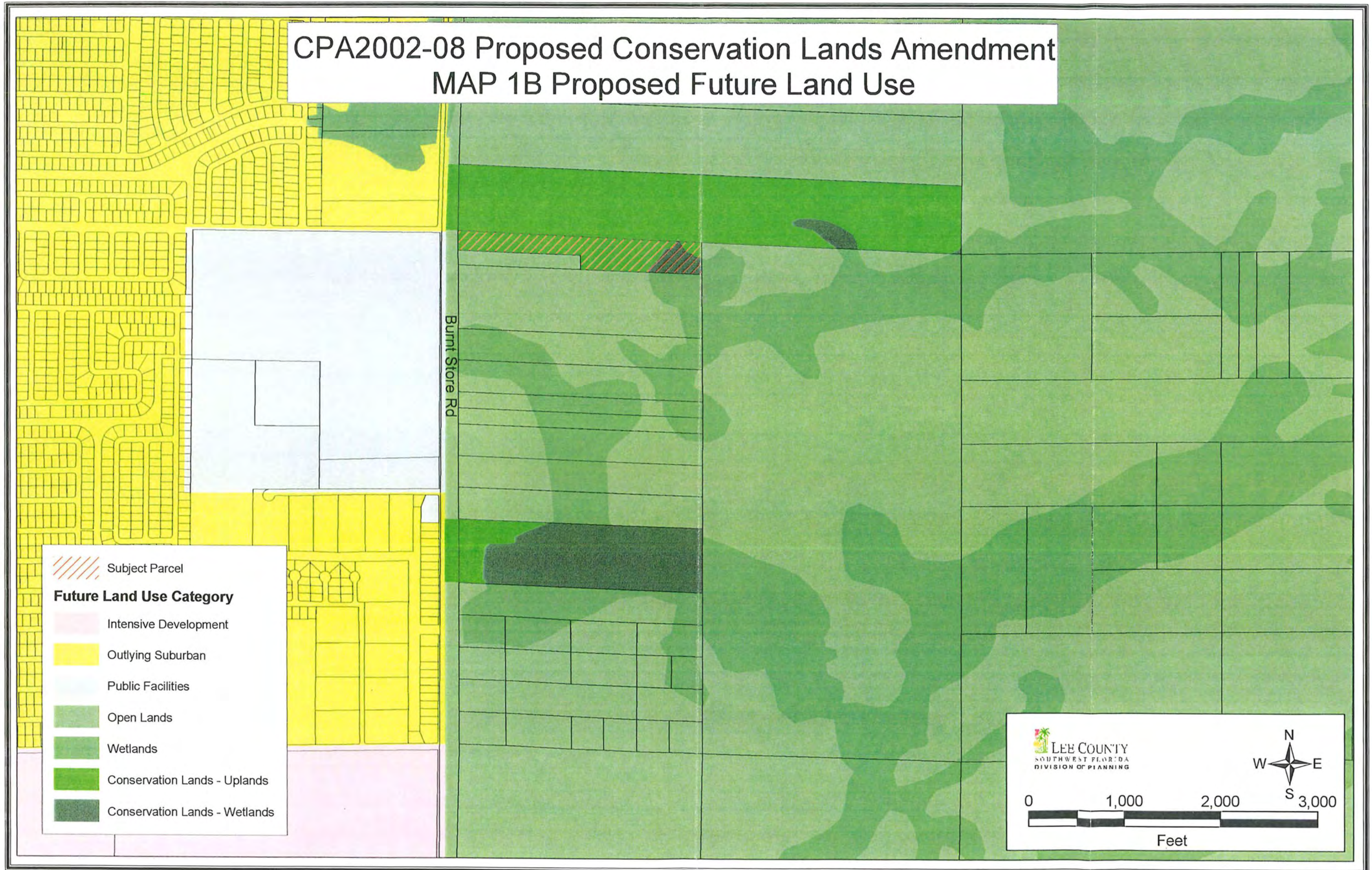
Burnt Store Rd

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



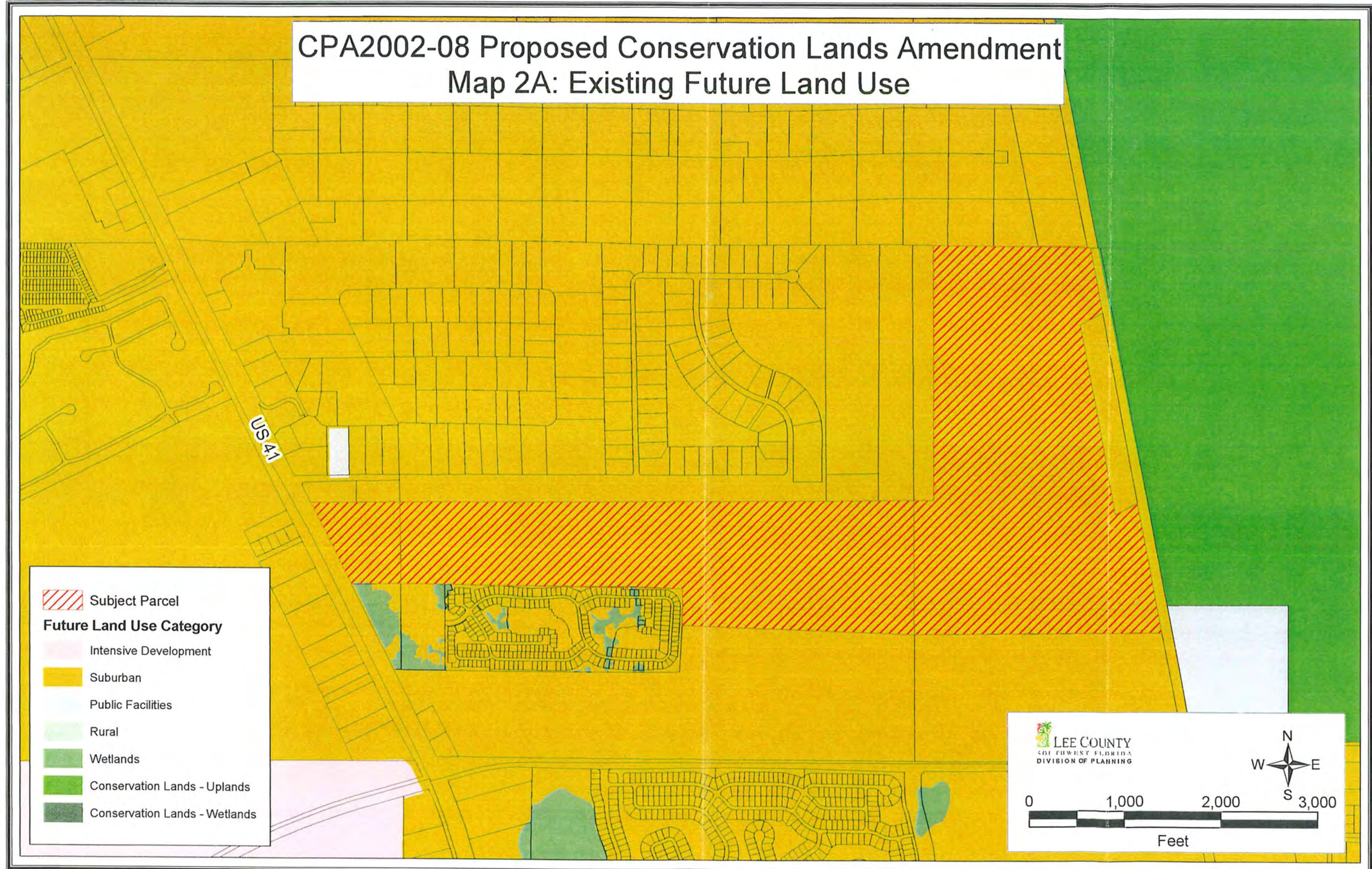
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CPA2002-08 Proposed Conservation Lands Amendment MAP 1B Proposed Future Land Use

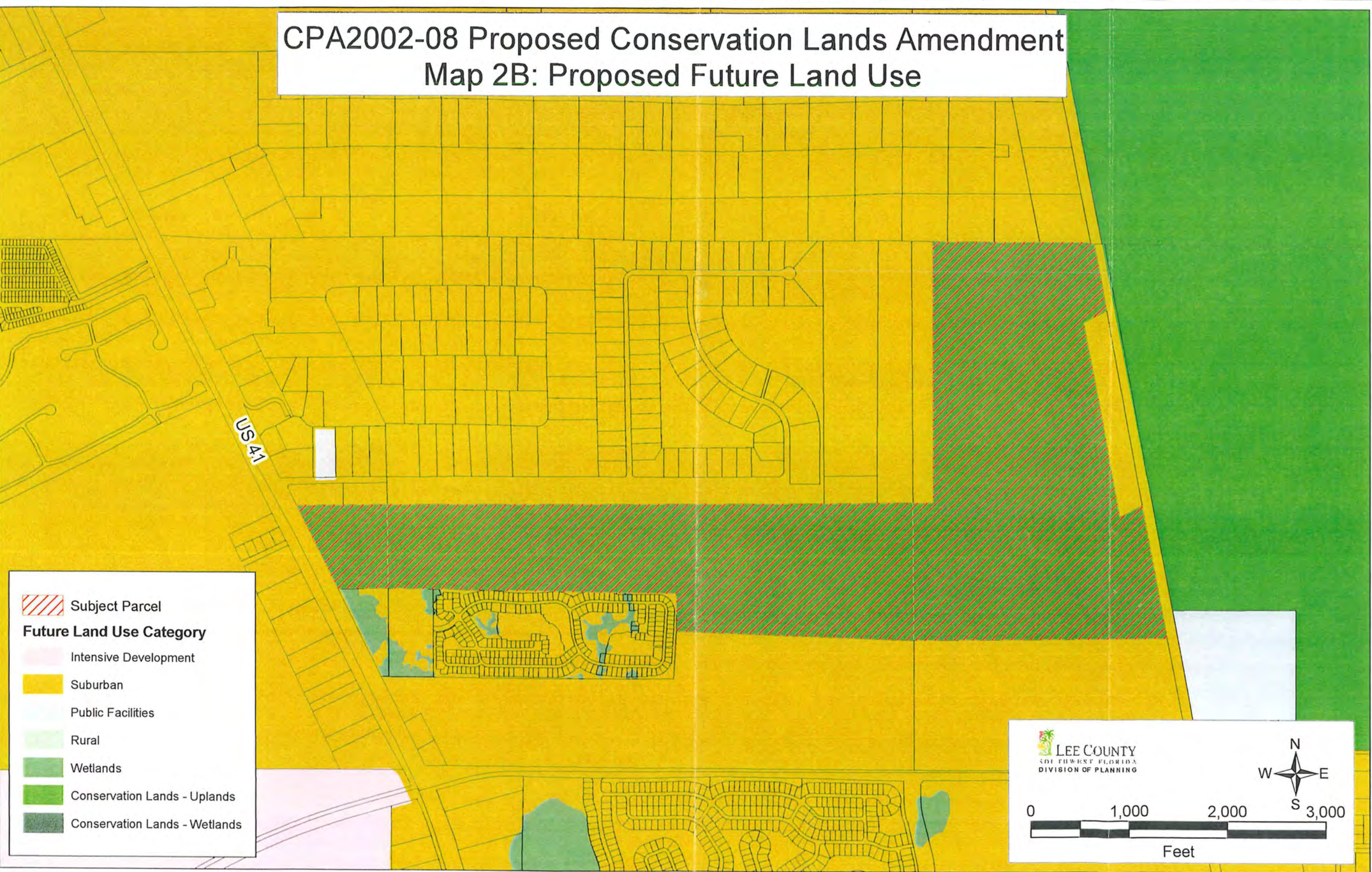










CPA2002-08 Proposed Conservation Lands Amendment


Map 2A: Existing Future Land Use



CPA2002-08 Proposed Conservation Lands Amendment
Map 2B: Proposed Future Land Use



-  Subject Parcel
- Future Land Use Category**
-  Intensive Development
-  Suburban
-  Public Facilities
-  Rural
-  Wetlands
-  Conservation Lands - Uplands
-  Conservation Lands - Wetlands

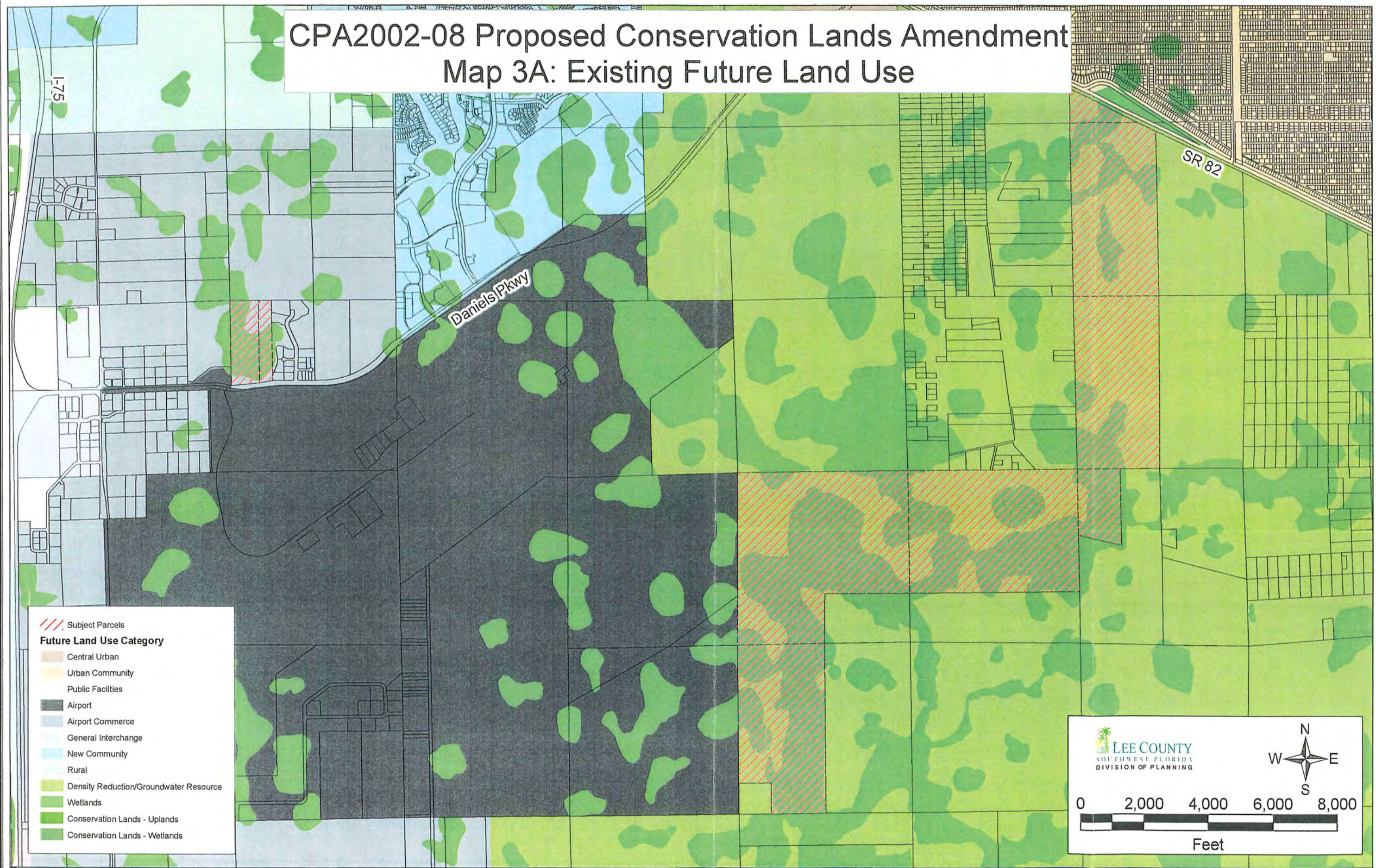
 **LEE COUNTY**
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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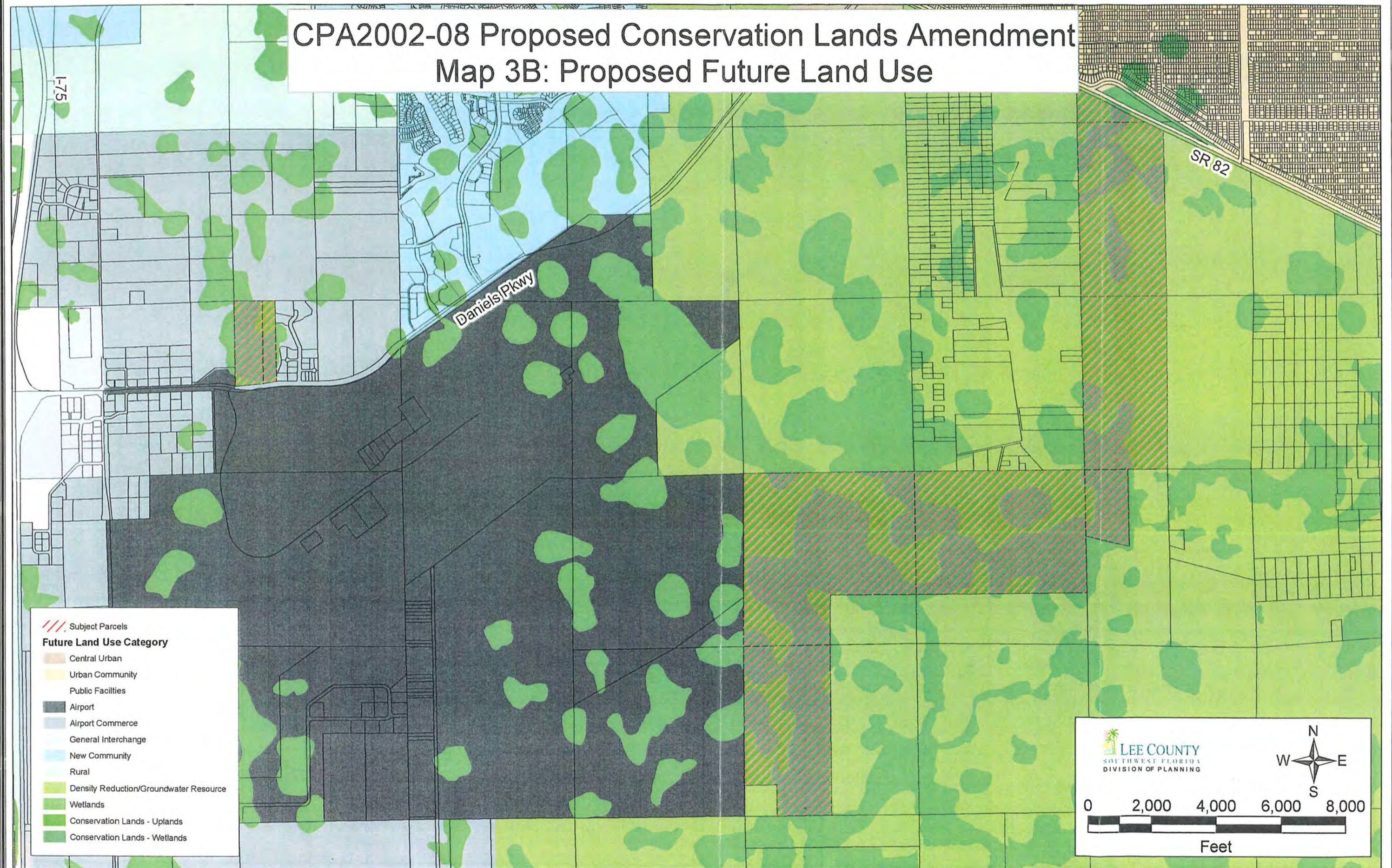
CPA2002-08 Proposed Conservation Lands Amendment

Map 3A: Existing Future Land Use



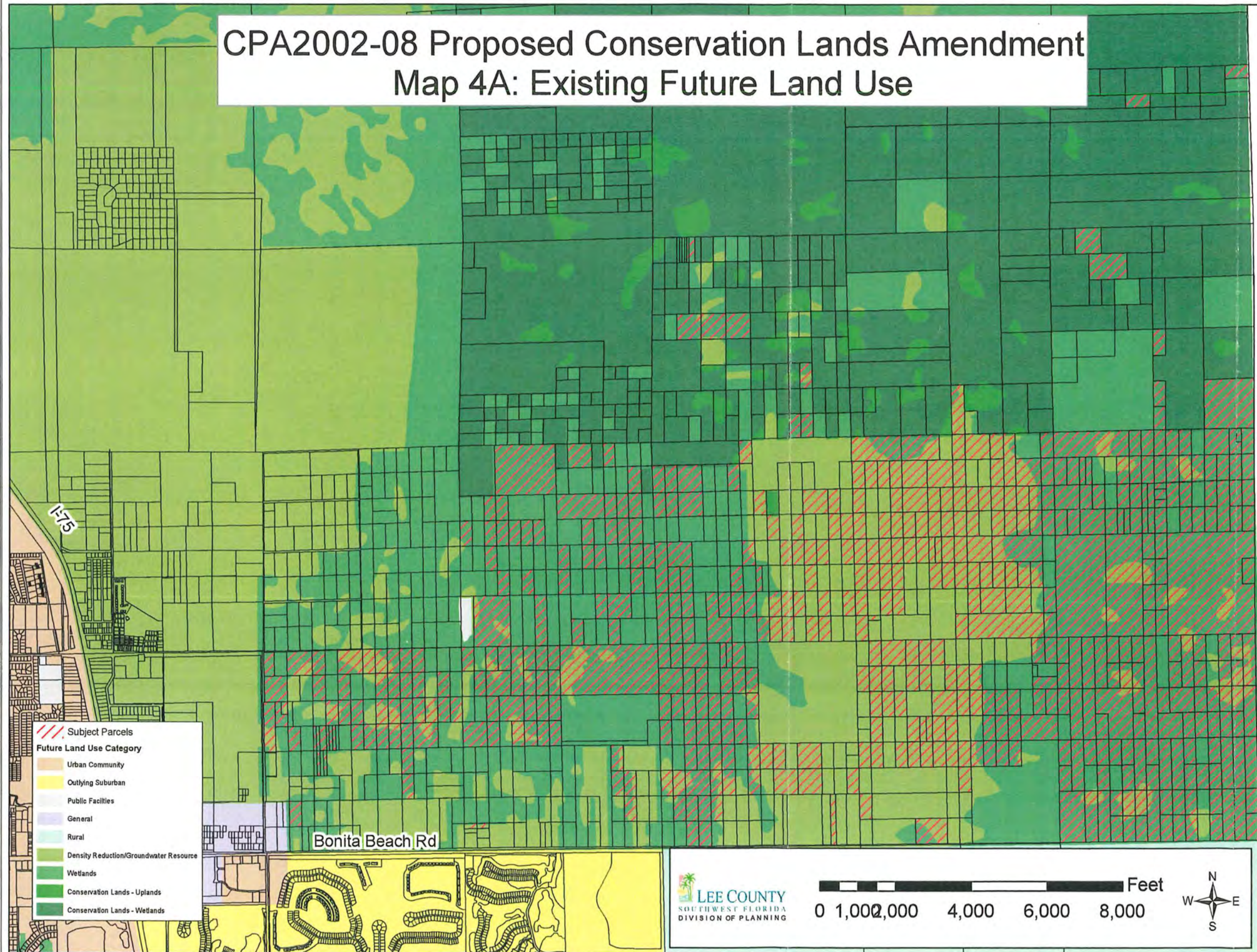
CPA2002-08 Proposed Conservation Lands Amendment

Map 3B: Proposed Future Land Use



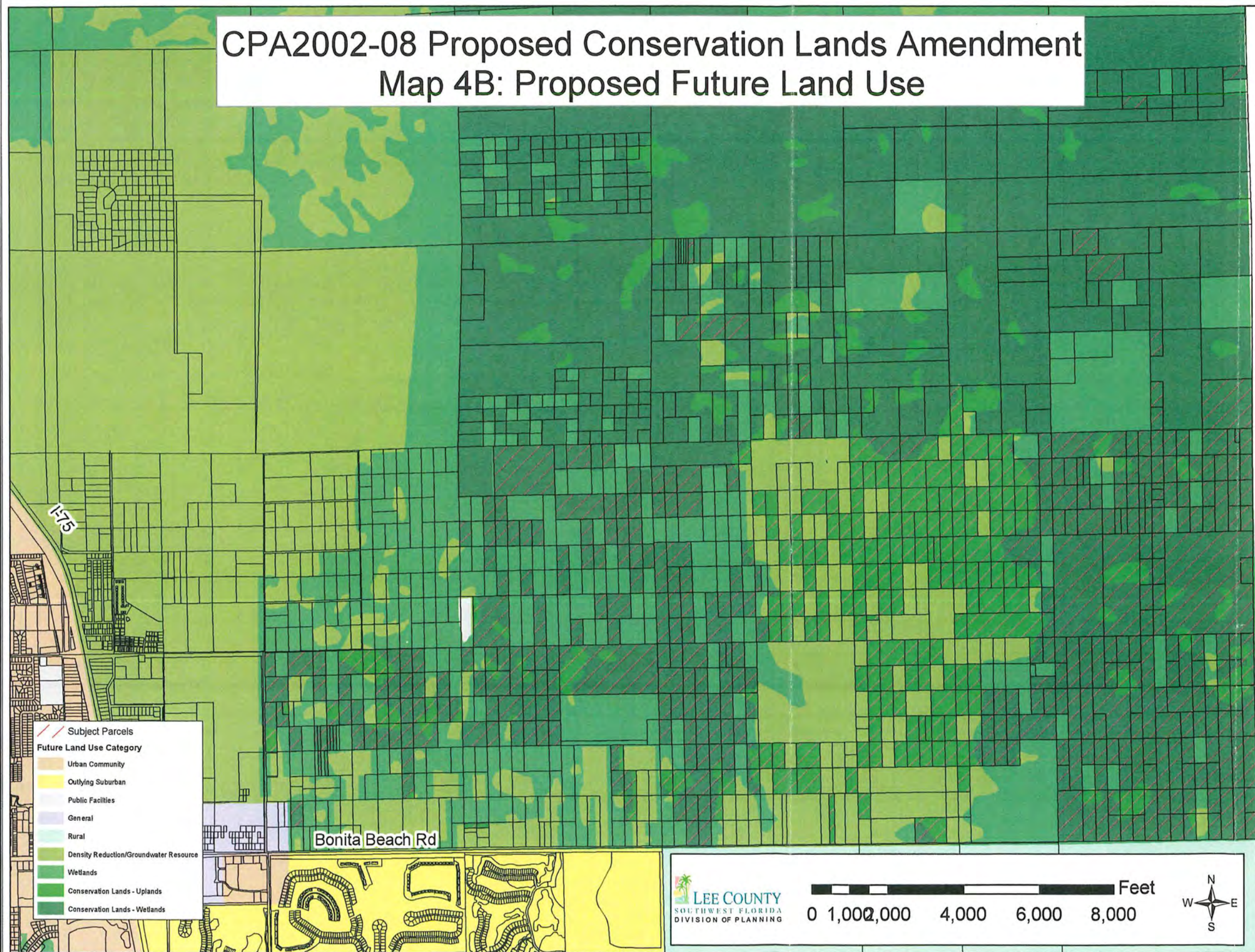
CPA2002-08 Proposed Conservation Lands Amendment

Map 4A: Existing Future Land Use



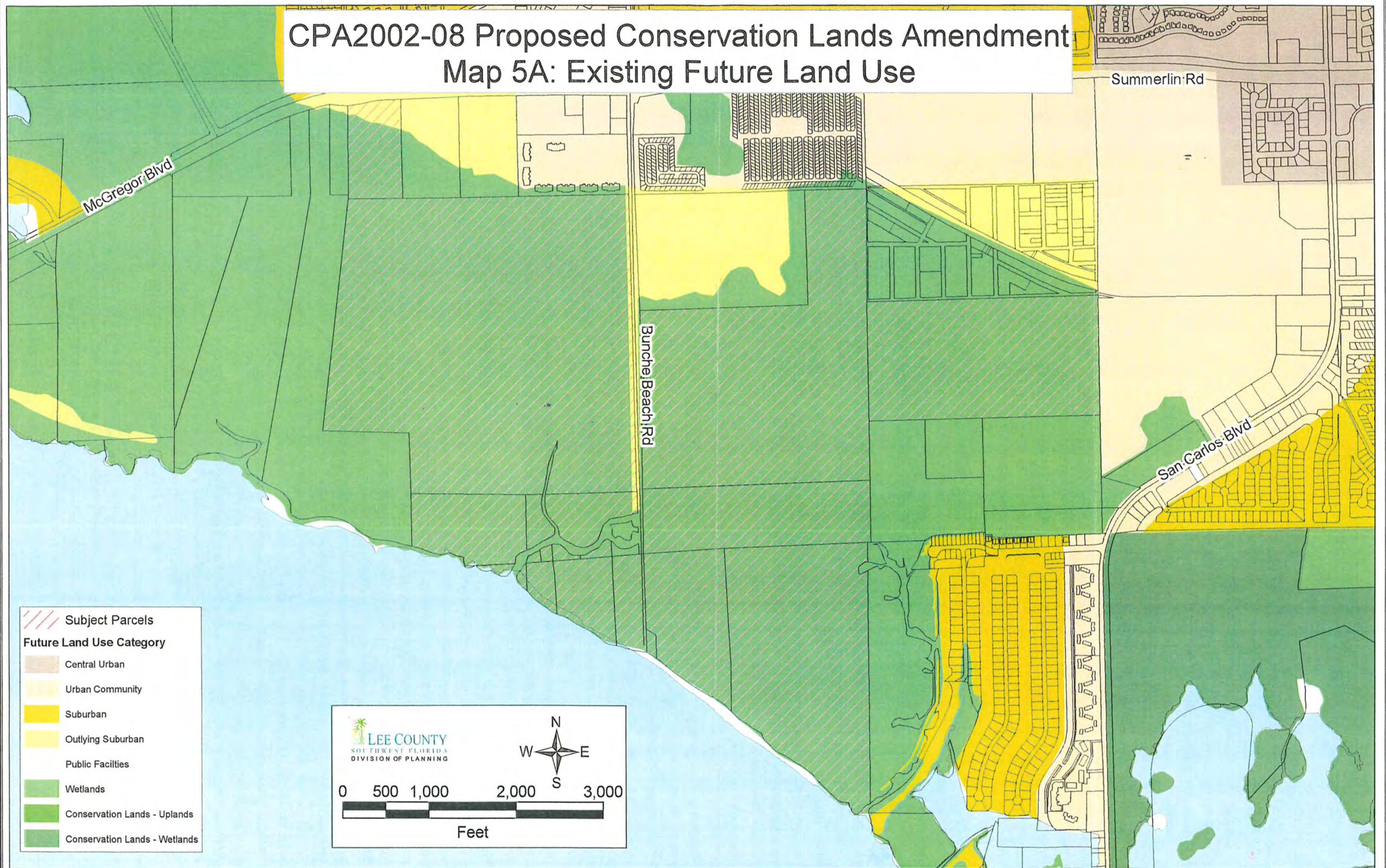
CPA2002-08 Proposed Conservation Lands Amendment

Map 4B: Proposed Future Land Use



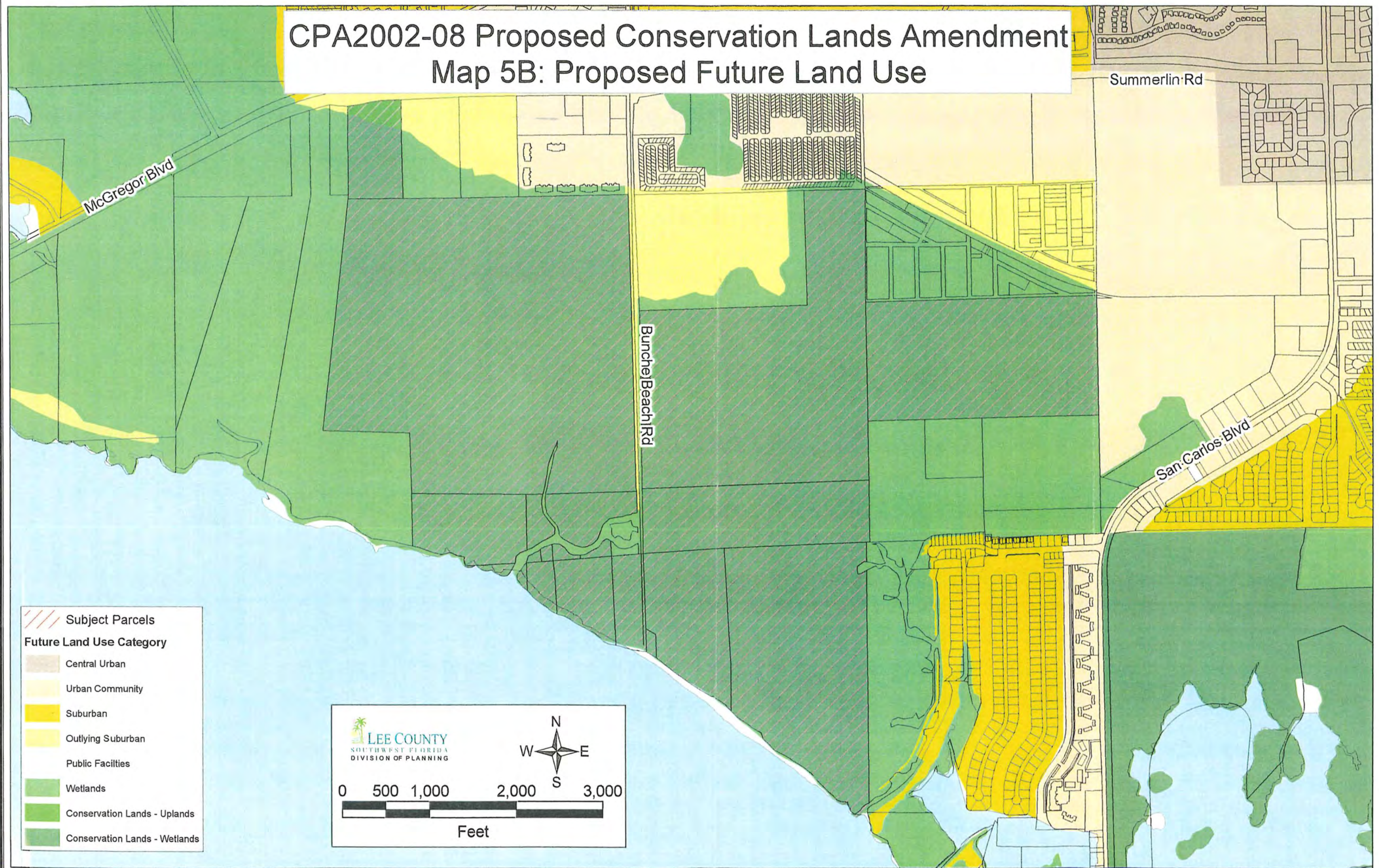
CPA2002-08 Proposed Conservation Lands Amendment

Map 5A: Existing Future Land Use

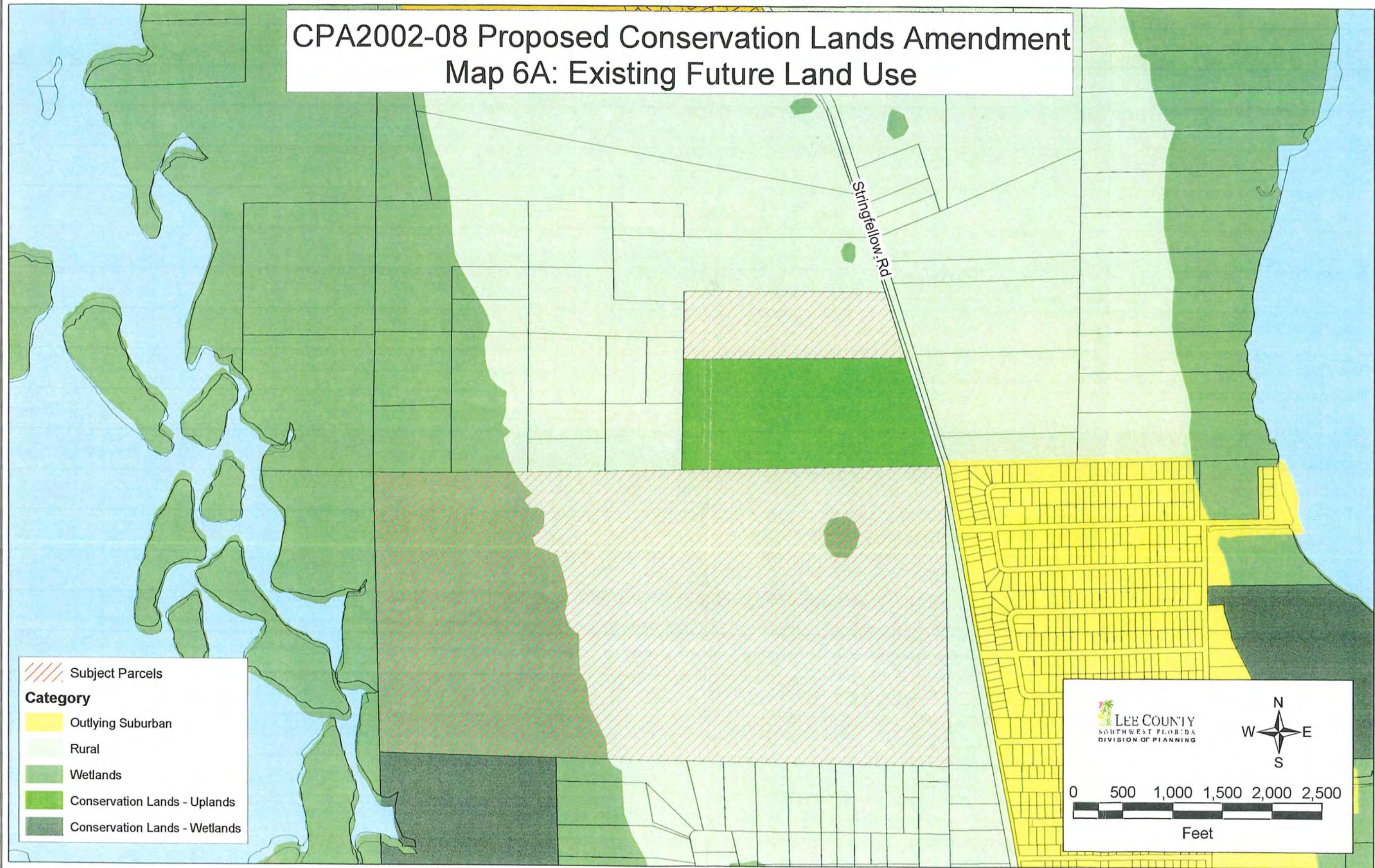


CPA2002-08 Proposed Conservation Lands Amendment

Map 5B: Proposed Future Land Use

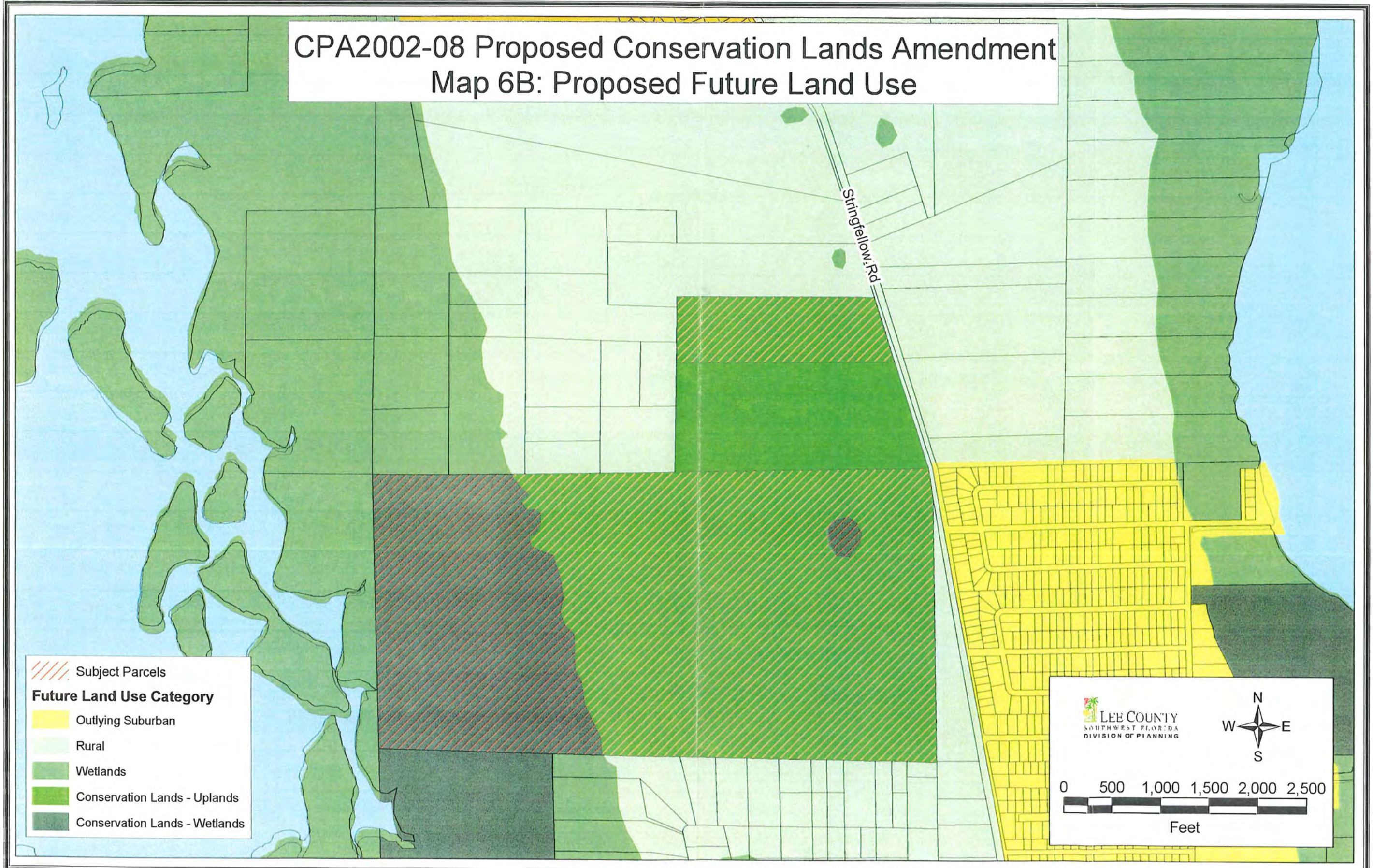








CPA2002-08 Proposed Conservation Lands Amendment
Map 6A: Existing Future Land Use



CPA2002-08 Proposed Conservation Lands Amendment

Map 6B: Proposed Future Land Use



-  Subject Parcels
- Future Land Use Category**
-  Outlying Suburban
-  Rural
-  Wetlands
-  Conservation Lands - Uplands
-  Conservation Lands - Wetlands

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

LPA Public Hearing Document
for
April 28, 2003 Public Hearing

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

April 21, 2003

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

☐

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: 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.

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 show 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

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

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

MATT BIXLAR

SUSAN BROOKMAN

DAN DELISI

RONALD INGE

GORDON REIGELMAN

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

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

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

DATE OF ORC REPORT:

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

- B. STAFF RESPONSE**

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

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

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

October 23, 2003

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

☐

Text Amendment

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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: 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) adopt 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 TITF PROPERTIES

TOTAL ACREAGE: 2,057.24 ± acres

LOCATIONS: The TITF 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 & TITF

TOTAL ACREAGE: 255.25 ± acres

LOCATIONS: The TITF 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:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLAR	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
DAN DELISI	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<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	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

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

DATE OF ORC REPORT: September 5, 2003

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

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

B. STAFF RESPONSE

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: October 23, 2003

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

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

1. **BOARD ACTION:** The Board voted to adopt the amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. **VOTE:**

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

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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

LPA Public Hearing Document
for
April 28, 2003 Public Hearing

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

April 21, 2003

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

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Text Amendment

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Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
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	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
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STAFF REPORT PREPARATION DATE: April 21, 2003

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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.

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1. RECOMMENDATION:

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- 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.

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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.

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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.

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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.

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 show 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 \pm 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 \pm 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

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

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

MATT BIXLAR

SUSAN BROOKMAN

DAN DELISI

RONALD INGE

GORDON REIGELMAN

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

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

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

DATE OF ORC REPORT:

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

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

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
for the
October 23, 2003 Adoption Hearing

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

September 5, 2003

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

☐

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: 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) adopt 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.
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- 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.
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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:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLAR	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
DAN DELISI	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<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: September 5, 2003

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

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

B. STAFF RESPONSE

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: October 23, 2003

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

LEE COUNTY ORDINANCE NO. 03-19
(Consent Ordinance)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE LAND USE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENTS APPROVED ON THE CONSENT AGENDA DURING THE COUNTY'S 2002/2003 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT, MAPS AND TABLES; PURPOSE AND SHORT TITLE; LEGAL EFFECT; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners; and,

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

WHEREAS, the Lee County Local Planning Agency ("LPA") held public hearings pursuant to Chapter 163, Part II, Florida Statutes, and the Lee County Administrative Code on January 27, March 24, April 28, and May 28, 2003; and,

WHEREAS, the Board of County Commissioners, pursuant to Florida Statutes and the Lee County Administrative Code held a public hearing for the transmittal of the proposed amendments on June 25, 2003. At that hearing, the Board approved a motion to send, and did later send, the proposed amendment to the Florida Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the transmittal hearing on June 25, 2003, the Board announced its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC report on September 5, 2003; and,

WHEREAS, the Board moved to adopt the proposed amendments to the Lee Plan set forth herein during its statutorily prescribed public hearing for the plan amendments on October 23, 2003.

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

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted a series of public hearings to consider proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the certain amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as amended, will continued to be the "Lee Plan." **This ordinance may be referred to as the "2002/2003 Regular Comprehensive Plan Amendment Cycle Consent Ordinance."**

SECTION TWO: ADOPTION OF LEE COUNTY'S 2002/2003 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE (Consent Agenda Items)

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on October 23, 2003, known as: CPA2002-06, CPA2002-08, CPA2002-11, CPA2002-13, CPA2002-15, CPA2002-19, and CPA2002-22.

The aforementioned amendments amend the text of the Lee Plan including the Future Land Use Map series, the Transportation Map Series, and the tables of the Lee Plan. A brief summary of the content of those amendments is set forth below:

CPA2002-06 (Outlying Suburban Residential Allocations)

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

CPA2002-08 (Conservation Lands)

Amend the Future Land Use Map Series, Map 1, by updating the Conservation Lands Future Land Use Categories.

CPA2002-11 (Buckingham Potable Water)

Amend Goal 17, Buckingham, of the Future Land Use Element by adding language that allows the extension of water lines to serve the Buckingham Rural Community Preserve on a voluntary basis, with cost of extension to be paid by the petitioner. Amend Map 6, Future Water Service Areas, to show the Buckingham Rural Community Preserve to be within the Future Water Service Areas of the County. Amendment 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.

CPA2002-13 (Financially Feasible Transportation Map)

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

CPA2002-15 (Constrained Roads)

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

CPA2002-19 (Capital Improvements Program)

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

CPA2002-22 (Policy 100.2.3. Text Update)

Amend Policy 100.2.3. of the Housing Element by replacing the outdated reference to the "special permit" approval process with the current process of "special exception."

The corresponding Staff Reports and Analysis, along with all attachments for these amendments are adopted as "Support Documentation" for the Lee Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

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

SECTION FOUR: GEOGRAPHIC APPLICABILITY

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

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the

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

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

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

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administrative Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status. A copy of such resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Albion, who moved its adoption. The motion was seconded by Commissioner Janes, and, when put to a vote, the vote was as follows:

Robert P. Janes	Aye
Douglas St. Cerny	Aye
Ray Judah	Aye
Andrew Coy	Absent
John Albion	Aye

DONE AND ADOPTED this 23rd day of October 2003.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Isa S. Pierce*
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: *Ray Judah*
Chairman

DATE: 10/23/03



Approved as to form by:

Donna Marie Collins
Donna Marie Collins
County Attorney's Office



STATE OF FLORIDA
DEPARTMENT OF STATE

JEB BUSH
Governor

GLEND A. HOOD
Secretary of State

October 30, 2003

Honorable Charlie Green
Clerk of Circuit Court
Lee County
Post Office Box 2469
Ft. Myers, Florida 33902-2469

Attention: Ruth Frymier, Deputy Clerk

Dear Mr. Green:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 27, 2003 and certified copies of Lee County Ordinance Nos. 03-19 through 03-21, which were filed in this office on October 28, 2003.

Sincerely,

Liz Cloud
Program Administrator

LC/mp

2003 NOV -3 PM 3:30
RECEIVED