



**LOCAL PLANNING AGENCY
OLD LEE COUNTY COURTHOUSE
2120 MAIN STREET, FORT MYERS, FL 33901
BOARD CHAMBERS
MONDAY, AUGUST 25, 2014
8:30 AM**

AGENDA

1. Call to Order/Review of Affidavit of Publication/Pledge of Allegiance
2. Public Forum
3. Approval of Minutes – July 28, 2014
4. North Olga Land Development Code Amendments

An amendment to Chapter 33 and other applicable sections of the Land Development Code (LDC) to establish planning community regulations for the North Olga Planning Community Area. The proposed regulations for North Olga establish a community review process for zoning requests and certain development orders; provide for enhanced design standards for water management, parking, architectural standards, landscaping and signage; and include provisions for home occupations.

5. Lee Plan Amendments: CPA2013-00020 Fiddlesticks Boulevard Parcel

This is a request to amend Map 1 of the Future Land Use Map Series to change the future land use category of a 394-acre property on Fiddlesticks Boulevard from Rural and Wetlands to Outlying Suburban and Wetlands. The property is located east of Fiddlesticks Boulevard and West of I-75 in the Daniels Parkway Planning Community. The applicant is requesting the amendment to accommodate a maximum of 1,182 residential units and neighborhood commercial uses.

6. New Horizon 2035: CPA2011-00008 - Future Land Use Element
7. Other Business
8. Adjournment – Next Meeting Date: Monday, September 22, 2014

A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

Persons with disabilities who need an accommodation to participate in the Local Planning Agency meeting should contact Janet Miller, 1500 Monroe Street, Fort Myers, FL 33901 (239-533-8583 or jmiller@leegov.com). To ensure availability of services, please request accommodation as soon as possible but preferably five or more business days prior to the event. Persons using a TDD may contact Janet Miller through the Florida Relay Service, 711.

The agenda can be accessed at the following link approximately 7 days prior to the meeting.

<http://www.leegov.com/dcd/calendar>

Direct Links to plan amendment pages:

[CPA2011-00020](#)

[CPA2011-00008](#)

MEMORANDUM
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT

TO: Local Planning Agency **DATE:** August 12, 2014
FROM: Tony Palermo, AICP
Senior Planner, Zoning Division

RE: North Olga Land Development Code

Attached is an amendment to Chapter 33 and other applicable sections of the Land Development Code (LDC) to establish planning community regulations for the North Olga Planning Community Area.

These land development regulations help implement Goal 35 of the Lee Plan and associated objectives and policies. Goal 35 calls for Lee County to *“promote and support North Olga’s unique rural character, heritage, economy, and quality of life by establishing a participatory community planning effort to guide North Olga’s future.”*

Specifically Objective 35.1 says, *“By 2014, the North Olga Community will work with Lee County to establish comprehensive plan policies, land development regulations, and other planning and development tools to manage future community development in a manner that protects and enhances North Olga’s rural character and aesthetic appearance, while supporting the continued viability of commercial agricultural businesses.”*

These proposed LDC regulations were drafted in concert with Alexis Crespo, AICP of Waldrop Engineering and the North Olga Community Planning Panel. These regulations were the subject of intensive public involvement during the past two years at the North Olga Community Planning Panel’s regular public meetings at the Bayshore Fire District. The draft has been vetted by Lee County staff, the County Attorney’s office, and other stakeholders.

These proposed regulations for North Olga establish a community review process for zoning requests and certain development orders; provide for enhanced design standards for water management, parking, architectural standards, landscaping and signage; and include provisions for home occupations.

Thank you for your attention to this matter.

ORDINANCE NO. _____

AN ORDINANCE AMENDING LEE COUNTY LAND DEVELOPMENT CODE, CHAPTERS 14, 30, 33, AND 34, TO PROVIDE FOR THE NORTH OLGA COMMUNITY PLANNING AREA (NORTH OLGA); AMENDING CHAPTER 14 (ENVIRONMENT AND NATURAL RESOURCES) TO INCLUDE REFERENCE TO NORTH OLGA; AMENDING CHAPTER 30 (SIGNS) TO INCLUDE REFERENCE TO NORTH OLGA; AMENDING CHAPTER 33 (PLANNING COMMUNITY REGULATIONS) TO INCLUDE REGULATIONS PERTAINING TO THE NORTH OLGA COMMUNITY PLANNING AREA AND TO CREATE ARTICLE X, DIVISIONS 1, 2, AND 3 INCLUDING PROVISIONS FOR APPLICABILITY, COMMUNITY BOUNDARY, COMMUNITY REVIEW REQUIREMENTS, VOLUNTARY COMPLIANCE FOR EXISTING DEVELOPMENTS, DEVIATIONS AND VARIANCES, DESIGN STANDARDS FOR WATER MANAGEMENT, PARKING, SETBACKS, ARCHITECTURAL STYLE, PERMISSIBLE BUILDING MATERIALS, BUILDING COLOR, LANDSCAPING, TREE PRESERVATION, SIGNAGE AND PERMITTING HOME OCCUPATIONS WITH OUTSIDE HELP; AMENDING CHAPTER 34 (ZONING) TO INCLUDE REFERENCE TO NORTH OLGA; AND PROVIDING FOR CONFLICTS OF LAW; SEVERABILITY, CLARIFICATION; SCRIVENER'S ERROR; MODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Section 125.01(1)(h) authorizes counties to establish, coordinate, and enforce zoning regulations necessary for the protection of the public; and,

WHEREAS, the Board of County Commissioners of Lee County, Florida, has adopted a comprehensive Land Development Code (LDC); and,

WHEREAS, the LDC contains regulations applicable to the development of land in Lee County; and,

WHEREAS, the Board of County Commissioners created the North Olga Community, codified under Goal 35 of the Lee Plan; and,

WHEREAS, Goal 35 calls for Lee County to promote and support North Olga's unique rural character, heritage, economy, and quality of life by establishing a participatory community planning effort to guide North Olga's future; and

WHEREAS, Objective 35.1 of the Lee Plan requires the North Olga Community and Lee County to work together to establish land development regulations to manage future community development in a manner that protects and enhances North Olga's

rural character and aesthetic appearance, while supporting commercial agricultural businesses by 2014; and,

WHEREAS, Policy 35.1.4 of the Lee Plan requires amendment to Chapter 33 of the Lee County Land Development Code (LDC) to establish enhanced design, landscaping, signage, and architectural standards to promote the North Olga Community's rural character; and,

WHEREAS, Objective 35.3 of the Lee Plan mandates that County regulations for commercial land uses support a unified and attractive rural-oriented design theme in terms of landscaping, architecture, lighting and signage; and,

WHEREAS, Objective 35.10 of the Lee Plan seeks to encourage and solicit public input and participation prior to and during the review and adoption of county regulations, LDC provisions, Lee Plan provisions and zoning approvals in the North Olga Community; and,

WHEREAS, Policy 35.10.3 requires that the owner or agent for any requested zoning action within the North Olga Community conduct one public informational meeting where the agent provides a general overview of the project for any interested citizens before the application can be found sufficient. The applicant is fully responsible for providing advertising, the meeting space and security measures as needed. Subsequent to this meeting, the applicant must provide County staff with a meeting summary that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised; and,

WHEREAS, Policy 34.5.3 requires the Alva and North Olga Communities to maintain and enhance the rural character, natural resources, and connectivity of Northeast Lee County; and,

WHEREAS, the Lee Plan includes policies that should be implemented through amendments to the LDC; and,

WHEREAS, the Lee Plan mandates the County maintain clear, concise and enforceable development regulations that fully address on-site and off-site development impacts, yet function in a streamlined manner; and,

WHEREAS, the Board of County Commissioners, through the creation of LDC Chapter 33, has centralized LDC provisions that are applicable only to certain planning communities within the County; and,

WHEREAS, the creation of new Article X in LDC Chapter 33 will provide specific, centralized regulations for the implementation of Goal 35 and associated objectives and policies of the Lee Plan for the North Olga Planning Community; and,

WHEREAS, the creation of LDC regulations for the North Olga Planning Community in Chapter 33 results in minor housekeeping amendments to Chapters 14, 30 and 34; and,

WHEREAS, the Land Development Code Advisory Committee has reviewed the proposed amendments to the LDC on July 11, 2014 and August 8, 2014 and recommended their adoption; and,

WHEREAS, the Executive Regulatory Oversight Committee reviewed the proposed amendments to the Code on July 9, 2014, and recommended their adoption; and,

WHEREAS, the Local Planning Agency reviewed the proposed amendments on August 25, 2014, and found them consistent with the Lee Plan.

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

SECTION ONE: AMENDMENT TO LDC CHAPTER 14

Lee County Land Development Code Chapter 14, *Environmental and Natural Resources*, is amended as follows with strike through identifying deleted text and underline identifying new text.

Sec. 14-1. Planning community regulations. Activities in the following communities must also comply with the regulations set forth in Chapter 33 pertaining to the specific community.

- (a) Estero Planning Community.
- (b) Greater Pine Island.
- (c) Page Park.
- (d) Caloosahatchee Shores.
- (e) Lehigh Acres.
- (f) North Fort Myers.
- (g) Matlacha.
- (h) North Olga.

SECTION TWO: AMENDMENT TO LDC CHAPTER 30

Lee County Land Development Code Chapter 30, *Signs*, is amended as follows with strike through identifying deleted text and underline identifying new text.

Sec. 30-56. Planning community regulations. Applications and permit approvals for signs and sign structures associated with projects located in the following planning communities must also comply with the regulations set forth in Chapter 33 pertaining to the specific planning community.

- (a) Estero Planning Community.

- (b) Greater Pine Island.
- (c) Page Park.
- (d) Caloosahatchee Shores.
- (e) Lehigh Acres.
- (f) North Fort Myers.
- (g) Matlacha.
- (h) North Olga.

SECTION THREE: AMENDMENT TO LDC CHAPTER 33

Lee County Land Development Code Chapter 33, *Planning Community Regulations*, is amended as follows with strike through identifying deleted text and underline identifying new text.

ARTICLE X. NORTH OLGA

DIVISION 1. IN GENERAL

Sec. 33-1661. - Applicability. The provisions of Article X apply to all new development requiring zoning or local development order approval, excluding limited development orders entitled to limited review per LDC Sec. 10-174, located in the North Olga Community Planning Area, as defined in Goal 35 of the Lee County Comprehensive Plan.

Sec. 33-1662. – Community planning area boundaries. The boundaries of the North Olga Community Planning Area are as depicted in the Lee County Comprehensive Plan Map 1, Page 2 of 8.

Sec. 33-1663. - Community review.

- (a) Applications requiring review. The owner or agent applying for the following types of County approvals must conduct one publicly advertised informational session prior to obtaining a finding of sufficiency.
 - (1) Development Orders (excluding Development Orders Entitled to Limited Review per LDC Sec.10-174).
 - (2) Planned development zoning actions.
 - (3) Conventional rezoning actions.
 - (4) Special exception and variance requests.

(b) Meeting requirements.

The applicant is responsible for providing the meeting space, providing notice of the meeting, and providing security measures as needed. The meeting location will be determined by the applicant, and must be held within the boundaries of the North Olga Community, or within the boundaries of an immediately adjacent community planning area (Alva, Bayshore, or Caloosahatchee Shores). Meetings may, but are not required to, be conducted before non-County formed boards, committees, associations, or planning panels. During the meeting, the agent will provide a general overview of the project for any interested citizens. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. The applicant is not required to receive an affirmative vote or approval of citizens present at the meeting.

Sec. 33-1664. – Existing development. Existing planned developments may voluntarily bring a master concept plan into compliance with the North Olga Community Plan or any regulation contained in this division administratively. No public hearing will be required if the sole intention is for existing planned developments to comply with these regulations.

Sec. 33-1665. – Deviations and variances. Variances or deviations may be requested in accordance with Chapter 34. If an applicant desires to deviate from any design standards in Division 2 of this ordinance, the applicant may do so through the administrative deviation process in LDC Sec. 10-104.

DIVISION 2. DESIGN STANDARDS

Subdivision I. Basic Elements

Sec. 33-1666. – Water management. All dry detention basins must be planted with wetland plant species in minimum one-gallon containers not more than 36 inches on center throughout the extent of the basin. Dry detention basins greater than 20,000 square feet, as measured from top of bank, must be planted with appropriate native trees such as Southern Red Maple, South Florida Slash Pine, Laurel Oak, and/or Cypress trees, in addition to wetland plant species. The trees must be planted at a ratio of one (1) tree per 800 square feet of dry detention area, and may be clustered to mimic the natural environment. At the time of installation trees must be six feet in height, 10 gallons, one and a half inch caliper, and a three foot spread.

Sec. 33-1667. – Parking. In addition to the parking regulations in Chapter 34, Article VII, Division 26, the following will apply to all development requiring off-street parking.

No more than 50 percent of the required parking spaces, or a maximum of 10 parking spaces, whichever is less, may be located between the street right-of-way and the principal structure or on the side of the building. The remaining 50% of parking spaces must be located in the rear of the building. Alternatively, if parking areas cannot be accommodated in the rear of the building, a 25-foot wide Type D buffer must be provided between the parking area and adjacent right-of-way, with plantings consistent with LDC Sec. 10-420 and 421.

Sec. 33-1668 – Setbacks from arterial and collector roadways. The minimum setback for buildings from arterial and collector roadways shall be a minimum of 50 feet. Parking may be located within the setback area in accordance with Section 33-1667, and must be setback a minimum of 25 feet from the right-of-way.

Subdivision II. Architecture

Sec. 33-1669. – Applicability. Architectural design of all buildings within the North Olga Community must comply with this subdivision; places of worship, single family and duplex dwellings are exempt from this subdivision.

Sec. 33-1670. – Architectural style.

- (a) Architectural style. The design of all buildings within North Olga must adhere to the “Old Florida” vernacular architectural style, including “Key West”, “Cracker”, “Rustic” and other styles deemed compatible with or complementary to these styles. Distinct vernacular styles may be displayed through the inclusion of extended roof overhangs, porches, decorative columns, covered corridors, covered walkways, or pitched roofs.
- (b) Examples of character and styling that emulate architectural features and materials that are associated with or compatible with the Old Florida vernacular include:
 - (i) Old Florida Style Architecture



(ii) Key West Style Architecture



(iii) Cracker Style Architecture



(iv) Rustic Style Architecture



Sec. 33-1671. – Building materials.

- (a) Traditional building materials, such as masonry, stone, brick, or wood, must be used as the predominant exterior building material(s). Acceptable finishes include, cementitious horizontal siding, horizontally struck stucco, board and

batten, and stained hardwood panels. Plastic or vinyl siding is permitted only when necessary to establish the Florida vernacular style.

- (b) The following exterior building materials may only be used as secondary exterior finish materials, provided they cover no more than ten (10) percent of the primary building facade area. This restriction does not apply to roofs.

(1) Tile;

(2) Plain, smooth, scored or rib faced concrete block;

(3) Plywood or sheet pressboard;

(4) Reflective metal panels;

(6) Any translucent material, other than glass; or

(7) Any combination of the above.

Sec. 33-1672. – Building color.

- (a) Building colors must be neutral, warm earth tones or subdued pastels. Buildings may use brightly colored trims, cornices, or columns; however these contrasts must complement the building(s) within the development.
- (b) Brighter colors may be utilized on doors, windows and architectural details. Contrasting accent colors of any wall, awning or other feature are limited to not more than ten (10) percent of the total area of any single façade.
- (c) The use of black and primary colors are limited to trim. Neon and fluorescent colors are prohibited.

Subdivision III. Landscaping

Sec. 33-1673. – North River Road plantings. New developments with frontage on North River Road must provide a 25-foot wide right-of-way buffer, planted with native canopy trees, such as Live Oaks and Laurel Oaks. The required planting height of the native canopy tree shall be a minimum of 14 feet, spaced approximately 25 feet on center. Shrubs and/or hedgerows are not required.

Sec. 33-1674. –Tree preservation.

Regardless of project size, all development will be subject to tree preservation requirements in LDC Sec. 10-415(b), and the following:

- (1) Preservation of indigenous tree clusters is preferred over individual tree protection. Reasonable efforts to retain individual trees must be made. It is recognized that site design requirements (e.g. fill) may limit the ability to

retain some individual trees, and in that case the County will allow the removal of those trees.

- (2) Native trees may be relocated to open space areas when proper horticultural methods (e.g. root pruning; use of anti-transpirants) are utilized to insure the survivability of the trees, and a vegetation removal permit is obtained.
- (3) Effort must be made to preserve heritage trees with at least a 20-inch caliper dbh, including but not limited to Live Oak, South Florida Slash Pine, or Longleaf Pine. If a heritage tree must be removed from a site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space area.
- (4) Native tree preservation must incorporate techniques as established in LDC Sec. 10-420(j).
- (5) Surface water management systems may overlap with native tree preservation areas only where it can be clearly demonstrated that the effects of water management system construction and/or operation will not cause death or harm to the preserve tree and indigenous plant community of protected species.

Subdivision IV. Signage

Sec. 33-1675. – Applicability. This subdivision is adopted as an addendum to the general sign regulations set forth in Chapter 30, and applies only to new signs, excluding change in copy face.

Sec. 33-1676. – Prohibited signs. The following types of signs are prohibited unless a deviation or variance is granted.

- (1) Emitting and digital signs.
- (2) Flashing signs.
- (3) Exposed neon signs.
- (4) Pole signs.
- (5) Pylon signs.
- (6) Balloons including inflatable air signs or other temporary signs that are inflated with air, helium, or other gaseous elements, except as permitted by special occasion permit.
- (7) Banners, pennants or other flying paraphernalia, except:
 - a. As permitted by special occasion permit.
 - b. An official federal, state, or county flag.
 - c. One symbolic flag not to exceed 15 square feet in area for each institution or business.
- (8) Temporary signs, except for the following must comply with Sec. 30-151.

- a. Special occasion signs.
- b. Real estate signs.
- c. Construction signs
- d. Political or campaign signs.

Sec. 33-1677. Permanent signs in commercial and industrial areas.

- (a) Ground mounted identification signs must be a monument sign. A monument sign is defined as a ground sign, the structural base of which is on the ground.
- (b) The maximum height of any identification sign shall not exceed 15 feet.
- (c) The height of the base must be at least 24 inches above the adjacent ground, and may not exceed 36 inches.
- (d) The sign must display the street numbers of the property on the face of the sign. Street numbers must measure between a minimum of four inches and a maximum of six inches in height. The copy area of the street number will not be counted toward the allowable sign copy area.
- (e) Signs must complement the architectural style of the building or development.

DIVISION 3. ADDITIONAL USE

Sec. 33-1678. Applicability. The following regulations apply to home occupation within the North Olga Community. This subdivision is adopted as an addendum to the home occupation regulations set forth in LDC Chapter 34, Division 18.

Sec. 33-1679. Home occupation with outside help.

- (a) Home occupations established on existing lots of record equal to or greater than one acre in size are permitted a maximum of one (1) outside employee to work at the residence, in addition to other members of the immediate family residing in the dwelling.
- (b) The resident of the premises shall not rent space to others in association with a home occupation.
- (c) Home occupations with outside help will comply with all other operational and use regulations in Section 34-1772.

SECTION FOUR: AMENDMENT TO LDC CHAPTER 34

Lee County Land Development Code Chapter 34, *Zoning*, is amended as follows with strike through identifying deleted text and underline identifying new text.

Sec. 34-6. Compliance with specific planning community requirements.

If the subject property is located in one of the following communities, the owner/applicant will be required to demonstrate compliance with the requirements applicable to the specific community as outlined in Chapter 33.

- (1) Estero Planning Community.
- (2) Greater Pine Island.
- (3) Page Park.
- (4) Caloosahatchee Shores.
- (5) Lehigh Acres.
- (6) North Fort Myers.
- (7) Matlacha.
- (8) North Olga.

SECTION SIX: CONFLICTS OF LAW

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements will apply.

SECTION SEVEN: SEVERABILITY

It is the Board of County Commissioner's intent that if any section, subsection, clause or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this Ordinance. The Board of County Commissioners further declares its intent that this Ordinance would have been adopted if such unconstitutional provision was not included.

SECTION EIGHT: CODIFICATION AND SCRIVENER'S ERRORS

The Board of County Commissioners intend that this Ordinance will be made part of the Lee County Code. Sections of this ordinance can be renumbered or relettered and the word "ordinance" can be changed to "section", "article," or other appropriate word or phrase to accomplish codification, and regardless of whether this ordinance is ever codified, the ordinance can be renumbered or relettered and typographical errors that do not affect the intent can be corrected with the authorization of the County Administrator, County Manager or his designee, without the need for a public hearing.

SECTION NINE: MODIFICATION

It is the intent of the Board that the provisions of this Ordinance may be modified as a result of consideration that may arise during public hearing(s). Such modifications will be incorporated into the final version of the Ordinance.

SECTION TEN: EFFECTIVE DATE

This Ordinance will take effect upon its filing with the Office of the Secretary of the Florida Department of State. The provisions of this Ordinance will apply to all projects or applications subject to the LDC unless the application for such project is complete and found sufficient before the effective date hereof.

Commissioner _____ made a motion to adopt the foregoing ordinance, seconded by Commissioner _____. The vote was as follows:

John Manning	_____
Cecil L. Pendergrass	_____
Larry Kiker	_____
Brian Hamman	_____
Frank Mann	_____

DONE AND ADOPTED this _____ day of _____, 2014.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

BY: _____
Larry Kiker, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

County Attorney's Office

**CPA2011-20
FIDDLESTICKS BOULEVARD PARCEL
PRIVATELY SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**LPA Staff Report
For the
August 25, 2014 Public Hearing**

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

August 15, 2014

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2011-20**

Text Amendment

Map Amendment

This Document Contains the Following Reviews	
<input checked="" type="checkbox"/>	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to Review Agencies' Comments
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: August 15, 2014

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVES:

The Jeffrey B. Freeman Trust FSM of Fort Myers, LLC, represented by Alexis Crespo, AICP/Waldrop Engineering

2. REQUEST:

Amend Lee Plan Map 1, the Future Land Use Map, for a 394 acre parcel from Rural and Wetlands future land use categories to Outlying Suburban and Wetlands future land use categories.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION: Staff recommends that the Board of County Commissioners **not transmit** the proposed amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The applicant submitted an application to amend the Future Land Use Map on September 30, 2011.
- The upland portions of the subject property have been designated in the Rural future land use category since the Lee Plan was first adopted in 1984.
- The Board of County Commissioners has previously recommended to not transmit a Plan amendment request, PAM96-07, for the subject property that would have changed the future land use designation from Rural to Suburban.
- The property consists of 393.68 acres. Of these, 143.85 are designated Rural (37% of the site) and 249.83 (63% of the site) are designated Wetlands by the current Future Land Use Map.
- No wetlands jurisdictional determination has been provided by the applicant.
- The plan amendment would result in isolated pockets of Outlying Suburban, an urban designation, within a wetland flowway system.
- Increasing the development potential within and adjacent to a flowway system can create additional impacts to that system.
- The subject parcel has only one point of access, located off of Fiddlesticks Boulevard near the Fiddlesticks Country Club gatehouse.
- The extension of Three Oaks Parkway is expected to cross the subject parcel. No right of way has yet been acquired on the subject property for the extension. No funds are programmed for the roadway within the 5-year timeframe of the Capital Improvement Plan (CIP). Right of Way acquisition funds have been programmed for the 6-10 year CIP planning horizon.
- Offsite improvements would be necessary to connect Three Oaks Parkway to the south which would require bridging of the airport drainage canal.
- The subject property abuts the Fiddlesticks Country Club, Old Hickory Golf and Country Club, and the Legends Golf and Country Club residential communities. The property is bordered by I-75 on the eastern side.
- The property is part of a larger Rural designated area that extends from I-75 to Michael G. Rippe Parkway. This area includes several residential communities such as Fiddlesticks Country Club, Blackhawk subdivision, Briarcliff Ridge subdivision and other rural residential communities along Briarcliff Road.
- The two nearest Lee Tran routes are approximately one mile and one and a half miles away, respectively.
- The proposed amendment does not conform to the intent of the Lee Plan Evaluation and Appraisal Report in regards to the preservation of rural communities.

C. BACKGROUND INFORMATION

1. EXISTING CONDITIONS:

SIZE OF PROPERTY:

394 acres

PROPERTY LOCATION:

The property is located at the end of Fiddlesticks Boulevard, west of I-75, one and a half miles south of Daniels Parkway, and one and a quarter miles north of Alico Road.

EXISTING USE OF LAND:

The land is currently used for cattle grazing.

CURRENT ZONING:

The entire subject property is zoned AG-2 (Agricultural).

CURRENT FUTURE LAND USE CATEGORY:

The subject property is currently depicted on the Lee County Future Land Use Map as 249.85 acres of Wetlands and 143.85 acres of Rural.

2. COMPREHENSIVE PLAN BACKGROUND:

The upland portions of the subject parcel are in the Rural future land use category. The wetland portions are in the Wetland future land use category. This area was designated with these categories by the 1984 adoption of the original Lee Plan.

3. SURROUNDING ZONING, LAND USES, AND FUTURE LAND USE DESIGNATIONS:

Abutting the east side of the subject property is I-75. East of I-75 is vacant land zoned AG-2 located in the Tradeport future land use category. Along the west side of the subject property is the Fiddlesticks Country Club which was zoned as a Planned Unit Development by Resolution Z-79-212 for 774 units on 704 acres. This results in an overall density of 1.1 dwelling units per acre. The community is designated with the Rural future land use category. To the north is the Old Hickory Golf and Country Club, and to the northwest is the Legends Golf and Country Club. Both of these residential communities are in the Outlying Suburban and Wetlands future land use categories. Old Hickory was zoned as Residential Planned Development by Resolution Z-87-237 for 858 single family dwelling units on 313 acres for an overall density of 2.74 dwelling units per acre. The Legends was zoned as a Residential Planned Development by Resolution Z-95-051 for 1,573 dwelling units of multiple types on 657.4 acres for an overall density of 2.39 dwelling units per acre. The subject property is abutted on the south by a canal. Across the canal is vacant land that is zoned AG-2, a Mixed Use Planned Development (MPD) called 37 Acre Planned Development, and an Industrial Planned Development called Three Oaks Commerce Park. The MPD was zoned by Resolution Z-11-10 for 520,000 square feet of commercial uses and 100-unit motel/hotel. The IPD was zoned by Resolution Z-06-95 for 30,000 square feet of commercial retail and 750,000 square feet of industrial uses. Both of the planned developments and the AG-2 parcel are in the Wetlands and Industrial Development future land use categories. The completed portion

of Three Oaks Parkway currently ends south of the canal which abuts the southern property boundary.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The character of the subject property is predominated by a wetland flowway system and is being used as grazing lands for cattle. The current and proposed Future Land Use Map identifies approximately 250 acres of the site, or 63 percent of the site as Wetlands. The remaining 144 acres of the subject property is being asked to be redesignated to Outlying Suburban, an urban category. The uplands are located in four non-contiguous areas. The largest upland areas are located near the northeast and southwest corners of the property. The current Rural future land use category allows up to 1 dwelling unit per acre. The proposed future land use category would allow up to 3 dwelling units per acres.

The subject property is within a relatively large area of rural land between I-75 on the east and Michael G. Rippe Parkway to the west (Attachment 1). This area contains low density rural residential uses. This rural area is situated between the more intense residential development to the north and the Industrial-designated areas south of the airport canal extending south to Alico Road. This rural strip acts as a buffer between industrial uses and the more intensely populated areas to the north. An increase in residential density on the subject property would be incompatible with the existing rural community character.

Currently the property, including both the Rural and Wetlands future land use categories, would allow up to 156 dwelling units. In non-urban areas of Lee County density for the Wetlands future land use category is calculated at 1 unit per 20 acres. In urban areas wetland density, as an incentive to preserve them, is calculated at the same rate as the surrounding urban uplands. For the subject property, the redesignation from Rural (a non-urban category) to Outlying Suburban (an urban category), would result in the potential to develop up to 1,182 dwelling units if all wetlands are preserved. This is an increase of more than 750 percent. If the residential density was clustered onto the 144 acres of uplands on the subject site to avoid impacts to the Wetlands and flowway system the resulting density of the upland areas would be approximately 8.2 units per upland acre.

Staff has concerns that the requested future land use amendment would allow up to 1,182 residential dwelling units as well as the potential for commercial uses. It should be noted that the staff proposed amendments to the future land use element as part of the EAR based amendments would eliminate commercial site location standards in the County's urban future land use designations. This would increase the potential for intense commercial development on the site if the Future Land Use Map is amended as proposed by the applicant. Staff does not recommend such a significant intensification of a site that is 63 percent wetlands, part of an identified flowway, and currently has only one means of access along Fiddlesticks Boulevard, a two lane road. Staff concerns are discussed in more detail below.

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS

The subject property currently only has one means of access, from Fiddlesticks Boulevard in the northwest corner of the property. There is a sixty-foot access easement between Fiddlesticks Boulevard and the northwest corner of the subject property recorded in OR Book 1715, Page 2756. This access easement is just north of the Fiddlesticks Country Club gated entrance. Currently this access is a dirt road used for agricultural purposes.

Lee County Development Services staff have reviewed the application for the proposed amendment and provided comments in a memo dated September 10, 2013. Development Services staff have stated concern with the intensity of the development with respect to the access that is provided to the parcel. The Development Services memo states:

“The Applicant has proposed a single access point to Fiddlesticks Boulevard. Lee County Land Development Code (LDC) §10-291 governs the required access to developments. According to the LDC, any residential development of greater than 5 acres or any commercial development of greater than 10 acres is required to provide two (2) or more means of ingress/egress. Approving a comprehensive plan amendment that would significantly intensify the development potential on the subject parcel without a commitment to provide more than one (1) means of ingress/egress does not seem appropriate.”

The applicant proposes to access the Three Oaks Parkway extension once it has been built on the property. However, the construction of the extension is not within the current 5-year Capital Improvement Program (CIP). The property may not be able to achieve code-compliant access for many years with or without the proposed amendment. Therefore, adopting a more intense land use category on the subject property without a second access is not appropriate.

Staff from the Lee County Department of Transportation have reviewed the amendment request and in a memo dated August 30, 2013, have stated:

The short term analysis provided by the applicant indicates all the study area roadway segments (3 miles radius) are anticipated to operate at or better than the adopted LOS standard in 2016. The analysis indicates that three road segments will operate below the adopted LOS by 2035. The segments are Daniels Pkwy from I-75 to Chamberlin Pkwy, I-75 from Corkscrew Road to Alico Road and from Daniels Pkwy to Colonial Blvd. All three will be at LOS “F” with and without the proposed CPA in the year 2035.

The current CIP does not program the construction of Three Oaks Parkway extension. At this time the proposed development would worsen the known level of service issues on the three road segments identified by the applicant’s analysis. Staff does not recommend intensifying land use categories when there are known roadway deficiencies.

According to the application materials, the applicant is proposing up to 20,000 square feet of commercial development for the subject site. Lee Plan Goal 6 outlines the required site location standards for commercial development. The limited access to the site could have a large effect upon the location of commercial uses. Although the future Three Oaks Parkway

could provide sufficient access for commercial uses, the amendment is presently inconsistent with Lee Plan Goal 6.

The future alignment of Three Oaks Parkway runs through the eastern portion of the subject parcel. The applicant has created an easement for access and utilities across the subject property and recorded it in OR Book 2271, Page 1755. The easement provided by the applicant does not follow the intended alignment of the future Three Oaks Parkway extension but instead connects at its northern end to the access point for Fiddlesticks Boulevard.

There are no plans for the County to purchase any of the necessary rights of way within the five-year horizon of the Capital Improvement Plan. Such purchases are slated for the 6-10 year horizon as funding has not been identified. The section of Three Oaks Parkway to the immediate south of the subject property was constructed using funds from adjacent developers. Lee County DOT is currently acquiring rights of way on sections of Three Oaks Parkway north of the subject property just south of Daniels Parkway. Lee Plan Policy 36.1.6 encourages voluntary dedication of land and construction of road segments on Lee Plan Map 3A, the 2020 Financially Feasible Plan map. The applicant has not provided in their application any plans or narrative concerning future access to Three Oaks Parkway within the subject property.

NATURAL RESOURCES

Lee County Natural Resources staff state in a September 10, 2013 email:

According to the Lee County data base, the historical flowway runs through the site from southeast to northwest. Also, the I-75 drainage structures drain off-site flows from east onto the property. Therefore, during the PD rezoning process, the applicant shall provide a detailed analysis for (1) preserving the existing flowway and (2) mitigating any drainage impacts (on both off- and on-sites).

Historically water on this property has flowed to the north, towards the Six Mile Slough. Water flows onto the property from the east underneath Interstate 75. The land owner has altered the subject property, which has redirected water flow into the large canal running along the south edge of the property. This has functionally removed the subject property and properties to the east that drain into the site from the Six Mile Cypress watershed basin.

Policy 5.1.2 of the Lee Plan provides guidance as to where residential development should be prohibited. Policy 5.1.2 is provided below:

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

The subject site has approximately 394 acres. About 63 percent or 250 acres are within the Wetlands future land use category and the applicant has agreed that these areas would be

reviewed as wetlands in the absence of a verified wetland jurisdictional determination from the State of Florida. These wetlands are part of a historical flowway that the South Florida Water Management District required that the applicant restore. The SFWMD has indicated that the applicant has made the required improvements and is currently monitoring the restoration areas. The subject site has physical constraints as described in Lee Plan Policy 5.1.2. Staff is not suggesting that all residential development should be prohibited on the subject site, however the policy does identify that sites with physical constraints could have their density adjusted accordingly. Staff would not recommend increasing the allowable density on the subject site which could lead to future situations where the county would have to limit or deny development during the rezoning phase based on these physical constraints.

Lee Plan Goal 60 addresses surface water management and land use planning on a watershed basis. Policy 60.1.2 urges the incorporation, utilization, and restoration of natural surface water flows. Objective 60.4 identifies the Six Mile Cypress Basin as a critical area for surface water management. The Objective states that “The County will maintain existing regulations to protect the unique environmental and water resource values of these areas.” Allowing for increased development potential in this area would be counter to Objective 60.4 because it would not protect the site’s unique environmental and water resources. Maintaining the subject property’s current future land use category would help to lessen potential impacts to the historical flowway that is on the property.

Objective 60.5 addresses the design of stormwater management systems and the incorporation of green infrastructure. Policy 60.5.1 encourages new development to use best management practices in the design of their surface water systems. Objective 61.2 and its’ policies address the design of water management features to mimic natural systems. The applicant has informed staff in meetings that they are willing to re-establish water flows to the northern boundary as part of their overall surface storm water management plan. Staff has no way of knowing if the applicants’ measures will be sufficient to address the storm water and flowway issues consistent with the Lee Plan. The applicant has stated that such work would be done during the rezoning and Water District permitting processes. Staff does not recommend increasing development potential within an historical flowway that is part of the Six Mile Cypress Basin.

ENVIRONMENTAL CONSIDERATIONS

The site is zoned AG-2 and is currently being used for agricultural purposes. The site was vegetated in 2002; however, clearing for agricultural purposes has occurred on the site since 2002. Reviewing aerial photographs, each year more clearing and land alterations have occurred on the property. The original application requested to remove the wetlands from the Wetlands future land use category (approximately 250 acres). However, the applicant did not provide a verified wetland jurisdictional determination from the State of Florida as referenced in Chapter XIII of the Lee Plan to confirm the amount of wetlands on site. In lieu of the determination, the applicant agreed to amend the proposal to use the wetland lines as currently depicted on Lee Plan Map 1, page 1 of 8, The Future Land Use Map (Attachment 2). The subject parcel is approximately 63% designated in the Wetland future land use category as currently depicted on The Future Land Use Map. These wetland areas are part of

a large flowway system. The upland portions consist of several non-contiguous areas within or adjacent to this flowway.

A vegetative community assessment from 2011 and 2012 as well as a protected species survey was conducted by Passarella and Associates, Inc. in September 2011. The 2012 assessment and Florida Land Use, Cover and Classification System (FLUCCS) map provided by the applicant indicate the site is predominately improved pasture and forested areas. However, upon reviewing the 2013 Lee County aerial photography, the site appears to have undergone more clearing activities and alterations, presumably for agriculture; therefore, the current acreage of Land Use Cover and Classification System is unclear. The Lee Plan Future Land Use Map shows four non-contiguous uplands areas which are proposed for Outlying Suburban. These four upland areas are approximately 4.3 acres, 14 acres, 54.4 acres, and 71.2 acres. These uplands are separated by the large historic flowway running from the southeast to the northwest.

Lee Plan Objective 114.1 addresses the conservation and protection of wetland and wetland systems through regulations and the goals, objectives and policies of the Lee Plan. Development of the scattered uplands will incur impacts to the wetlands, either directly or indirectly. The applicant will have to impact the existing wetlands to gain access to the uplands on the property. The applicant has not addressed how this access will be provided or how they will avoid impacts to the wetlands in order to be consistent with Lee Plan Objective 114.1.

The property had been significantly altered over the past decade for agricultural purposes. On September 9, 2013, the applicant entered into a Consent Final Judgment with the South Florida Water Management District (District). This was a settlement resolution between the Jeffery B. Freeman, as successor Trustee, and the South Florida Water Management District for purposes of settling all of the outstanding issues with the District; such as dredging, filling, and installation of culverts on the subject property. As part of the Judgment, the property owner agreed to eliminate fill, restore certain areas, and remove culverts. Upon recent discussion with the District, the applicant has made the improvements per the Consent Final Judgment and is currently monitoring the restoration areas. It is unclear if the future project will incorporate these improvements in the restoration areas, or if the future development will be consistent with Lee Plan Goal 60 for a Coordinated Surface Water Management Plan to correct the surface water flows or Lee Plan Goal 61 for Protection of Water Resources to redirect the water back to the Six Mile Cypress Basin.

COMPATIBILITY WITH SURROUNDING USES

The subject property is adjacent to existing residential developments to the west and north, and vacant Industrial/Tradeport lands to the south and east. Abutting the east side of the subject property is I-75, beyond which is vacant land zoned AG-2 located in the Tradeport future land use category. The subject property is abutted on the south by a canal. Across the canal is vacant land that is zoned AG-2, a Mixed Use Planned Development (MPD), and an Industrial Planned Development. These parcels are in the Industrial Development and Wetlands future land use categories. Along the west side of the subject property is the Fiddlesticks Country Club which was zoned as a Planned Unit Development with an overall

density of 1.1 dwelling units per acre. The community is designated with the Rural future land use category. To the north and northwest are Old Hickory Golf and Country Club and the Legends Golf and Country Club communities, both in the Outlying Suburban and Wetlands future land use categories. These residential developments have densities between 2 and 3 units per acre.

The natural features of the subject property, such as the wetlands and flowway, and existing requirements of the Lee Plan, such as Goals 59, 60, and 61 which deal with surface water management will require that a majority of any development on the site will occur within the uplands areas.

One of these areas of uplands is in the northeastern corner, adjacent to I-75 and the closest area to Southwest Florida International Airport. Another large upland area is in the southwest corner of the property, adjacent to the Fiddlesticks Country Club which is developed at 1.1 units an acre in the Rural future land use category. If all of the allowable density from the subject site were to be concentrated on the approximate 144 acres of uplands the resulting gross density of the upland areas would be greater than 8 dwelling units an acre. Concentrating all of the residential units onto the limited uplands could cause relatively high density residential development near the Fiddlesticks County Club, which has the potential to negatively impact the character of the existing adjacent residential development. Therefore, the proposed amendment is not consistent with Lee Plan Policy 5.1.5, which states that Lee County is to “Protect existing and future residential areas from any encroachments of uses that are potentially destructive to the character and integrity of the residential environment.” The subject site is currently in the Rural future land use category, and has the ability to develop at a level that is consistent with the neighboring residential development.

DEVELOPER AGREEMENT

During the sufficiency phase of the case, staff indicated concerns over the lack of a wetland Jurisdictional determination from the applicant. The applicant stated that the environmental assessment was sufficient for staff purposes. Staff disagreed but was able to come to a compromise with the applicant. The case would use the wetlands as depicted on the existing Lee Plan Future Land Use Map. A wetland jurisdictional determination would be performed later as part of the zoning process.

Staff also had concerns on two other issues. First, the applicant’s plan for how to handle both the water onsite and water flowing onto the property from the east. Second, how the applicant would address the future alignment of the extension of three Oaks Parkway across the subject property. Staff asked the applicant for narratives addressing these issues, citing Lee Plan policies demonstrating that the issues needed to be addressed during the planning phase and not delayed until any future rezoning cases. The applicant disagreed, stating that the issues could be addressed at rezoning.

In an attempt to address these two issues staff suggested that a Developer Agreement might be appropriate. After meeting with staff, the applicant supplied a draft of a development

agreement. Staff found that the agreement as written did not provide assurances on the relevant issues. The agreement essentially proposed to follow the existing development processes for stormwater management and road right of way conveyance and that the applicant would “work with staff” to handle these issues. After meeting with staff from the County Attorney’s Office and the Department of Transportation, it was decided that the proposed development agreement did not address the issues raised by staff. Staff is still concerned about allowing additional density on the subject property that is mostly wetlands and flowway with a single access point.

ALTERNATIVE TRANSPORTATION

The subject property is not served by any Lee Tran route. The closest existing transit facilities are Lee Tran Routes 50 and 60. Route 50 runs along Daniels Parkway, approximately one and a half miles to the north of the subject property. Route 60 runs along Alico Road approximately one mile south of the subject property. There are currently no bicycle or pedestrian connections to the subject property. The nearest such facilities are located in the Daniels Parkway right of way. The Lee County Bikeways/Walkways Facility Plan (Lee Plan Map 3D) shows a future sidewalk, shared use path, and undesignated bike lane on the future Three Oaks Parkway extension. There are currently no funds programmed for the Three Oaks Parkway alignment within the five year horizon of the CIP. Therefore, none of the non-automobile travel facilities will be available to the subject property until that segment of Three Oaks Parkway is completed. The proposed amendment would increase the potential maximum number of residents in an area before it is served by alternative modes of travel.

EMERGENCY MEDICAL SERVICES (EMS)

The nearest ambulance service for the subject property is LCEMS Station 23 at 9700 Treeline Avenue. In a letter dated December 6, 2011, EMS staff expressed concern about their ability to provide timely service to the subject property. The closest ambulance serving this location is 7.5 miles away and does not meet the 9-minute or less response time standard. The next closest station is also approximately 7.5 miles away.

POLICE

The property is located within the jurisdiction of the Lee County Sheriff’s Office. It is served by the Echo District station located at 12995 South Cleveland Avenue. In a letter dated December 15, 2011 Sheriff’s Office staff stated that the proposed amendment would not affect the Sheriff’s office ability to provide core levels of service.

FIRE

The property is located in the South Trail Fire District. The property is served by Fire Station 62 at 13500 Sophomore Lane off Daniels Parkway. In a letter dated October 4, 2011, South Trail Fire District staff stated that current facilities, staffing and equipment are sufficient to meet the needs of the estimated maximum buildout under the proposed amendment.

SOILS

The applicant has provided a description of the soils that are found on site. For a detailed description please see the application materials. The depressional, or hydric, soils run roughly from southeast to northwest across the property, following the historic surface water flowways.

AIRPORT NOISE ZONES

Lee County Port Authority staff have reviewed the application for the proposed amendment and provided comments in a memo dated September 11, 2013. Port Authority Staff have identified that Airport Noise Zones overlay a portion of the subject property. The Port Authority memo states:

Please be advised that a portion of this property is located within Airport Noise Zone C as outlined in Lee Plan Policy I.7.1 which requires formal notification that the property may be subject to varying levels of aircraft noise and over flights. Noise Zone C is equivalent to the 55DNL contour as determined by the 2006 14 CFR Part 150 Noise and Land Use Compatibility Study. Airport Noise Zones were established by Lee County in the late 1980's as zoning overlays to provide certain development standards within aircraft noise areas and overflight corridors. A portion of this property has fallen within a noise zone since the zones were developed.

The Lee County Port Authority is in the process of finalizing an update to the Part 150 Noise and Land Use Study. The study has been reviewed and approved by the Lee County Board of Port Commissioners and is currently under review by the Federal Aviation Administration (FAA). After the FAA approves the noise study it is the intent of the Port Authority to file a comprehensive plan amendment to update the noise zones in the Lee Plan to reflect the most recent noise contours developed as part of the Part 150 Study. Based on the most recent study, a portion of this property will remain in Noise Zone C along with an additional smaller portion (approximately 20,000 sq.ft.) which will fall within Noise Zone B, the 60DNL contour which does not allow residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes.

As stated in the memo, portions of the property are currently within or anticipated to be within Airport Noise Zones.

HISTORIC RESOURCES

The subject property is within Archeological Sensitivity Zones 1 and 2. The Florida Master Site File lists no previously recorded cultural resources with Section 34, Township 45S, Range 25E. Properties within the Sensitivity Zone 2 are required to obtain a Certificate to Dig from Lee County Division of Planning as part of the Development Order process.

SCHOOL IMPACTS

An estimated 353 school-aged children would be generated by the maximum possible development under the proposed amendment. In a letter dated October 20, 2011, School District staff stated that there are currently sufficient seats within the district to serve the maximum potential students generated by the proposed amendment.

SOLID WASTE

The property is served by the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. In a letter dated November 29, 2011, Lee County Solid Waste Division staff stated that solid waste collection service is available for the subject property through franchised hauling contractors. Plans have been made to allow for growth to maintain long-term disposal capacity at these facilities.

UTILITIES

Water and sewer service lines are currently installed along Fiddlestick Boulevard to the northwest of the subject property. In a letter dated December 2, 2011, Lee County Utilities staff stated that there is currently sufficient capacity to serve the estimated maximum buildout possible under the proposed amendment. In order to provide service to the subject property, enhancements such as line extensions and off-site improvements would be necessary.

LEE PLAN TABLE 1(B)

Lee Plan Table 1(b) lists the 2030 residential allocations for each planning community. Although there is sufficient acreage available for the Daniels Parkway Planning Community in this table, the applicant has not demonstrated a need for increased residential density within Lee County.

PREVIOUS PLAN AMENDMENT

The plan amendment PAM 96-07 was proposed for the subject property but was not adopted. It proposed to remove the subject property from the Airport Noise Zone 3 Overlay, to reallocate residential acreage from Outlying Suburban to Suburban on the Year 2010 Overlay, and to redesignate the subject parcel from Rural and Wetlands categories to the Suburban and Wetlands categories. It was not transmitted by the Board of County Commissioners based on two issues. At that time, the Board agreed with staff on the need to maintain the Airport Noise Zone 3, which was prohibited from having residential development by Lee Plan Policy 1.7.1. The Noise Zones are based on a federal noise study and are defined by recorded sound levels. The Board found that the request by the applicant for removing the property from Zone 3 was arbitrary and the applicant provided no evidence to support it. The Board also found that the applicant had not sufficiently demonstrated the need for additional residential density on the subject property. New airport noise zones have been adopted since PAM96-07 was heard by the Board.

B. CONCLUSIONS

Due to the extensive wetlands on the subject property, the proposed amendment would create pockets of increased density within an existing flowway system. The subject property is approximately 63% designated Wetland with much of the upland area in the form of isolated pockets within the wetlands. The applicant has proposed a total number of residential units

based on the preservation of all the wetland upon the property. But because of the scattered nature of some of the upland pockets, the property cannot be developed without impacts to the wetland flowway system. Therefore, increasing potential residential units within these isolated pockets is incompatible with a functioning wetland system. Policy 5.1.2 prohibits residential development where physical constraints exist.

The proposed increased density would also be incompatible with the rural nature of the surrounding communities. The subject property is part of an existing Rural designated area, approximately 4 square miles in size, between I-75 and Michael G. Rippe Parkway. Increasing residential density on this subject parcel would be incompatible with this rural community. Densities concentrated on the subject site's uplands could be greater than 8 units an acre. Staff is concerned that the increased density would impact the character of adjacent residential communities.

The rural corridor situated between I-75 and Michael G. Rippe Parkway serves as a buffer between the higher-density residential development to its north and the Industrial Development designated area to the south. Increasing the density and intensity within this area would bring additional residential dwelling units in close proximity to Lee County's industrial areas. This could create additional impediments to the future development of the nearby vacant industrial parcels which requires compatibility with neighboring uses.

The currently limited access to the subject property is incompatible with increasing the potential residential density. The Lee County Land Development Code specifically requires multiple access points for large developments. Although the Three Oaks Parkway alignment across the property is intended to be completed in the future, it would be premature to adopt higher residential densities before the additional access to the property has been created. Even after Three Oaks Parkway has been constructed, the onsite wetlands and flowways will make access to accommodate the increased density a challenge.

In addition, staff has concerns with several issues regarding the subject property that the applicant has not sufficiently addressed. The flow of water onto and off of the property, the preservation of wetlands, access to each of the upland areas, and the future alignment of Three Oaks Parkway are all important Lee Plan issues. The applicant has stated that they will address these issues at later stages in the development process. However, these issues are relevant to specific Lee Plan policies and need to be considered during this plan amendment process. Further, increasing the density on the subject site will exacerbate these issues by increasing number of residents that may be affected by them. When viewed as a whole, increasing the density of the subject site by changing the future land use category is not consistent with the Lee Plan, as it will not "further the goals, objectives and policies of the plan." To the contrary, the proposed amendment fails to conform to several Lee Plan Policies.

For the reasons outlined above, staff recommends that the Board of County Commissioners **not** transmit the proposed amendment.

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

DATE OF PUBLIC HEARING: August 25, 2014

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

DENNIS CHURCH

JIM GREEN

MITCH HUTCHCRAFT

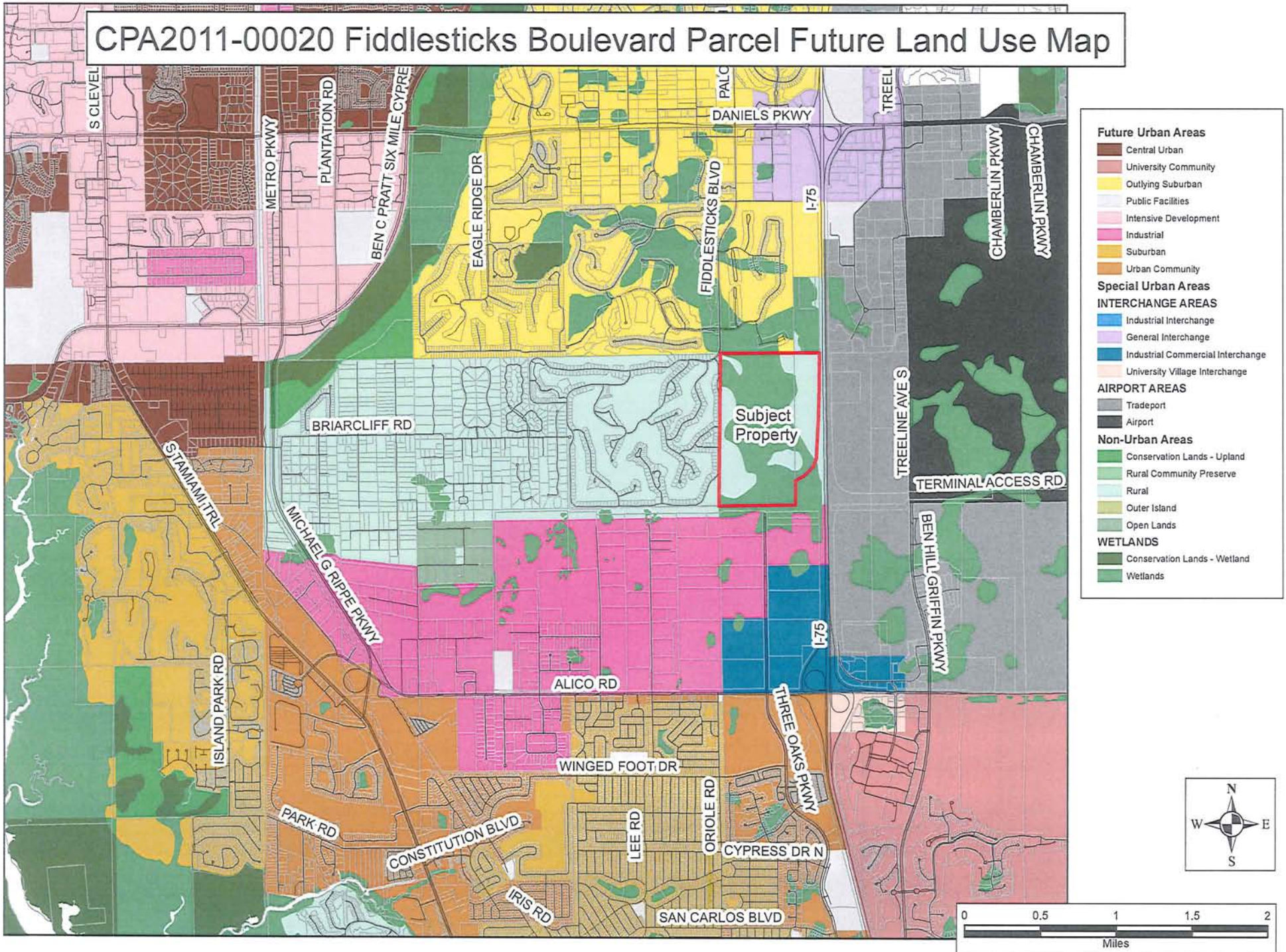
JAMES INK

RICK JOYCE

DAVID MULICKA

ATTACHMENT 1

CPA2011-00020 Fiddlesticks Boulevard Parcel Future Land Use Map

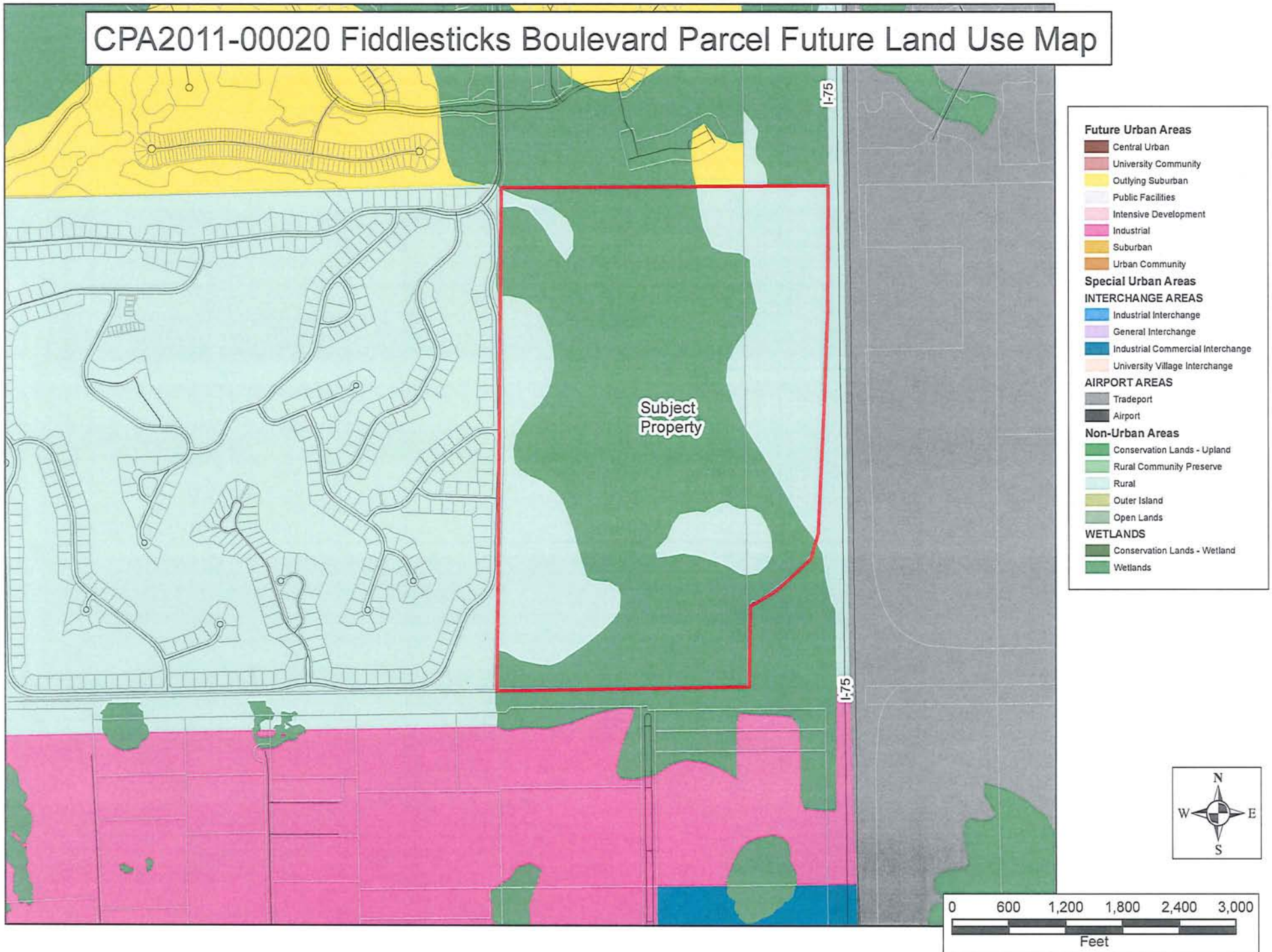


- Future Urban Areas**
 - Central Urban
 - University Community
 - Outlying Suburban
 - Public Facilities
 - Intensive Development
 - Industrial
 - Suburban
 - Urban Community
- Special Urban Areas**
- INTERCHANGE AREAS**
 - Industrial Interchange
 - General Interchange
 - Industrial Commercial Interchange
 - University Village Interchange
- AIRPORT AREAS**
 - Tradeport
 - Airport
- Non-Urban Areas**
 - Conservation Lands - Upland
 - Rural Community Preserve
 - Rural
 - Outer Island
 - Open Lands
- WETLANDS**
 - Conservation Lands - Wetland
 - Wetlands



ATTACHMENT 2

CPA2011-00020 Fiddlesticks Boulevard Parcel Future Land Use Map





THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

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THOMAS SCOTT
CHAIRMAN, DISTRICT 5
MARY FISCHER, M.A.
VICE CHAIRMAN, DISTRICT 1
JEANNE S. DOZIER
DISTRICT 2
JANE E. KUCKEL, PH.D.
DISTRICT 3
DON H. ARMSTRONG
DISTRICT 4
DR. JOSEPH BURKE
SUPERINTENDENT OF SCHOOLS
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

RECEIVED
OCT 25 2011

COMMUNITY DEVELOPMENT

October 20, 2011

Brandon Dunn, Senior Planner
Lee County Division of Planning
1500 Monroe Street
Fort Myers, Florida 33902-0398

RE: Fiddlesticks Blvd
Case # CPA2011-00020

Dear Mr. Dunn:

This letter is in response to your request dated October 7, 2011 for the Fiddlesticks Blvd for sufficiency comments in reference to the educational impact. This proposed structure is located in the South Choice Zone, Sub Zone S2.

The Developers request states there is a possibility of 1182 single family units. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For single family the generation rate is .299 and further broken down into the following, .150 for elementary, .072 for middle and .077 for high. A total of 353 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. Currently within the School District there are sufficient seats available to serve this need.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Huff, Community Development Planner
Planning Department

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee School District
NAME/CASE NUMBER Fiddlesticks Blvd/CPA2011-00020
OWNER/AGENT Jeffrey B Freeman TR EST
ITEM DESCRIPTION CPA

LOCATION Fiddlesticks Blvd
ACRES 394.00
CURRENT FLU Wetlands/Rural
CURRENT ZONING AG2

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
1182	0	0

STUDENT GENERATION

Elementary School
 Middle School
 High School

Student Generation Rates			
SF	MF	MH	Projected Students
0.15			177.30
0.072			85.10
0.077			91.01

Source: Lee County School District, October 20, 2011 letter

CSA SCHOOL NAME 2016/17

South CSA, Elementary
 South CSA, Middle
 South CSA, High

CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
13,136	12,451	685	177	508	96%	
5,560	4,873	687	85	602	89%	
7,161	6,523	638	91	547	92%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the first three (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the first three (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by:

Dawn Huff, Community Development Planner

Memo

To: Paul O'Connor,
Division of Planning

From: Andy Getch, P.E.
Manager, Transportation Planning I

Date: May 2, 2012
Subject: CPA2011-20, Fiddlesticks Boulevard

The Department of Transportation has reviewed the above-referenced privately-initiated future land use map plan amendment to change the land use designation of approximately 394 acres from "Rural" and "Wetlands" to "Outlying Suburban". The applicant indicates there will be 1,122 single family units and 20,000 square feet of commercial uses at build-out. Of the total, approximately 20% (220 single family units) is anticipated within the first 5 years. A new TAZ (TAZ 1545) was assigned by the applicant to represent the proposed CPA in the travel model for the study of year 2016 and year 2035. The level of service (LOS) analysis of short range (5 years) provided by the applicant indicates all the study area roadway segments (3 miles radius) are anticipated to operate at or better than the adopted LOS standard in 2016. The LOS analysis of year 2035 indicates that Daniels Pkwy from I-75 to Chamberlin Pkwy, I-75 from Corkscrew Road to Alico Road and from Daniels Pkwy to Colonial Blvd will be LOS "F" with and without the proposed CPA in the year 2035. The analysis indicates that with the project shows a general increase in traffic volumes on area road segments. The increase could be offset by a project that has greater internal capture of motor vehicle trips and fosters transit, bicycle and pedestrian modes of travel. This could be accomplished by site design, intensity, mix and variety in the type of project uses as a compliment to existing land uses in the area to encourage transit, bicycle and pedestrian travel and reduce automobile trip length.

This project will access a planned Three Oaks Pkwy Extension. Three Oaks Pkwy Extension is not an existing facility in the vicinity of the proposed amendment. Private development is building Three Oaks Parkway extension north of Alico Road. However, the extension dead ends south of the Fiddlesticks Canal a few hundred feet south of the proposed map amendment. A northern extension of Three Oaks Parkway to Daniels Parkway is on Lee Plan Map 3A, the Financially Feasible Highway Plan. Funding for construction is currently in years 6-10 of the Capital Improvement Plan, or fiscal years 2017 to 2022. The applicant, at their option, could build a portion of Three Oaks Parkway to achieve access to the proposed map amendment area.

The Lee Tran Transit Development Plan and Vision Plan do not identify public transit routes (existing and future) serving the project. The closest public transit facility is the existing Lee Tran Route 50 on Daniels Pkwy. There are no existing bicycle/pedestrian facilities connecting to the area of the proposed map amendment. The nearest pedestrian and bicycle facilities are a sidewalk and the paved shoulder on Daniels Pkwy. Lee Plan Map 3D, the Lee County Bikeways/Walkways Facility Plan, shows a future sidewalk, shared use path and undesignated bike lane on the future Three Oaks Pkwy Extension in front of the project in the future. The 90 percent design plans for Three Oaks Parkway include sidewalks and bike lanes.

Please let me know if you have any further questions.

AJG/LW/db

cc: David Loveland - Director

Memo

To: Paul O'Connor,
Division of Planning

From: Andy Getch, P.E.
Manager, Transportation Planning I

Date: August 30, 2013
Subject: CPA2011-20, Fiddlesticks Boulevard

The Department of Transportation has reviewed the above-referenced privately-initiated future land use map plan amendment to change the land use designation of approximately 394 acres from "Rural" and "Wetlands" to "Outlying Suburban". The applicant indicates there will be 1,122 single family units and 20,000 square feet of commercial uses at build-out. The applicant indicates that 220 single family units are anticipated within the first 5 years. This exceeds the estimated level of development in the amendment area traffic analysis zone in the long range transportation plan. Analysis of future transportation demands uses the Florida Standard Urban Transportation Modeling Structure, a state travel model of daily trips. The applicant assigned a traffic analysis zone (number 1545) to represent the proposed CPA in the travel model for the study of year 2016 and year 2035.

The study area for a comprehensive plan amendment typically covers a three mile radius. There is a requirement for a short term (5 years) and longer term analysis (20+ years) of level of service (LOS). The short term analysis provided by the applicant indicates all the study area roadway segments (3 miles radius) are anticipated to operate at or better than the adopted LOS standard in 2016. The analysis indicates that three road segments will operate below the adopted LOS by 2035. The segments are Daniels Pkwy from I-75 to Chamberlin Pkwy, I-75 from Corkscrew Road to Alico Road and from Daniels Pkwy to Colonial Blvd. All three will be at LOS "F" with and without the proposed CPA in the year 2035.

The analysis with the project shows a general increase in traffic volumes on area road segments. While this is typical for suburban development, it is generally a result of providing more primarily single-use, single-family development in a fashion that is dependent on travel by automobile for daily needs. The increase in motor vehicle traffic with the project could be offset by a more balanced and integrated mix of residential, office and commercial development that has greater internal capture of motor vehicle trips and fosters transit, bicycle and pedestrian modes of travel. A mix and variety in the

type of project could compliment existing land uses in the area to encourage transit, bicycle and pedestrian travel and reduce automobile trip length.

The application indicates that the project will access Three Oaks Pkwy Extension, a future planned road in the vicinity of the proposed amendment. Private developers are building a portion of the Three Oaks Parkway extension from Alico Road to just south of the Fiddlesticks Canal subject to DOS2003-00047, which ends south of the canal.

A northern extension of Three Oaks Parkway to Daniels Parkway is on Lee Plan Map 3A, the Financially Feasible Highway Plan. The Financially Feasible Highway Plan is based on the Lee County Metropolitan Transportation Planning Organization Long Range Transportation Plan (MPO). The current 2035 MPO Plan anticipates funding for construction in the 2026-2030 timeframe. An update of the plan is due in 2015.

The Lee County Capital Improvement Plan includes partial funding for the four-lane extension of Three Oaks Parkway from Alico Road to Daniels Parkway. Design plans for Three Oaks Parkway include sidewalks and bike lanes. The extension is identified to cross the proposed map amendment area. There is \$5.6 million funded for right-of-way acquisition in the current fiscal year. The current effort concentrates on acquiring parcels at the north end of the corridor, north of this property. Funding for the balance of right-of-way acquisition and construction is currently shown in years 6-10 of the Capital Improvement Plan, beyond fiscal year 2017. The applicant has indicated they may build a portion of Three Oaks Parkway extension to achieve access to the proposed map amendment area.

The Lee County Transit Development Plan does not identify public transit routes (existing and future) serving the project. The closest public transit facilities are the existing Lee Tran Routes 50 and 60. Route 50 is along Daniels Pkwy over two miles to the north boundary. Route 60 along Alico Road is over 1 mile to the south and is part of this year's budget discussions. There are no existing bicycle/pedestrian facilities connecting to the area of the proposed map amendment. Sidewalks and bike lanes are included on the portion of Three Oaks Parkway under construction a few hundred feet south of the subject property. A multiuse path along Fiddlesticks Boulevard is funded for design and construction in fiscal years 2014 and 2015, respectively. Lee Plan Map 3D, the Lee County Bikeways/Walkways Facility Plan, shows a future sidewalk, shared use path and undesignated bike lane on the future Three Oaks Pkwy Extension.

AJG/LW/ag

cc: David Loveland - Director

MEMORANDUM
FROM THE
**DEPARTMENT OF
COMMUNITY DEVELOPMENT**
DEVELOPMENT SERVICES DIVISION

DATE: September 10, 2013

To: Peter Blackwell, AICP

Planner

FROM:



Robert L. Price, P.E.
Senior Engineer

RE: Fiddlesticks Boulevard Parcel
Case No. CPA2011-00020

The property that is subject to the proposed Comprehensive Plan Amendment is located between the Fiddlesticks community and I-75 between its intersections with Alico Road and Daniels Parkway. The Applicant wishes to amend the future land use map (FLUM) designation on the 394 acre subject parcel from Rural and Wetlands to Outlying Suburban. The Applicant has indicated that the change would allow the site to be developed with 1,122 single family dwelling units and 20,000 square feet of commercial uses at project buildout.

Development Services Staff has concerns regarding the intensity of the development with respect to the access that is provided to the parcel. The Applicant has proposed a single access point to Fiddlesticks Boulevard. Lee County Land Development Code (LDC) §10-291 governs the required access to developments. According to the LDC, any residential development of greater than 5 acres or any commercial development of greater than 10 acres is required to provide two (2) or more means of ingress/egress. Approving a comprehensive plan amendment that would significantly intensify the development potential on the subject parcel without a commitment to provide more than one (1) means of ingress/egress does not seem appropriate.

As is detailed in the Lee County Department of Transportation (LCDOT) memorandum, the future alignment of the Three Oaks Parkway North Extension traverses the subject site. If the Three Oaks Parkway North Extension were funded for construction within the next five (5) years, it would provide the ability for the site to obtain a significant additional access point to the County roadway network. However, there is no funding programmed for the construction of the extension, and there is not even funding available to purchase the necessary right-of-way that traverses the subject property within the next five (5) years. In light of this fact, it seems premature to amend the Comprehensive Plan as requested.

Blackwell, Peter

From: Lee, Samuel
Sent: Tuesday, September 10, 2013 8:33 AM
To: Blackwell, Peter
Cc: Noble, Matthew; Karuna-Muni, Anura
Subject: RE: Substantive comments for CPA2011-20

Peter,

Per your request, please see the DNR's substantive comments below.

According to the Lee County data base, the historical flowway runs through the site from southeast to northwest. Also, the I-75 drainage structures drain off-site flows from east onto the property. Therefore, during the PD rezoning process, the applicant shall provide a detailed analysis for (1) preserving the existing flowway and (2) mitigating any drainage impacts (on both off- and on-sites).

Thanks,

Sam Lee, PhD, PE
Engineering Manager
Lee County Natural Resources Division
1500 Monroe Street
Fort Myers, FL 33901

Ph. 239/533-8132
Fax 239/485-8408
E-mail: slee@leegov.com

From: Blackwell, Peter
Sent: Thursday, September 05, 2013 2:55 PM
To: Lee, Samuel
Cc: Noble, Matthew
Subject: Substantive comments for CPA2011-20

Sam,

We are writing up our staff report for the Fiddlesticks Blvd Parcel amendment (CPA2011-20) and really need to get some substantive comments from you regarding the flowway and surface water issues. We need to get this out very soon, like in a few days. Please note that the applicant has still not provided any real information about their intents with this property.

Thanks!

Here's a link to the submittals:

<http://www.leegov.com/gov/dept/dcd/Planning/Amendments/Pages/amendment.aspx?aid=579>

Peter Blackwell, AICP

Planner, Planning Division,
Lee County DCD
(239) 533-8312

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: August 8, 2014

To: Peter Blackwell, Planner

From: Becky Sweigert, Principal Environmental Planner *eks*
e-mail: rsweigert@leegov.com

Project: Fiddlesticks Blvd Parcel

Case: CPA2011-00020

PROJECT:

The applicant is requesting to amend the Future Land Use Map (FLUM) from Rural and Wetlands to Outlying Suburban and Wetlands to allow for the development of residential uses, a neighborhood commercial component and wetland preserve areas.

PROJECT SITE:

The site is approximately 394 acres in size and is located between I-75 and the Fiddlestick Residential Planned Development Community. The site is zoned AG-2 and is currently being used for agricultural purposes. The site was vegetated in 2002; however, clearing for agricultural purposes have occurred on the site since 2002. Reviewing the aerial photograph, each year more clearing and land alterations has occurred on the property. The original application requested to remove the wetlands from the Wetlands Future Land Use Category (approximately 250 acres). However, the applicant did not supply a verified jurisdictional determination from the State of Florida as referenced in Chapter XIII of the Lee Plan to confirm the amount of wetlands on site. In lieu of the determination, the applicant agreed to amend the proposal to use the wetland lines as currently depicted on Lee Plan Map 1, The Future Land Use Map.

ENVIRONMENTAL ASSESSMENT:

A vegetative community assessment from 2011 and 2012 as well as a protected species survey was conducted by Passarella and Associates, Inc. in September 2011. The 2012 assessment and Florida Land Use, Cover and Classification System (FLUCCS) map provided by the applicant indicate the site is predominately improved pasture and forested areas. However, upon reviewing the 2013 Lee County aerial photography, the site appears to have undergone more clearing activities and alterations, presumably for agricultural; therefore, the current acreage of Land Use Cover and Classification System is unclear. There are four non-contiguous uplands areas which are proposed for Outlying Suburban. They are separated by a large historic flow way running from the southeast to the northwest.

According to the 2012 FLUCCS, the site is comprised of 243 acres of pasture lands, 11 acres of palmetto prairie, 13 acres of Pine Flatwoods, 13 acres of hydric pine, 52 acres of cypress, 1.6 acres of marsh and 23 acres of wetland shrubs. The remaining 280 acres consists of 243 acres of

pasture and 37 acres of monocultures of exotics such as Brazilian pepper and Melaleuca. Again, most of the property has been disturbed or altered by the agricultural activities on the site.

The applicant provided information of protected species which may be found on the property. Listed species identified on site during species survey work included Big Cypress Fox Squirrel, tricolored heron, little blue heron, snowy egret, white ibis, wood stork, and Florida sandhill crane.

WETLANDS:

The current FLUM indicates approximately 250 acres of wetlands on the property. The current Wetlands identified on the FLUM are consistent with the Depressional wetland soils identified on the property. The applicant's proposed FLUM demonstrates the same Wetland Land Use Category as delineated on the current FLUM. The applicant has not provided a jurisdictional wetland determination to verify the amount of wetlands on the property as indicated in the FLUCCS map. The state defines wetlands as the following: "Wetlands, as defined in subsection 373.019(25), F.S., means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto." Per Chapter 62-340, F.A.C. **Lee Plan Objective 114.1** states "The natural functions of wetlands and wetland systems will be protected and conserved through the enforcement of the county's wetland protection regulations and the goals, objectives, and policies in this plan. "Wetlands" include all of those lands, whether shown on the Future Land Use Map or not, that are identified as wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended by F.S. 373.4211." Consequently, the wetlands on this site have become degraded over time due to ongoing agricultural activities and changes in hydrologic connections. Because of the agricultural disturbance, the surface water flow in this area has been rerouted and directed from the northern direction to the southern property line into the drainage canal, severely impacting the function of the wetlands on site and allowing for increased exotic infestation.

On September 9, 2013, the applicant entered into a Consent Final Judgment with the South Florida Water Management District (District). This was a settlement resolution between the Jeffery B. Freeman, as successor Trustee, and the South Florida Water Management District for purposes of settling of all the outstanding issues with the District; such as dredging, filling, and installation of culverts on the subject property. As part of the Judgment, the property owner, agreed to eliminate fill, restore areas and remove culverts. Upon recent discussion with the District, the applicant has made the improvements per the Consent Final Judgment and is

currently monitoring the restoration areas.

Lee Plan Goal 60, Coordinated Surface Water Management and Land Use Planning on Watershed Basis, states “To protect or improve the quality of receiving waters and surrounding natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development”. **Goal 61**, Protection of Water Resources, states “To protect the County’s water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters”

CONCLUSION:

Development of the scattered uplands, will incur impacts to the wetlands, either directly or indirectly. The applicant will have to impact the existing wetlands to gain access to the remaining uplands on the property. The applicant has not addressed how this access will be provided or how they will avoid impacts to the wetlands in order to be consistent with Lee Plan Objective 114.1. The applicant has stated that the drainage will be improved and surface water flows will be redirected north back to the previous basin but it is unclear if the future project will incorporate these improvements in the restoration areas, or if the future development will be consistent with Lee Plan Goal 60 for a Coordinated Surface Water Management Plan to correct the surface water flows or Lee Plan Goal 61 for Protection of Water Resources to redirect the water back to the Six Mile Cypress Basin.

FIDDLESTICKS BOULEVARD PARCEL

Comprehensive Plan Amendment Application

Local Planning Agency Package

August 25, 2014

RECEIVED
AUG 08 2014

COMMUNITY DEVELOPMENT

Prepared For:

Jeffrey B. Freeman Trust
FSM of Fort Myers, LLC

Submitted To:

Lee County Community Development Department
Planning Division
1500 Monroe Street
Fort Myers, FL 33901



Table of Contents

Comprehensive Plan Amendment Application & Affidavit

Additional Agents

EXHIBITS

II.A.1 – Variance Report & Mailing Labels

IV.A.2 – Current Future Land Use Map

IV.A.3 – Proposed Future Land Use Map

IV.A.4 – Existing Land Use Map

IV.A.5 – Existing Zoning Map

IV.A.6 – Boundary Survey, Legal Description & Sketch of Description

IV.A.7 – Warranty Deeds

IV.A.8 – Aerial Location Map

IV. B.1 – Traffic Circulation Analysis

IV.B.2 – Infrastructure Analysis

IV. B.3 – Agency Letters

IV.C .1– IV.C.6 Environmental Impact Report & Supportive Maps

IV.C.4 – Flood Insurance Rate Map

IV.D.1 – Master Site File Letter

IV.D.2 – Archaeological Sensitivity Map

IV.E.4 – Lee Plan Consistency Narrative

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Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 533-8585
FAX: (239) 485-8319

APPLICATION FOR A
COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: _____ REC'D BY: _____

APPLICATION FEE: _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning [] Commissioner District []

Designation on FLUM []

(To be completed by Planning Staff)

Plan Amendment Cycle: [] Normal [] Small Scale [] DRI [] Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit 6 copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9/26/11
DATE

[Signature]
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

JEFFREY B. FREEMAN TRUST & FSM of FT MYERS, LLC C/O BRIAN FREEMAN

APPLICANT

4245 FOWLER STREET

ADDRESS

FORT MYERS, FL 33901

CITY, STATE, ZIP

(239) 226-4236

TELEPHONE NUMBER

FAX NUMBER

WALDROP ENGINEERING, P.A. C/O ALEXIS CRESPO, AICP

AGENT*

28100 BONITA GRANDE DR. SUITE 305

ADDRESS

BONITA SPRINGS, FL 34135

CITY, STATE, ZIP

(239) 405-7777

TELEPHONE NUMBER

(239) 405-7899

FAX NUMBER

JEFFREY B. FREEMAN TRUST & FSM of FT MYERS, LLC

OWNER(s) OF RECORD

4245 FOWLER STREET

ADDRESS

FORT MYERS, FL 33901

CITY, STATE, ZIP

(239) 226-4236

TELEPHONE NUMBER

FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application. SEE ATTACHED ADDITIONAL AGENTS

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

Text Amendment

Future Land Use Map Series Amendment
(Maps 1 thru 24)

List Number(s) of Map(s) to be amended

MAP 1 OF 8

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

B. SUMMARY OF REQUEST (Brief explanation):

AMEND MAP 1 OF THE FUTURE LAND USE MAP SERIES TO CHANGE THE FUTURE LAND USE CATEGORY OF A 394-ACRE PROPERTY ON FIDDLESTICKS BLVD. FROM RURAL AND WETLANDS TO OUTLYING SUBURBAN AND WETLANDS. THE PROPERTY IS LOCATED EAST OF FIDDLESTICKS BLVD. AND WEST OF I-75 IN THE DANIELS PARKWAY PLANNING COMMUNITY. THE APPLICANT IS REQUESTING THE AMENDMENT TO ACCOMODATE A MAXIMUM OF 1,182 RESIDENTIAL UNITS AND NEIGHBORHOOD COMMERCIAL USES.

**III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY
(for amendments affecting development potential of property)**

A. Property Location:

1. Site Address: ACCESS UNDETERMINED, FORT MYERS, FL 33912
2. STRAP(s): 34-45-25-00-00001.0000 AND 34-45-25-00-00002.0000

B. Property Information

Total Acreage of Property: 394+/- acres

Total Acreage included in Request: 394+/- acres

Total Uplands: 285 +/-acres

Total Wetlands: 109+/- acres

Current Zoning: AGRICULTURE (AG-2)

Current Future Land Use Designation: RURAL; WETLANDS

Area of each Existing Future Land Use Category: 285+/- acres; 109+/- acres

Existing Land Use: AGRICULTURE

C. State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:

Lehigh Acres Commercial Overlay: NO

Airport Noise Zone 2 or 3: YES (Approximately 100 acres)

Acquisition Area: NO

Joint Planning Agreement Area (adjoining other jurisdictional lands): NO

Community Redevelopment Area: NO

D. Proposed change for the subject property:

AMEND THE FUTURE LAND USE MAP TO OUTLYING SUBURBAN AND WETLANDS.

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 DU/ACRE @ 394 acres = 394 du

Commercial intensity 0

Industrial intensity 0

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 3 DU/ACRE @ 394 acres = 1,182 d.u.*

Commercial intensity 20,000 S.F.

Industrial intensity 0

* Subject to compliance with Table 1(a) of the Lee Plan.

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
- a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools.

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.

- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
 - Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
 - Include any other water conservation measures that will be applied to the site (see Goal 54).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - e. Mass Transit; and
 - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

AFFIDAVIT

I, Brian Freeman, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

[Signature]
 Signature of owner or owner-authorized agent

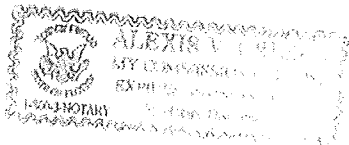
9/26/11
 Date

BRIAN FREEMAN
 Typed or printed name

STATE OF FLORIDA)
 COUNTY OF LEE)

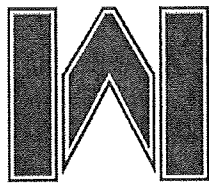
The foregoing instrument was certified and subscribed before me Sept. 26, 2011 (date), by Brian Freeman, who is personally known to me or who has produced _____ as identification.

(SEAL)



[Signature]
 Signature of notary public

Alexis V. Crepo
 Printed name of notary public



WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

28100 BONITA GRANDE DR. #306
BONITA SPRINGS, FL 34135
P: 239-405-7777
F: 239-405-7899

ADDITIONAL AGENTS

Contact: Russell Schropp
Company: Henderson, Franklin, Starnes & Holt, P.A.
Street: 1715 Monroe Street **City:** Fort Myers **State:** FL **Zip Code:** 33901
Phone: (239) 344-1280 **Fax:** (239) 334-1535 **Email:** russell.schropp@henlaw.com

Contact: Ron Waldrop, P.E.
Company: Waldrop Engineering, P.A.
Street: 28100 Bonita Grande Dr., Suite 305 **City:** Bonita Springs **State:** FL **Zip Code:** 34135
Phone: (239) 405-7777 **Fax:** (239) 405-7899 **Email:** ronw@waldropengineering.com

Contact: Ken Passarella
Company: Passarella & Associates, Inc.
Street: 13620 Metropolis Ave., Suite 200 **City:** Fort Myers **State:** FL **Zip Code:** 33912
Phone: (239) 274-0067 **Fax:** (239) 274-0069 **Email:** kenp@passarella.net

Contact: Suresh Karre, PTOE
Company: David Plummer & Associates
Street: 2149 McGregor Blvd. **City:** Fort Myers **State:** FL **Zip Code:** 33901
Phone: (239) 332-2617 **Fax:** (239) 332-2645 **Email:** suresh.karre@dplummer.com

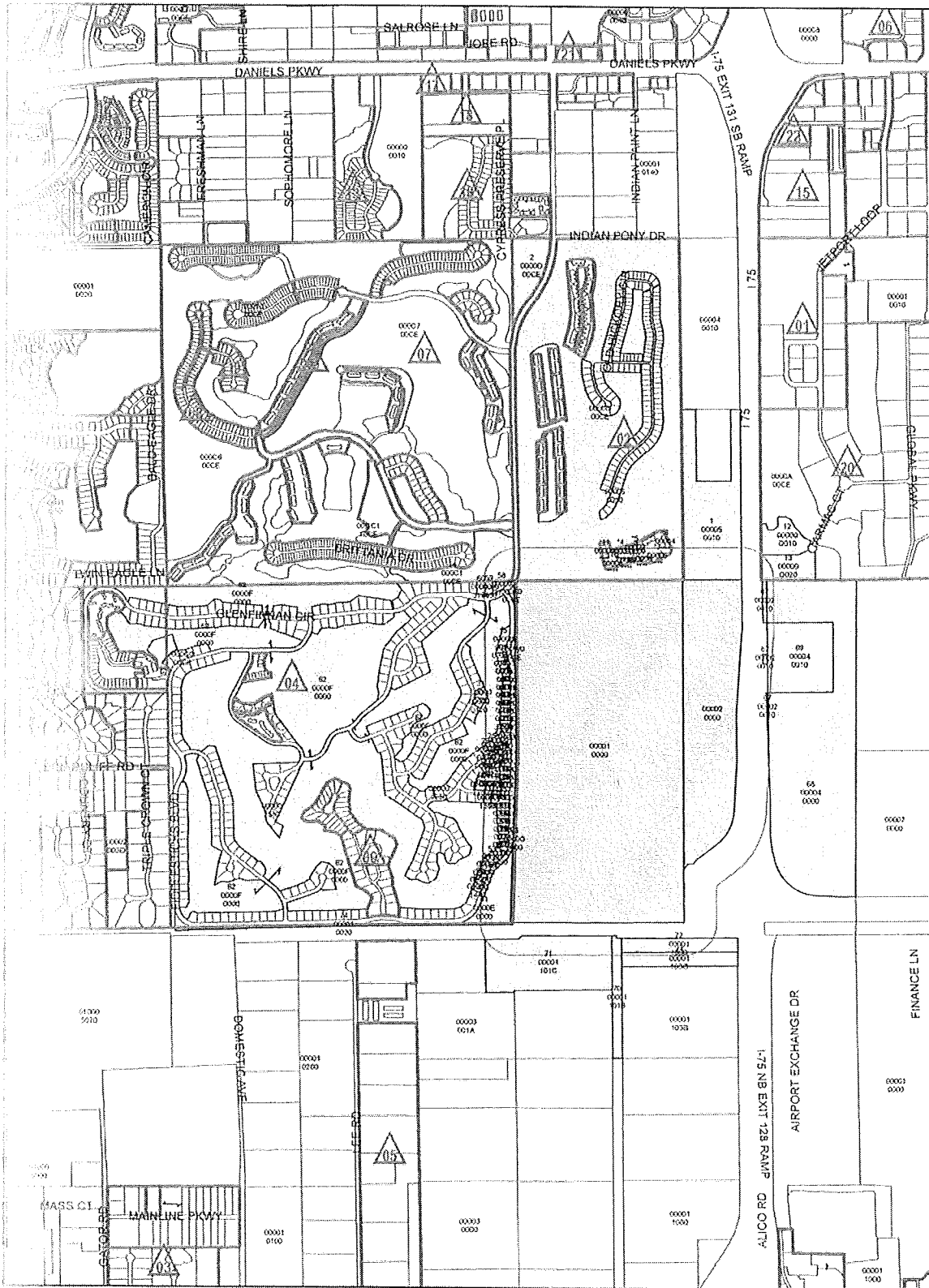
Contact: Scott Rhodes, PSM
Company: Rhodes & Rhodes Surveying
Street: 28100 Bonita Grande Dr., Suite 107 **City:** Bonita Springs **State:** FL **Zip Code:** 34135
Phone: (239) 405-8166 **Fax:** (239) 405-8163 **Email:** jsrhodes@rhodesandrhodes.net

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VARIANCE REPORT

9/20/2011

Subject Parcels : 2 Affected Parcels : 114 Buffer Distance : 500 ft

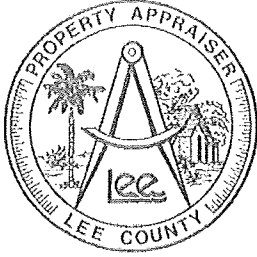


34-45-25-00-00001.0000 et al.

2,400 1,200 0

2,400 Feet

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Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: September 20, 2011
 Buffer Distance: 500 ft
 Parcels Affected: 114
 Subject Parcel: 34-45-25-00-00001.0000, 34-45-25-00-00002.0000

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
FITZGERALD WILLIAM E TR 4099 TAMAMI TRAIL N STE 305 NAPLES FL 34103	27-45-25-00-00005.0010 ACCESS UNDETERMINED FORT MYERS FL 33908	PT OF SE 1/4 LYING W OF I-75 DESC OR 2962 PG 1372 LESS INST#2007-22002	1
OLDE HICKORY GOLF + COUNTRY 14670 OLD HICKORY BLVD FORT MYERS FL 33912	27-45-25-02-0000D.00CE 14670 OLD HICKORY BLVD FORT MYERS FL 33912	OLDE HICKORY GOLF + C C PB 48 PG 89 TRS A B C D E F K + PT TR J (GOLF COURSE)	2
OLDE HICKORY VILLAS I P + M PROPERTY MGMT 14360 S TAMAMI TRL STE B FORT MYERS FL 33912	27-45-25-03-00000.00CE COMMON ELEMENT FORT MYERS FL 33912	OLDE HICKORY VILLAS DESC OR 2272 PG 4621 C/E-POOL	3
TOYNE MARY ARLENE + PHILIP A 2942 W TEMPERANCE RD TEMPERANCE MI 48182	27-45-25-03-00001.0110 14931 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 1 UNIT 11	*4
KAISLER SANROE J JR + HELEN TR 14933 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00001.0120 14933 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 1 UNIT 12	*4
NERO WILLIAM T TR 14935 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00001.0130 14935 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS OR 2272 PG 4621 BLDG 1 UNIT 13	*4
YOUNG PETER A + LORETTA S 14937 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00001.0140 14937 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 1 UNIT 14	*4
ABRAMOFF PETER + 14939 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00001.0150 14939 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 1 UNIT 15	*4
WITZEL MICHAEL + BARBARA PILARTZSTRASSE 14 B3549 EISELFLING GERMANY	27-45-25-03-00001.0160 14941 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 1 UNIT 16	*4
CASEY PETER J + MARCIA M TR 14018 NEWGATE CT ORLAND PARK IL 60462	27-45-25-03-00002.0210 14945 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 2 UNIT 21	*5
EFFINGER EDWARD + ANNE 7115 PADDLE GATE CT FORT WAYNE IN 46804	27-45-25-03-00002.0220 14947 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 2 UNIT 22	*5
MARTIN RICHARD F + HELEN L TR 14949 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00002.0230 14949 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 2 UNIT 23	*5
GRIGSBY R SCOTT + SHAWN M 59 MAYFAIR DR BELLA VISTA AR 72715	27-45-25-03-00002.0240 14951 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 2 UNIT 24	*5
SCULLY JOANN TR 14953 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00002.0250 14953 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 2 UNIT 25	*5

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
BOUW ALBERT + MARY E 14955 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00002.0260 14955 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 2 UNIT 26	*5
SIMPSON JAMES C + BARBARA L 14998 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00004.0410 14998 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 4 UNIT 41	*6
LARSEN NORMAN S + NANCY J PO BOX 154 INTERNATIONAL FALLS MN 56649	27-45-25-03-00004.0420 14996 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 4 UNIT 42	*6
KELLY JOHN C 14994 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00004.0430 14994 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 4 UNIT 43	*6
KENEIPP GEORGE W UNIT 44 14992 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00004.0440 14992 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 4 UNIT 44	*6
HANSON HAROLD C 367 HUNT'S BEND RD BOWLING GREEN KY 42103	27-45-25-03-00004.0450 14990 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 4 UNIT 45	*6
DUFFY DONNA + DENNIS J 7026 PROSPERITY CIR SARASOTA FL 34238	27-45-25-03-00004.0460 14988 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 4 UNIT 46	*6
LAYFIELD HARRY D + BARBARA L 14980 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00005.0510 14980 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 5 UNIT 51	*7
WILLWERTH THOMAS R + JEAN TR 14978 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00005.0520 14978 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 5 UNIT 52	*7
AUSTIN O G + BETTY J UNIT 53 14976 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00005.0530 14976 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 5 UNIT 53	*7
LEE BILL B + MARGOT C TR 1015 ARCADIA LN JOPLIN MO 64801	27-45-25-03-00005.0540 14974 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 5 UNIT 54	*7
BOCKBRADER ROBERT H + BARBARA 268 HUNTER PKWY CUYAHOGA FALLS OH 44223	27-45-25-03-00005.0550 14972 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 5 UNIT 55	*7
ENOCH GENE + BARBARA 14970 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00005.0560 14970 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 5 UNIT 56	*7
MEALEY JOHN JR + NANCY L 14960 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00006.0610 14960 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 6 UNIT 61	*8
LANGER GLENN E+BERNADYNE J TR 1735 WEDGEWOOD W ELM GROVE WI 53122	27-45-25-03-00006.0620 14958 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 6 UNIT 62	*8
YAREMA RAYMOND + SHERRY 301 N MONTCLAIR AVE GLEN ELLYN IL 60137	27-45-25-03-00006.0630 14956 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 6 UNIT 63	*8
PASH JOSEPH A + MARGARET A TR 5914 MCKINGES CIR CARMEL IN 46033	27-45-25-03-00006.0640 14954 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 6 UNIT 64	*8
MYERS WILLIAM J + PEGGY E 14952 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00006.0650 14952 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 6 UNIT 65	*8
MORGAN ALVERA T TR 43018 N JANETTE ST ANTIOCH IL 60002	27-45-25-03-00006.0660 14950 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 6 UNIT 66	*8

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
DUFF COURTNEY JR + MARY LEE 4700 DEER CREEK MIDDLETOWN OH 45042	27-45-25-03-00007.0710 14944 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 7 UNIT 71	*9
CHAIMO REALTY INC 575 PIERCE ST STE 400 KINGSTON PA 18704	27-45-25-03-00007.0720 14942 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 7 UNIT 72	*9
ISHLER KENNETH H 14940 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00007.0730 14940 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 7 UNIT 73	*9
DAMORE MARION H JR + ELSIE J 7587 SIKI DEER WAY FORT MYERS FL 33966	27-45-25-03-00007.0740 14938 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 7 UNIT 74	*9
PALOIAN AVEDIS + ELAINE G 2285 LONG ACRES LN PALATINE IL 60067	27-45-25-03-00007.0750 14936 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 7 UNIT 75	*9
CAMPBELL KATHERINE TR 6120 S GRANT ST BURR RIDGE IL 60527	27-45-25-03-00007.0760 14934 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 7 UNIT 76	*9
CLARKE ROBERT D + APRIL A 207 HOCKENBURY RD HILLSBOROUGH NJ 08844	27-45-25-03-00008.0810 14930 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 8 UNIT 81	*10
LEARN WAYNE + LINDA 28 SPINNAKER DR RIDGEWAY ON LOS 1N0 CANADA	27-45-25-03-00008.0820 14928 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 8 UNIT 82	*10
DOUCET JOHN D + MARILEE F 14833 NIAGARA PARKWAY RD RR 1 NIAGARA ON THE LAKE ON LOS 1J0 CANADA	27-45-25-03-00008.0830 14926 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 8 UNIT 83	*10
825668 ONTARIO LIMITED 8 JACOBS LANDING GRIMSBY ON L3M 5S7 CANADA	27-45-25-03-00008.0840 14924 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 8 UNIT 84	*10
OSHEROW ILENE J TR 901 S SKINKER BLVD APT B SAINT LOUIS MO 63105	27-45-25-03-00008.0850 14922 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 8 UNIT 85	*10
RYAN JAMES E + ELAINE M 14920 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00008.0860 14920 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 8 UNIT 86	*10
KNUTSON EVELYN L + ROGER B 14910 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00009.0910 14910 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 9 UNIT 91	*11
BENNARDI RUDOLPH A + MARY ELLEN 42 S MAIN ST MUNCY PA 17756	27-45-25-03-00009.0920 14908 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 9 UNIT 92	*11
JACOBS ALLEN R + DEBORAH J 14906 HICKORY GREENS CT FORT MYERS FL 33912	27-45-25-03-00009.0930 14906 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 9 UNIT 93	*11
SCHULTZ JOHN G + KATHRYN D 1539 CRABAPPLE DR RACINE WI 53405	27-45-25-03-00009.0940 14904 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 9 UNIT 94	*11
COREY PHILLIP + EARLA NOREEN RR3 50 WEEKS LN CONSECON ON K0K 1T0 CANADA	27-45-25-03-00009.0950 14902 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 9 UNIT 95	*11
SEGEL PETER + RUTH G TR 75 GROVE ST UNIT 429 WELLESLEY MA 02482	27-45-25-03-00009.0960 14900 HICKORY GREENS CT FORT MYERS FL 33912	OLDE HICKORY VILLAS I OR 2272 PG 4621 BLDG 9 UNIT 96	*11
SW FL INVESTMENT LLC 17 PARK PL STE 100 APPLETON WI 54914	27-45-25-20-00000.Q010 14700 TARMAC CT FORT MYERS FL 33913	SOUTHWEST INTERNATIONAL COMMERCE PK AS DESC IN INST#2006-472395 LOT Q1	12

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
TREASURE CHEST STORAGE PO BOX 5846 DAYTON OH 45405	27-45-25-20-0000.0020 14702 TARMAC CT FORT MYERS FL 33912	SOUTHWEST INTERNATIONAL COMMERCE PK AS DESC IN INST#2006-472395 LOT Q2	13
LEGENDS GOLF + COUNTRY CLUB 8600 LEGENDS BLVD FORT MYERS FL 33912	28-45-25-07-0000.1.00CE HDR: LEDGENDS CC FORT MYERS FL 33912	LEGENDS GOLF+COUNTRY CLUB UN4 PB 65 PGS 34-44 TRACTS C-1 + C-2	14
DIBENEDETTO THOMAS + LINDA M 15140 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0010 15140 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOTS 1 + 2 + 3	15
TROY JEFFREY D + BONNIE L 15152 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0040 15152 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 4	16
SCHRIDER MICHAEL F + KOLLEEN K 15156 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0050 15156 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 5	17
ABRAHAM PAMELA LYNN TR 15181 KILBIRNIE DR FORT MYERS FL 33912	33-45-25-04-0000.0060 15160 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 6	18
DESIMONE CHARLES A 1773 IVY POINTE CIR NAPLES FL 34109	33-45-25-04-0000.0070 15164 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 7	19
TOMSON ANTS + 15168 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0080 15168 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 8	20
CLARK ARTHUR B + PATRICIA A 15172 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0090 15172 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 9	21
PLUMLEY DONALD TR 15176 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0100 15176 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 10	22
MATTER STEWART 15180 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0110 15180 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 11	23
DWYER JOHN A + LISA L 15184 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0120 15184 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 12	24
MILES BEVERLY A TR 15188 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0130 15188 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 13	25
GLENNON JAMES J + LINDA L 15192 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-0000.0140 15192 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 14	26
CURIA PETER G + 15420 GREENOCK LN FORT MYERS FL 33912	33-45-25-04-0000.0150 15420 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 15	27
MEYERS THOMAS R 15440 GREENOCK LN FORT MYERS FL 33912	33-45-25-04-0000.0160 15440 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 16	28
CROWTHER KAREN J 15460 GREENOCK LN FORT MYERS FL 33912	33-45-25-04-0000.0170 15460 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 17	29
KAAS ROBERTA E TR + 15301 KILBIRNIE DR FORT MYERS FL 33912	33-45-25-04-0000.0420 15301 KILBIRNIE DR FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 42	30
HAGER SALLY P + HENRY G 15281 KILBIRNIE DR FORT MYERS FL 33912	33-45-25-04-0000.0430 15281 KILBIRNIE DR FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 43	31

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
HOHENBRINK RONALD H + CHERYL L 15491 GREENOCK LN FORT MYERS FL 33912	33-45-25-04-00000.1150 15491 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 115	32
BLOEMKER ROB + SHANNON 62% + 15471 GREENOCK LN FORT MYERS FL 33912	33-45-25-04-00000.1160 15471 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 116	33
PALUCK VICTOR TR 15451 GREENOCK LN FORT MYERS FL 33912	33-45-25-04-00000.1170 15451 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 117	34
BENDER ROBERT W + LINDA J 4231 SUNFISH COVE AVON OH 44011	33-45-25-04-00000.1180 15431 GREENOCK LN FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 118	35
WARREN OWEN CUSTOM HOMES LLC 4000 REFLECTION CT NAPLES FL 34109	33-45-25-04-00000.1190 15200 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 119	36
WEINSTEIN PAUL 15204 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1200 15204 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 120	37
HEGEL PAUL T + 15208 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1210 15208 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 121	38
CURRIER THOMAS S + 15212 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1220 15212 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 122	39
CAMPBELL JOSEPH R + PATRICIA 8951 ABBOTSFORD TER FORT MYERS FL 33912	33-45-25-04-00000.1230 8951 ABBOTSFORD TER FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 123	40
PASSANTINO ROSARIO J + ANITA L 12112 ALHAMBRA ST LEAWOOD KS 66209	33-45-25-04-00000.1240 8931 ABBOTSFORD TER FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 124	41
BARNES WILLIAM R + BEATRICE 8911 ABBOTSFORD TER FORT MYERS FL 33912	33-45-25-04-00000.1250 8911 ABBOTSFORD TER FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 125	42
ZEMPEL DALE H + CAROLE A 8930 ABBOTSFORD TER FORT MYERS FL 33912	33-45-25-04-00000.1300 8930 ABBOTSFORD TER FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 130	43
MURRAY ROBERT K + FRANCES TR 8950 ABBOTSFORD TER FORT MYERS FL 33912	33-45-25-04-00000.1310 8950 ABBOTSFORD TER FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 131	44
JONES ALAN G + 8970 ABBOTSFORD TER FORT MYERS FL 33912	33-45-25-04-00000.1320 8970 ABBOTSFORD TER FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 132	45
ANDERSON DAVID E + KATHLEEN C 15220 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1330 15220 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 133	46
KOCH PETER A + MARY T 45 VERDANT LN WARWICK RI 02886	33-45-25-04-00000.1340 15224 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 134	47
LEONARD BRUNA ANN 7140 PIONEER TRL LORETTO MN 55357	33-45-25-04-00000.1350 15228 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 135	48
ADKINS ROBERT C + MARILYN H 15232 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1360 15232 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 136	49
WELSH ALBERT D + KATHERINE Z 15236 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1370 15236 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 137	50

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
GARRETT SONIA M TR 15240 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1380 15240 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 138	51
DAOUD MAZEN + 15244 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1390 15244 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 139	52
RATHJE DAVID J + DEBRA C 15248 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1400 15248 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 140	53
BREWER CHRISTINE C 15252 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1410 15252 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 141	54
CALABRESE LAWRENCE C + SUSAN W 8394 PRESTWICK DR MANLIUS NY 13104	33-45-25-04-00000.1420 15256 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 142	55
GENTLEMAN THAD M + CYNTHIA H 15260 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1430 15260 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 143	56
SMEDLEY VERNON C JR + MARIANNE 15264 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.1440 15264 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 144	57
DUNCAN CALVIN + 15697 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.3120 15697 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 312	58
RAYBORN KENNETH H 15693 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.3130 15693 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 313	59
SCOTT FRANK J SR + NINA C TR 15689 FIDDLESTICKS BLVD FORT MYERS FL 33912	33-45-25-04-00000.3140 15689 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 LOT 314	60
FIDDLESTICKS COUNTRY CLUB INC 15391 CANNONGATE DR FORT MYERS FL 33912	33-45-25-04-0000E.0000 FIDDLESTICKS BLVD FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 TRACT E	61
FIDDLESTICKS COUNTRY CLUB INC 15391 CANNONGATE DR FORT MYERS FL 33912	33-45-25-04-0000F.0000 15391 CANONGATE DR FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 TRS F F-1 F-2 + TRS J THRU P GOLF COURSE	62
FIDDLESTICKS COUNTRY CLUB INC 15391 CANNONGATE DR FORT MYERS FL 33912	33-45-25-04-0000G.0000 RIGHT OF WAY FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 TRACT G	63
FIDDLESTICKS COUNTRY CLUB INC FIDDLESTICKS OWNERS ASSN 15391 CANNONGATE DR FORT MYERS FL 33912	33-45-25-04-0000W0.00CE COMMON ELEMENT FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 TRACT W	64
FIDDLESTICKS COUNTRY CLUB INC FIDDLESTICKS OWNERS ASSN 15391 CANNONGATE DR FORT MYERS FL 33912	33-45-25-04-0000X0.00CE COMMON ELEMENT FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 TRACT X	65
FIDDLESTICKS COUNTRY CLUB INC FIDDLESTICKS OWNERS ASSN 15391 CANNONGATE DR FORT MYERS FL 33912	33-45-25-04-0000Z0.00CE COMMON ELEMENT FORT MYERS FL 33912	FIDDLESTICKS COUNTRY CLUB PB 34 PG 144 TRACT Z	66
PRIT-CAR 6601 BAYSHORE RD NORTH FORT MYERS FL 33917	34-45-25-00-00002.0010 ACCESS UNDETERMINED FORT MYERS FL 33913	W 1/2 OF E 1/2 LY E OF ELY R/W OF I-75 LESS ROW TAKING IN INST#2006-388384 + 2009000111018	67
RODRIGUEZ SARA M TR 15562 SW 9TH LN MIAMI FL 33194	34-45-25-00-00004.0000 ACCESS UNDETERMINED FORT MYERS FL 33913	E 1/2 OF E 1/2 LESS INST#2007-68711 LESS RD R/W AS DESC IN INST #2008000288879	68
STATE OF FL DOT PO BOX 1249 BARTOW FL 33831	34-45-25-00-00004.0010 ACCESS UNDETERMINED FORT MYERS FL 33913	E 1/2 OF E 1/2 DESC IN INST#2007-68711	69

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	03-46-25-00-00001.101B RIGHT OF WAY FORT MYERS FL 33912	STRIP OF LAND LYING IN NW 1/4 AS DESC IN INST#2007000322747 + 2007000322747 + 2007000364684 + 2008000231923 + 2008000213925	70
THREE OAKS ALICO 59 LLC 1949 SE 37TH ST CAPE CORAL FL 33904	03-46-25-00-00001.101C ACCESS UNDETERMINED FORT MYERS FL 33912	PARL IN NW 1/4 AS DESC INST #2008000223082	71
KAGAN JOHN C + ELIZABETH P 6981 LAKE DEVONWOOD DR FORT MYERS FL 33908	03-46-25-00-00001.1030 9651 ALICO RD FORT MYERS FL 33912	PARL IN N 1/2 AS DESC OR 2027 PG 681 LES 1.103A THRU .103C LESS RD R/W DESC IN INST# 2007000374552 LESS W 75 FT DESC IN INST# 2008000213925	72
KAGAN ABBOTT K III + SHEILA TR 18741 S RIVER RD ALVA FL 33920	03-46-25-00-00001.103C ACCESS UNDETERMINED FORT MYERS FL 33912	PAR DECS OR 2600/1704 LESS RD R/W DESC IN INST# 2007000374553 LESS W 75 FT DESC IN INST# 2008000213923	73
FIDDLESTICKS LTD 15391 CANONGATE DR FORT MYERS FL 33912	04-46-25-00-00001.0020 ACCESS UNDETERMINED FORT MYERS FL 33912	NLY 30 FT OF SEC + NLWY 50 FT OF WLRV 200 FT	74

114 RECORDS PRINTED

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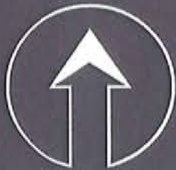
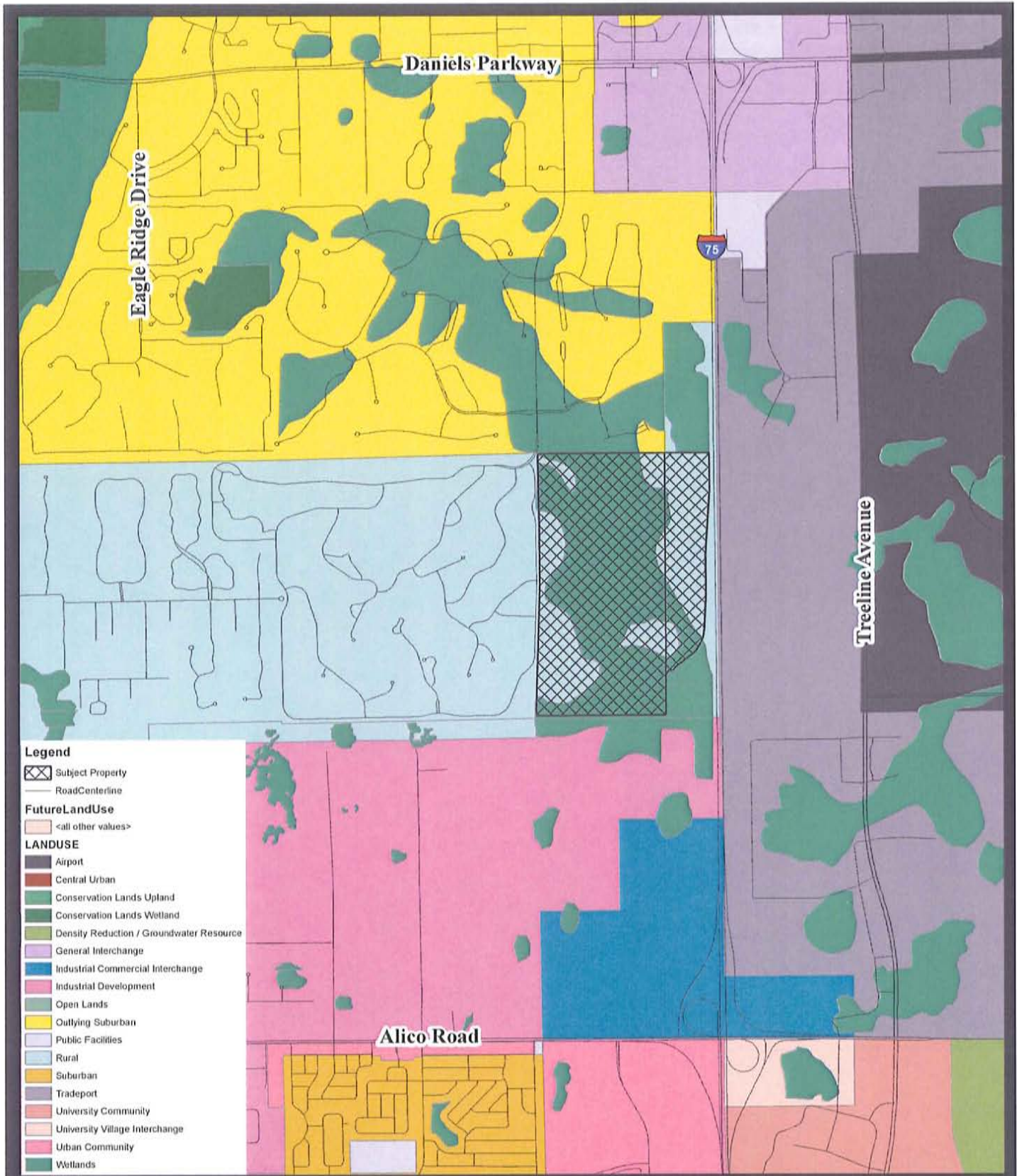


EXHIBIT IV.A.2
CURRENT FUTURE LAND USE MAP

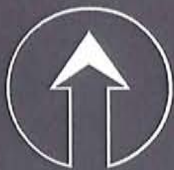
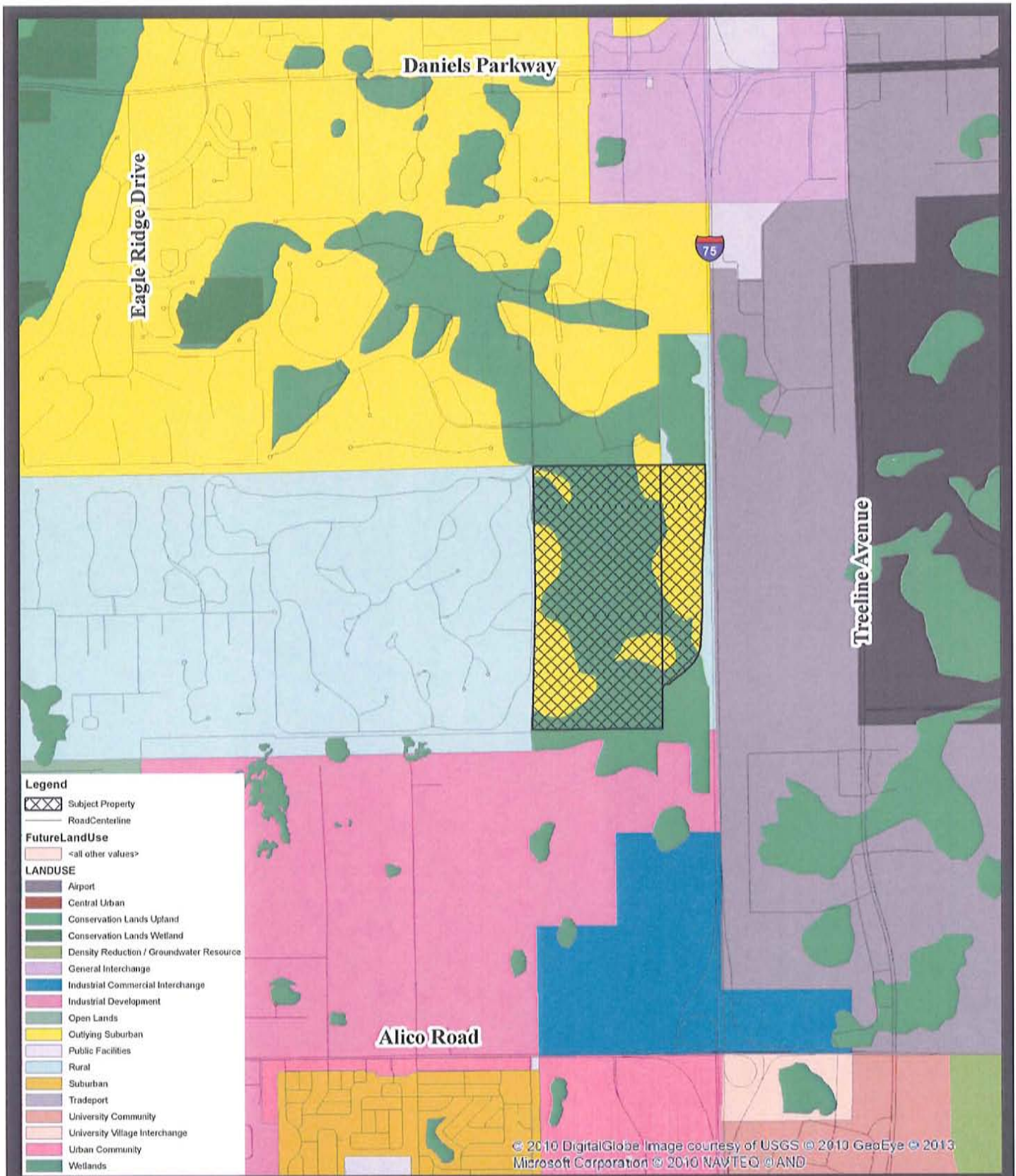
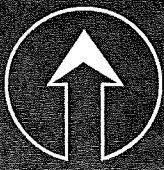
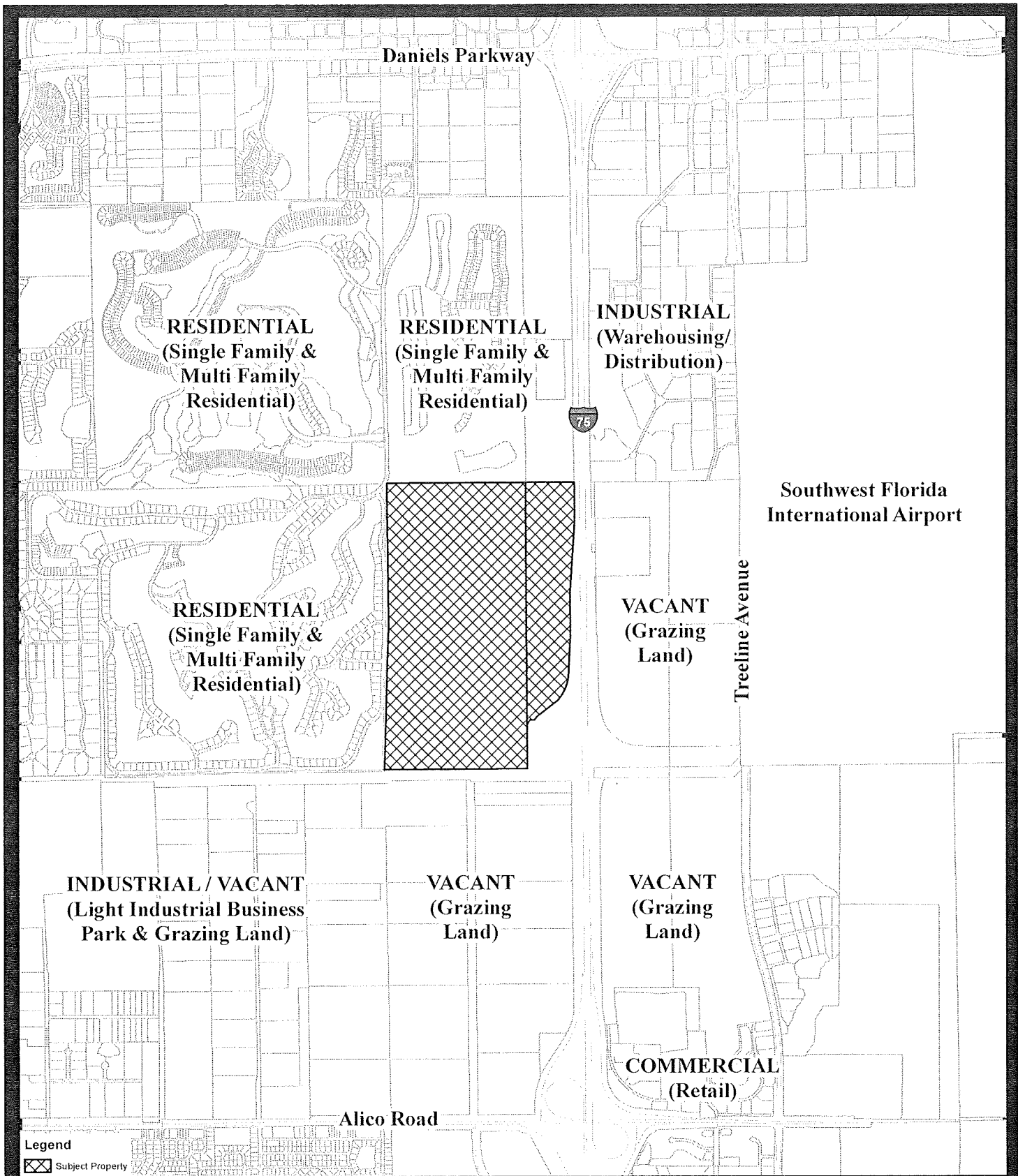


EXHIBIT IV.A.3 PROPOSED FUTURE LAND USE MAP



**EXHIBIT IV.A.4
 EXISTING LAND USE MAP**

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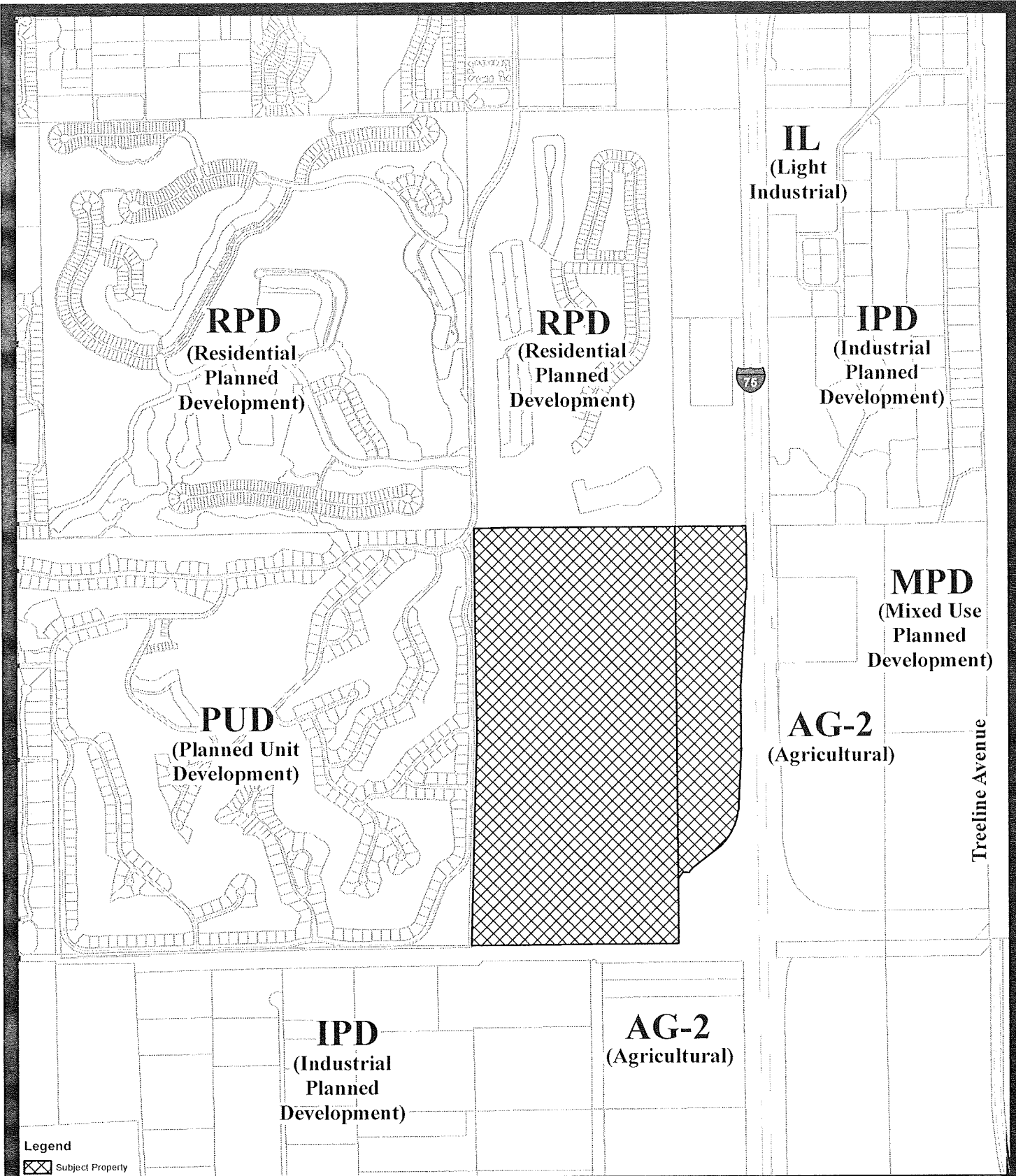


EXHIBIT IV.A.5
EXISTING ZONING MAP

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Rhodes & Rhodes Land Surveying, Inc.

28100 Bonita Grande Drive, Suite 107, Bonita Springs, Florida 34135
Phone (239) 405-8166 Fax (239) 405-8163

DESCRIPTION OF A PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

A PORTION OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:
THE WEST ONE-HALF (W 1/2) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

PARCEL 2:
THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF SECTION 34, TOWNSHIP 25 EAST, LEE COUNTY, FLORIDA, LYING WEST OF THE RIGHT-OF-WAY FOR STATE ROAD 93 (I-75), EXCEPT THAT PART OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LYING WITHIN 162 FEET OF THE SURVEY LINE OF STATE ROAD 93, (I-75) SECTION 12075, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS: BEGIN ON THE SOUTHERLY BOUNDARY OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, AT A POINT 1562.91 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID SECTION 34, RUN THENCE NORTH 0 DEGREES 38' 33.70" WEST 5292.96 FEET TO THE NORTHERLY BOUNDARY OF SAID SECTION 34, AT A POINT 1525.70 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID SECTION 34.

ALSO LESS AND EXCEPT THAT PART DEEDED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN WARRANTY DEED RECORDED IN CLERK'S FILE NUMBER 2008000302387, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND FURTHER DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°28'19"E A DISTANCE OF 921.05 FEET TO THE WESTERLY EXISTING LIMITED ACCESS RIGHT OF WAY LINE OF STATE ROAD 93 (I-75 (PER SECTION 12075-2402)) FOR A POINT OF BEGINNING; THENCE ALONG SAID SOUTH LINE, SOUTH 89°28'19" WEST A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 00°38'39" WEST A DISTANCE OF 164.81 FEET THENCE SOUTH 89°15'07" WEST A DISTANCE OF 292.72 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 465.00 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 1099.98 FEET THROUGH A CENTRAL ANGLE OF 135°32'07" WITH A CHORD BEARING NORTH 22°58'47" WEST TO THE END OF SAID CURVE; THENCE NORTH 51°57'19" EAST A DISTANCE OF 448.84 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 780.51 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 571.22 FEET THROUGH A CENTRAL ANGLE OF 41°55'55" WITH A CHORD BEARING NORTH 23°49'19" EAST TO THE END OF SAID CURVE; THENCE NORTH 02°51'21" EAST A DISTANCE OF 720.56 FEET; THENCE NORTH 00°38'39" WEST A DISTANCE OF 770.05 FEET; THENCE NORTH 03°21'21" EAST A DISTANCE OF 1261.53 FEET TO SAID WESTERLY EXISTING LIMITED ACCESS RIGHT OF WAY LINE; THENCE ALONG SAID WESTERLY EXISTING LIMITED ACCESS RIGHT OF WAY LINE, SOUTH 00°38'39" EAST A DISTANCE OF 4489.49 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, NORTH 00°20'04" WEST A DISTANCE OF 812.53 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1912.50 FEET; THENCE LEAVING SAID WEST LINE RUN ALONG THE ARC OF THE CURVE TO THE LEFT A DISTANCE OF 103.31 FEET THROUGH A CENTRAL ANGLE OF 3°05'42" WITH A CHORD BEARING NORTH 32°40'15" EAST TO THE END OF SAID CURVE; THENCE NORTH 89°39'56" EAST A DISTANCE OF 88.31 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 465.00 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 1,020.24 FEET THROUGH A CENTRAL ANGLE OF 125°42'40" WITH A CHORD BEARING SOUTH 27°53'30" EAST TO THE END OF SAID CURVE; THENCE NORTH 89°15'07" EAST A DISTANCE OF 292.72 FEET; THENCE SOUTH 00°38'39" EAST A DISTANCE OF 164.81 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE ALONG SAID SOUTH LINE, SOUTH 89°28'19" WEST A DISTANCE OF 821.05 FEET TO THE POINT OF BEGINNING.

ALSO BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, ALSO BEING THE SOUTHEAST CORNER OF FIDDLESTICKS COUNTRY CLUB, A SUBDIVISION RECORDED IN PLAT BOOK 34 AT PAGES 144 THROUGH 160, INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE N.01°40'02"E., ALONG THE WEST LINE OF SAID SECTION 34 AND ALONG THE EAST LINE OF SAID FIDDLESTICKS COUNTRY CLUB, A DISTANCE OF 2662.08 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE N.00°58'44"W., ALONG THE

Rhodes & Rhodes Land Surveying, Inc.

28100 Bonita Grande Drive, Suite 107, Bonita Springs, Florida 34135

Phone (239) 405-8166

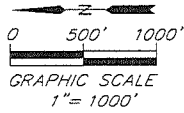
Fax (239) 405-8163

WEST LINE OF SAID SECTION 34 AND ALONG THE EAST LINE OF SAID FIDDLESTICKS COUNTRY CLUB, A DISTANCE OF 2643.51 FEET TO THE NORTHWEST CORNER OF SAID SECTION 34, BEING THE NORTHEAST CORNER OF SAID FIDDLESTICKS COUNTRY CLUB, ALSO BEING THE SOUTHWEST CORNER OF OLDE HICKORY GOLF AND COUNTRY CLUB, A SUBDIVISION RECORDED IN PLAT BOOK 48 AT PAGES 86 THROUGH 114, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE N.89°34'43"E., ALONG THE NORTH LINE OF SAID SECTION 34 AND ALONG THE SOUTH LINE OF SAID OLDE HICKORY GOLF AND COUNTRY CLUB, A DISTANCE OF 2579.57 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34, BEING THE SOUTHEAST CORNER OF SAID OLDE HICKORY GOLF AND COUNTRY CLUB; THENCE N. 89°34'52"E., ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 892.01 FEET TO THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 75 (STATE ROAD 93); THENCE S.00°38'12"E., ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 803.53 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT NUMBER 2008000302387 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; ALONG THE WESTERLY LINE OF SAID PARCEL THE FOLLOWING NINE (9) COURSES: (1)S.03°19'52"W., A DISTANCE OF 1261.49 FEET; (2)THENCE S.00°38'39"E., A DISTANCE OF 770.05 FEET; (3)THENCE S.02°51'21"W., A DISTANCE OF 720.56 FEET TO THE BEGINNING OF A TANGENTIAL CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 780.51 FEET; (4)THENCE SOUTHWESTERLY 571.22 FEET, ALONG THE ARC OF THE CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 41°55'55", BEING SUBTENDED BY A CHORD THAT BEARS S.23°49'19"W. AT 558.56 FEET; (5)THENCE S.51°57'19"W., A DISTANCE OF 448.84 FEET TO A POINT ON A NON-TANGENTIAL CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 465.00 FEET; (6)THENCE SOUTHWESTERLY 79.71 FEET, ALONG THE ARC OF THE CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 9°49'20", BEING SUBTENDED BY A CHORD THAT BEARS S.39°52'33"W. AT 79.62 FEET; (7)THENCE S.89°39'56"W., A DISTANCE OF 88.31 FEET TO A POINT ON A NON-TANGENTIAL CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1912.50 FEET; (8)THENCE SOUTHWESTERLY 103.31 FEET, ALONG THE ARC OF THE CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 3°05'42", BEING SUBTENDED BY A CHORD THAT BEARS S.32°40'15"W. AT 103.30 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; (9)THENCE S.00°20'04"E., ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 812.53 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE S.89°23'05"W., ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 2642.89 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED PARCEL CONTAINS 17,153,644 SQUARE FEET OR 393.793 ACRES, MORE OR LESS.

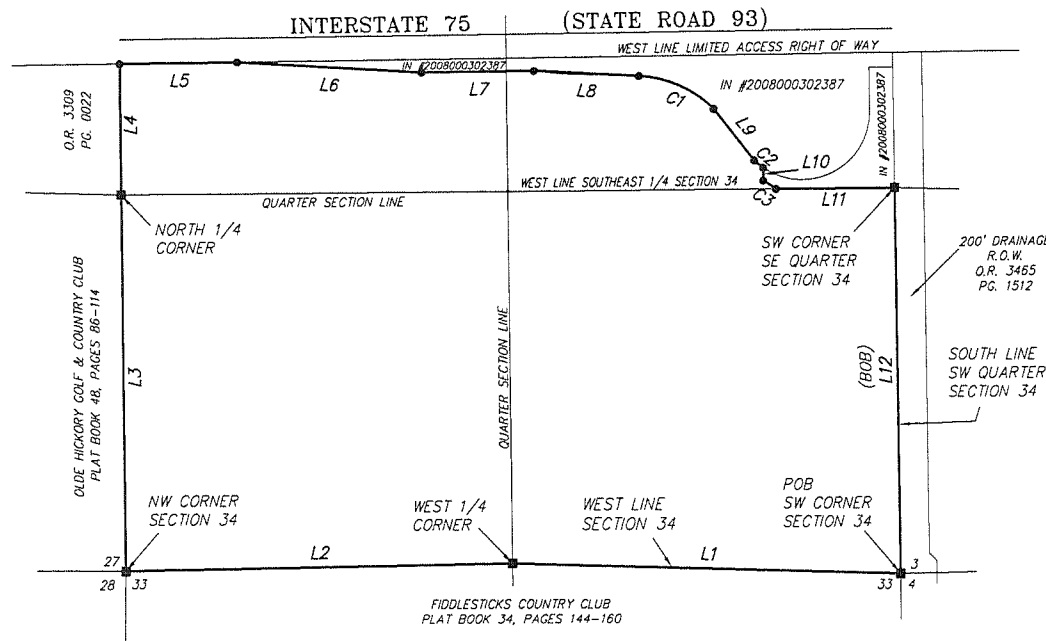
BEARINGS ARE BASED ON NAD 83, 1999 ADJUSTMENT AND THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA ZONE WEST.

SUBJECT TO COVENANTS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD.



CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	ARC	CHORD BEARING	CHORD
C1	780.51'	41°55'55"	571.22'	S23°49'19"W	558.56'
C2	465.00'	09°49'20"	79.71'	N39°52'33"E	79.62'
C3	1912.50'	03°05'42"	103.31'	S32°40'15"W	103.30'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N01°40'02"E	2662.08'
L2	N00°58'44"W	2643.51'
L3	N89°34'43"E	2579.57'
L4	N89°34'52"E	892.01'
L5	S00°38'12"E	803.53'
L6	S03°19'52"W	1261.49'
L7	S00°38'39"E	770.05'
L8	S02°51'21"W	720.56'
L9	S51°57'19"W	448.84'
L10	S89°39'56"W	88.31'
L11	S00°20'04"E	812.53'
L12	S89°23'05"W	2642.89'



NOTES:
SEE SHEETS 2 & 3 OF 3
FOR COMPLETE LEGAL DESCRIPTION

BEARINGS ARE BASED ON NAD 83,
1999 ADJUSTMENT AND THE FLORIDA
STATE PLANE COORDINATE SYSTEM,
FLORIDA ZONE WEST AND THE SOUTH
LINE OF THE SOUTHWEST 1/4 OF
SECTION 34 AS BEARING S.89°23'05"W.

LEGEND
BOB BASIS OF BEARINGS
IN# PUBLIC RECORDS INSTRUMENT NUMBER
O.R. OFFICIAL RECORDS BOOK
PG. PAGE
P.O.B. POINT OF BEGINNING

*** THIS IS NOT A SURVEY ***

JOHN SCOTT RHODES, PSM #5739

SKETCH TO ACCOMPANY DESCRIPTION

JOB # 2011-467	ACAD FILE SKETCH.DWG	TEXT FILE BNDRY-DESC.DOC	DATE SEPT. 27, 2011
RHODES & RHODES LAND SURVEYING, INC. LICENSE #LB 6897		SCALE 1" = 1000'	checked: TCS MMM
28100 BONITA GRANDE DRIVE SUITE 107 BONITA SPRINGS, FL 34135 PHONE: (239) 405-8166 FAX: (239) 405-8163			sheet #: 1 of 3

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5 Rec
145 Doc

QUIT-CLAIM DEED

1863226

RAMCO FORM 8

DEF REC 1752 PG 433

This Quit-Claim Deed, Executed this 25th day of September, A. D. 1984, by

WALTER S. PESETSKY, Individually and as Trustee

first party, to JEFFREY B. FREEMAN, as Successor Trustee, with power and authority to protect and to conserve, and to sell or lease or to encumber or otherwise to manage and dispose of the real property described in this instrument, as more specifically set forth in Florida Statute 689.071, whose postoffice address is

c/o Brian Scott Realty, Inc.
5757 N.W. Blue Lagoon Drive, Suite 330
Miami, Florida 33126

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of \$ 10.00

in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee State of Florida to-wit:

The East one-half (E½) of the West one-half (W½) of Section 34, Township 45 South, Range 25 East, of the Public Records of Lee County, Florida, consisting of 160 acres more or less, together with a 60-foot easement lying in Sections 28 and 33, Township 45 South, Range 25 East, Lee County, Florida, for road right-of-way, and together with all oil and mineral rights owned by grantor.

RECORDED IN OFFICIAL
LEE COUNTY, FLORIDA
RECORDS MAINTAINED
OCT 25 9 04 AM '84

CLERK OF CIRCUIT COURT
Office of Clerk
Clerk ad Interim
John F. Kist

RECORD VERIFIED
BY: [Signature]

This deed is not a sale within the meaning of Chapter 201 of the Florida Statutes, but is a trustee-to-trustee transfer without consideration and is exempt pursuant to Chapter 12 B-4.14(2) of the Rules of the Department of Revenue of the State of Florida. Therefore, only the minimum documentary stamps are affixed hereto.

Documentary Tax Pd. \$ 45
Intangible tax Pd.
CLERK, LEE COUNTY
By: [Signature] Deputy

This is not the homestead of the grantor, as the grantor resides in Dade County, Florida.

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.
Signed, sealed and delivered in presence of:

[Signature] L.S.
WALTER S. PESETSKY, Individually and as Trustee
[Signature] L.S.

STATE OF FLORIDA,
COUNTY OF DADE }

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared WALTER S. PESETSKY, Individually and as Trustee to me known to be the person described in and who executed the foregoing instrument and before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this September 25th day of September A. D. 1984.
[Signature]
Notary Public, State of Florida
at Large

This Instrument Was Prepared By
EDWARD E. LEVINSON
of MYERS, KENN, LEVINSON,
FRANK & RICHARDS
Bickell Executive Tower
1428 Bickell Avenue
Miami, Florida 33131
Commission Expires:
Notary Public, State of Florida at Large
My Commission Expires August 13, 1988
Bonded thru Maynard Bonding Agency

This Instrument prepared by:
Address

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15.00 R
.70 DS

This Instrument prepared by:
FLEETWOOD TITLE CORPORATION
BY PAT REGAS
904 LEE BLVD., SUITE 106,
LEHIGH ACRES, FLORIDA 33936
FTC# 38707-PR

4560460

PARCEL # 34-45-25-00-00002.0000

PAGE 1 OF 2

REC \$ 15.00
RPTT \$.70
TOTAL \$ 15.70

Documentary Tax Pd. \$.70
\$ _____ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Paul Chandler Deputy Clerk

This Quit-Claim Deed,

Executed this 8TH day of JANUARY, A.D., 1999
by EMILY M. SKOLNICK AND ARVID A. BLOOMBURG, JR.
acquiring title through instrument as recorded in O. R. Book 2917, Page
1785 in the public records of LEE County, Florida.

first party,
to F.S.M. OF FORT MYERS, LIMITED LIABILITY COMPANY
whose post office address is:
25435 LOBLOLLY BAY ROAD, SE
LABELLE, FL 33935

RECORDED BY
PAUL CHANDLER, D.C.

second party:
(Wherever used herein the terms "first party" and "second
party"
shall include singular and plural, heirs, legal representatives, and
assigns of individuals, and the successors and assigns of corporations,
wherever the context so admits or requires.)

Witnesseth, That the said first party, for and
in consideration of the sum of \$10.00, in hand paid by the said second
party, the receipt whereof is acknowledged, does hereby remise, release
and quit-claim unto the said second party forever, all the right, title,
interest, claim and demand which the said first party has in and to the
following described lot, pieces or parcel of land, situate, lying and
being in the County of LEE, State of Florida, to wit:

THE WEST HALF OF THE EAST HALF OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 25
EAST, LEE COUNTY, FLORIDA, LYING WEST OF THE RIGHT-OF-WAY FOR STATE ROAD
93 (I-75), EXCEPT THAT PART OF THE WEST HALF OF THE EAST HALF OF SECTION
34, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LYING WITHIN 162 FEET OF THE SURVEY
LINE OF STATE ROAD 93 (I-75), SECTION 12075, SAID SURVEY LINE BEING
DESCRIBED AS FOLLOWS: BEGIN ON THE SOUTHERLY BOUNDARY OF SECTION 34,
TOWNSHIP 45 SOUTH, RANGE 25 EAST, AT A POINT 1562.91 FEET WESTERLY OF THE
SOUTHEAST CORNER OF SAID SECTION 34, RUN THENCE NORTH 0°38'33.70" WEST
5292.96 FEET TO THE NORTHERLY BOUNDARY OF SAID SECTION 34, AT A POINT
1525.70 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID SECTION 34.

SUBJECT property is not now, nor has it ever been the homestead property
of the grantor. It also is not contiguous to the present homestead of the
grantor.

DR307A-P60352

DR307A P60353

To Have and To Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written,

Signed, sealed and delivered in presence of:

Sei Niuser
WITNESS

Emily M. Skolnick L.S.
EMILY M. SKOLNICK

SEI NIUSER
PRINTED NAME OF WITNESS

Lilibeth Revilloza
WITNESS

LILIBETH REVILLOZA
PRINTED NAME OF WITNESS

STATE OF CALIFORNIA

COUNTY OF SAN MATEO

The foregoing instrument was acknowledged before me this 18th day of JANUARY, 1999 by EMILY M. SKOLNICK who is personally known to me or did produce acceptable identification being in the form of DRIVER LICENSE.

WITNESS my hand and official seal in the County and State last aforesaid this 18th day of JANUARY, A.D. 1999.

[Handwritten Signature]

(Notary Seal)

Notary Public
My Commission Expires 10-6-2000

KRISTI IVANOVA-FISHER BOGDANILOVA
PRINTED NAME OF NOTARY PUBLIC



In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written,

Signed, sealed and delivered in presence of:

[Signature]
WITNESS

Arvid A. Bloomburg, Jr. L.S.
ARVID A. BLOOMBURG, JR.

Lisa M. Baker
PRINTED NAME OF WITNESS

[Signature]
WITNESS

Pam Gabriel
PRINTED NAME OF WITNESS

STATE OF Iowa

COUNTY OF Polk

The foregoing instrument was acknowledged before me this 8th day of January, 1999 by ARVID A. BLOOMBURG, JR. who is personally known to me () or did produce acceptable identification being in the form of Drivers license; Social Security card

WITNESS my hand and official seal in the County and State last aforesaid this 8th day of January, A.D. 1999.

Frances M. Carezza
Notary Public
My Commission Expires: 11-23-01

(Notary Seal)



Frances M. Carezza
PRINTED NAME OF NOTARY PUBLIC

OR3079 P60354

CHARLIE GREEN, CLERK
LEE COUNTY, FL
99 FEB -3 PM 4: 31

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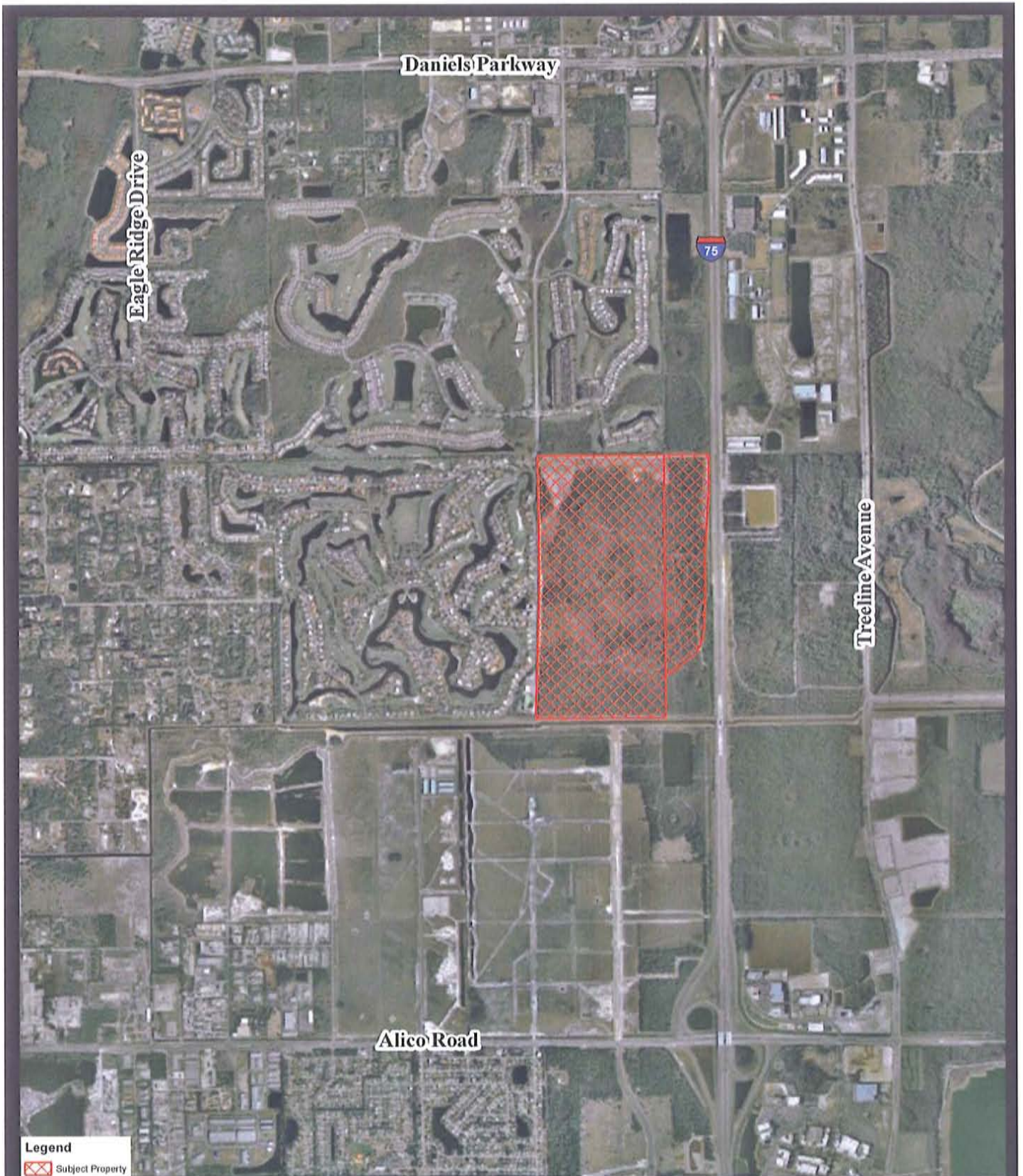


EXHIBIT IV.A.2
EXHIBIT IV.A.8
AERIAL LOCATION MAP

FIDDLESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Project #11533

September 29, 2011

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
2149 McGregor Boulevard
Fort Myers, Florida 33901



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FIDDLESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY

Introduction

The Fiddlesticks Property, hereafter referred to as the Project, is a proposed residential development located within unincorporated Lee County. The Project site is located just west of I-75, approximately half way between Daniels Parkway to the north and Alico Road to the south, Exhibit 1.

The subject property is currently zoned agricultural (AG-2) and is identified as Rural and Wetlands on Lee County's Future Land Use map. As part of the comprehensive plan amendment (CPA) process, the applicant desires to change the land use designation of the property to Outlying Suburban.

The purpose of this report, therefore, is to provide a traffic analysis in support of the proposed Comprehensive Plan Amendment (CPA) application to change the land use designation of the Project from Rural and Wetlands to Outlying Suburban.

Methodology Meeting

A meeting was held with the Lee County DOT staff on September 1, 2011 to discuss the methodology to be used in preparing the traffic study in support of the Comprehensive Plan Amendment. A draft methodology outline report titled Fiddlesticks Property Comprehensive Plan Amendment Traffic Study Methodology Outline and dated August 31, 2011 (Appendix 1) was prepared and provided to the Staff at the meeting on September 1, 2011.

As presented in the draft methodology report, it was discussed and agreed during the methodology meeting that the potential traffic impacts of the proposed Comprehensive Plan Amendment would be evaluated based on comparative 2035 travel model assignments, both with and without the proposed Plan Amendment, using the adopted Lee County MPO 2035 CUBE travel model, the MPO's 2035 zonal data projections, and the road network from the adopted MPO 2035 Cost Feasible Plan. This is standard, accepted practice for traffic studies undertaken in support of the proposed comprehensive plan amendment traffic studies in Lee County. It was also agreed that the short-term (5-year) analysis would also use the MPO's CUBE travel model under the E+C (existing plus committed) roadway network and the interpolated zonal data (for the year 2016).

As suggested by the County Staff at the methodology meeting, the development parameters have been updated to include some commercial uses.

Existing Roadway Network

The existing roadway network in the vicinity of the Project is depicted in Exhibit I. As shown in Exhibit I, there are several major roadways in the vicinity of the Project including Daniels Parkway, Three Oaks Parkway, Alico Road, and I-75.

Daniels Parkway is a County-maintained, six-lane, east-west arterial connecting several north-south roadways including Metro Parkway, Six Mile Cypress Parkway and Treeline Avenue, which serves the Southwest Florida International Airport. Daniels Parkway is a controlled access facility from US 41 to SR 82. It is also a constrained roadway facility from Metro Parkway to I-75.

Three Oaks Parkway is a County maintained, four-lane, divided arterial from Alico Road to the south. The future Three Oaks Parkway Extension will connect Alico Road to Daniels Parkway, as a four-lane divided roadway.

Alico Road is a County-maintained, six-lane, east-west arterial connecting US 41 to I-75 and Ben Hill Griffin Parkway. It becomes a two-lane collector east of Ben Hill Griffin Parkway to Corkscrew Road, which connects to SR 82 in Collier County.

I-75 is a State-maintained freeway along the west coast of Florida, which has recently been widened to six-lanes from Golden Gate Parkway in Collier County to SR 82. The sections north of SR 82 are currently being widened to six-lanes.

Scheduled Roadway Improvements

Scheduled road improvements in the Lee County Capital Improvement Program are shown on a map produced by the Lee County DOT and titled Major Road Improvements Tentatively Programmed Through Construction Phase, F.Y. 2010/11 – 2014/15, (included as part of Appendix I).

Some of the more important roadway improvements in the general vicinity of the Project include the following.

- Six-lane widening of Daniels Parkway, from Chamberlin Parkway to Gateway Boulevard – Under Construction.
- New six-lane Metro Parkway Extension, from Six Mile Cypress Parkway to Alico Road – Under Construction.
- Four-lane widening of Six Mile Cypress Parkway, from north of Daniels Parkway to Winkler Road – Under Construction.

In addition to the above, the following major roadway improvements have been included into the recently adopted FDOT Five Year Program.

- I-75 Airport Access at SWFIA CD System – Fiscal Year 2012
- Six-lane widening of I-75 from North of SR 80 to South of SR 78 – Fiscal Year 2014

Planned Roadway Improvements

The Lee County Metropolitan Planning Organization (MPO) recently adopted the Lee County 2035 Long Range Transportation Plan (LRTP). The 2035 LRTP Highway Cost Feasible Plan (also included as part of Appendix 1) identifies improvements that are considered Financially Feasible.

It is noted that the Lee County Financial Feasible Plan/Map 3A from The Lee Plan has not been updated yet to reflect the recently adopted Lee County MPO 2035 Long Range Transportation Plan (LRTP), Lee County Highway Cost Feasible Plan. Lee Plan Map 3A will essentially be the cost feasible component of the MPO 2035 LRTP Highway Element. As indicated in the current version of The Lee Plan, Chapter III. Transportation, a. Traffic Circulation, Policy 36.1.1:

“The Lee County Metropolitan Planning Organization’s 2030 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO 2030 Financially Feasible Highway Plan Map, as adopted December 7, 2005 and as amended through March 17, 2006, is incorporated as Map 3A of the Transportation Map series.”

Therefore, as agreed during the methodology meeting, the traffic analysis reflected the adopted MPO 2035 LRTP, Cost Feasible Plan. In addition, it is noted that using the MPO 2035 LRTP in the traffic analysis is appropriate to reflect the long-term analysis. It is also understood that all the references to the MPO 2035 LRTP Cost Feasible Plan refer to the Map 3A from The Lee Plan, which is yet to be updated reflective of the MPO 2035 LRTP Cost Feasible Plan.

The Cost Feasible projects include those improvements that are considered affordable, given revenue projections through 2035. The Cost Feasible projects in the general vicinity of the Project include the following.

- Four-lane Three Oaks Parkway Extension from north of Alico Road to Daniels Parkway.

The Project has frontage onto and is anticipated to have access to the future Three Oaks Parkway Extension.

Land Use Assumptions

The proposed CPA will amend The Lee Plan to change the Project’s land use designation from Rural and Wetlands to Outlying Suburban.

Based on conservative assumptions as to the types, intensities and densities that could be developed under the proposed land use designation, the potential future land uses for the Project were developed. These numbers have been prepared for analysis purposes.

Development Parameters ⁽¹⁾

<u>Land Use</u>	<u>5-Years</u>		<u>Build-out</u>	
	<u>Size</u>	<u>Units</u>	<u>Size</u>	<u>Units</u>
Residential – Single Family	220	d.u.	1,122	d.u.
Commercial	--		20,000	sq.ft.

Footnotes:

(1) Preliminary land use projections. Subject to change.

As shown above, the development plan reflects approximately 1,122 single-family residential units and 20,000 square feet of commercial uses at build-out. Of the total, approximately 20% (220 d.u.) is anticipated within the first five years. No commercial development is anticipated in the first five years.

Project Access

The Project is anticipated to have access to/from Fiddlesticks Boulevard, which connects to Daniels Parkway. In addition, the Project has frontage onto future Three Oaks Parkway Extension and is anticipated to have access onto future Three Oaks Parkway.

Level of Service Standards

Roadway level of service (LOS) standards generally vary depending upon whether the road is a State or County road and whether the road is in an urban or rural area. Furthermore, State roads on the Florida Intrastate Highway System (FIHS) generally have more stringent LOS standards than other roads.

Per The Lee Plan, Policy 37.1.1., appropriate level of service (LOS) standards were used in the traffic analysis, which acknowledges State LOS standards on FIHS, SIS and TRIP-funded facilities.

Long-Term (2035) Comparative Travel Model Assignments

As agreed at the methodology meeting, the recently adopted Lee County MPO CUBE travel model (FSUTMS) was used to run comparative travel model assignments both without and with the proposed CPA under the adopted Lee County MPO 2035 Cost Feasible Plan. For these



assignments, the future year 2035 Cost Feasible road network and the MPO’s 2035 socio-economic data projections were used.

2035 Traffic Conditions Without the CPA

As required by Lee County, the study area included roadway segments within a three-mile radius of the Project. Exhibit 2 provides the results of the 2035 travel model assignment without the proposed CPA. For each segment, the most representative link volumes from the CUBE travel model assignment were used in the segment analysis. As shown in Exhibit 2, the following segments are projected to be deficient in 2035 without the proposed CPA.

Deficient Roadway Segments – 2035 Cost Feasible Plan, Without CPA

<u>Roadway</u>	<u>From</u>	<u>To</u>
Daniels Parkway	I-75 Treeline Avenue	Treeline Avenue Chamberlin Parkway
I-75	Corkscrew Road Daniels Parkway	Alico Road Colonial Boulevard

The segments of Daniels Parkway from I-75 to Chamberlin Parkway are identified under the “Deficient Segments, 2035 Cost Feasible Plan” in the MPO’s 2035 LRTP. In addition, the 2035 LRTP Needs Plan identifies I-75 as a deficient roadway segment with a need for ten lanes (6 lanes plus 4 express lanes). Relevant excerpts from the 2035 LRTP are provided as part of Appendix B.

Since the proposed CPA was not reflected in the MPO 2035 LRTP, these improvements will be needed whether or not there is development as part of the proposed CPA.

2035 Traffic Conditions With the CPA

A new TAZ (TAZ 1545) was assigned to represent the proposed CPA in the travel model. The proposed CPA build-out parameters (1,122 single-family dwelling units and 20,000 commercial uses) were converted to socio-economic data. The population estimates were derived based on the same seasonal vacancy and auto ownership rates as that of the adjacent development (TAZ 1427). The employment estimates were derived by applying the standard 2.5 employees per 1,000 square feet of commercial uses. Based on the travel model, the CPA generated approximately 5,400 peak season, weekday, average daily trips (PSWADT).

Exhibit 3 provides the results of the 2035 travel model assignment with the proposed CPA. As shown in Exhibit 3, the following segments were projected to be deficient in 2035 with the



proposed CPA. These are the same roadway segments that were found to be deficient in 2035 without the CPA.

Deficient Roadway Segments – 2035 Cost Feasible Plan, With CPA

<u>Roadway</u>	<u>From</u>	<u>To</u>
Daniels Parkway	I-75 Treeline Avenue	Treeline Avenue Chamberlin Parkway
I-75	Corkscrew Road Daniels Parkway	Alico Road Colonial Boulevard

Based on the long-term (2035) comparative travel model analysis, the following conclusions are derived.

1. There are two deficient roadway segments on Daniels Parkway and on I-75 in 2035, without the proposed CPA.
2. The deficient roadway segments and the corresponding needed improvements have already been identified in the 2035 LRTP.
3. The same exact roadway segments that were deficient without the CPA are anticipated to be deficient with the proposed CPA.
4. There are no additional roadway deficiencies as a result of the proposed CPA.
5. No changes to the adopted 2035 LRTP are warranted as a result of the proposed CPA.

Five-Year (Short-Term 2016) Comparative Travel Model Assignments

As agreed in the methodology meeting, the short-term (5-year) analysis was based on the CUBE travel model under the E+C (existing plus committed) roadway network and the interpolated socio-economic data (for the year 2016). As described in the earlier section of this report, the E+C network included the I-75 Airport Access CD System at SWFIA, along with other committed improvements.

2016 Traffic Conditions Without the CPA

Exhibit 4 provides the results of the 2016 travel model assignment without the proposed CPA. As shown in Exhibit 4, no deficient roadway segments were identified in 2016, without the proposed CPA.



2016 Traffic Conditions With the CPA

Similar to the long-term analysis, a new TAZ (TAZ 1545) was used to represent the Project in the travel model. Since the Three Oaks Parkway Extension to Daniels Parkway is not a committed improvement, the new TAZ was only connected to Fiddlesticks Boulevard.

As identified previously, a total of 220 dwelling units were used to represent the proposed CPA development within the first five years. Based on the travel model, the CPA generated approximately 950 peak season, weekday, average daily trips (PSWADT).

Exhibit 5 provides the results of the 2016 travel model assignment with the proposed CPA. As in the case of without the proposed CPA scenario, no deficient roadway segments were identified in 2016 with the proposed CPA.

Based on the five-year (short-term, 2016) comparative travel model analysis, the following conclusions are derived.

1. No deficient roadway segments were identified in 2016, without the proposed CPA.
2. No deficient roadway segments were identified in 2016, with the proposed CPA.
3. There are no additional roadway deficiencies as result of the proposed CPA.
4. No changes to the current roadway improvements identified in the County's Capital Improvement Program (CIP) are warranted, as a result of the proposed CPA.

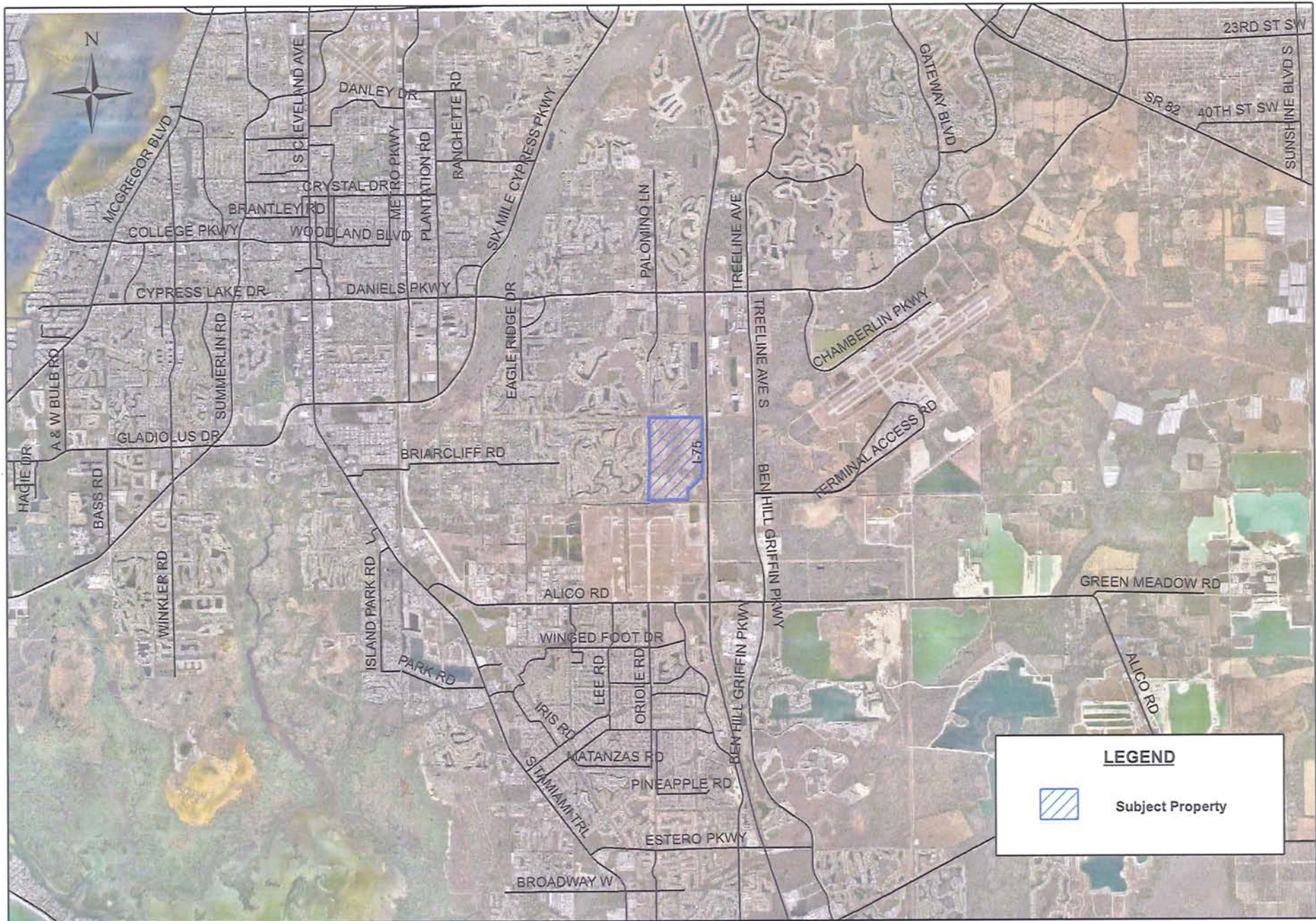
The complete CUBE travel model run for all CPA scenarios are available for download from ftp://ftpfm.dplumer.com/Public/11533_fiddlesticks_CPA.

Traffic Mitigation

It is anticipated that the Project will mitigate its external transportation impacts through the payment of roads impact fees. As shown in Exhibit 6a and 6b, it has been estimated that the Project will generate approximately \$1.47 and \$7.68 million in road impact fees, for the first five years and at build-out, respectively.

The roads impact fees can be used by the County to fund whatever road improvements are found to be necessary to support general growth in the area, including this Project. Of course, the Project will also generate ad valorem taxes, gas taxes, and other revenues that will be used to offset the traffic impacts.

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LEGEND

 Subject Property



**FIDDLESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT**

Project Location Map

11533/02A/0811

EXHIBIT 2
 FIDDLESTICKS PROPERTY
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY
 FUTURE 2035 TRAFFIC CONDITIONS WITHOUT PROJECT
 DIRECTIONAL PEAK HOUR (K100), PEAK SEASON

ROADWAY	FROM	TO	(6)										(2)									
			(1) (3)		FSUTMS		(7)		(5) Two-Way		(5) Directional		Directional Service Volumes				LOS		V/C		LOS	
			# of Lanes	LOS	PSWDT Without	PSWDT /AADT	2035 AADT	K100 Factor	Peak Hr. Volume	N/E	S/W	N/E	S/W	LOS "C"	LOS "D"	LOS "E"	Std	N/E	S/W	N/E	S/W	
ALICO ROAD	METRO PKWY	LEE RD	6	E	10	59.794	1.167	51.200	0.1005	5.146	0.47	0.53	2.419	2.727	2.870	2.960	2.960	2.960	0.82	0.92	C	C
	LEE RD	THREE OAKS PKWY	6	E	10	63.397	1.167	54.300	0.1005	5.457	0.47	0.53	2.565	2.892	2.870	2.960	2.960	2.960	0.87	0.98	C	D
	THREE OAKS PKWY	I-75	6	E	10	62.793	1.167	53.800	0.1005	5.407	0.47	0.53	2.541	2.866	2.870	2.960	2.960	2.960	0.86	0.97	C	C
	I-75	BEN HILL GRIFFIN PKWY	6	E	53	60.037	1.217	49.300	0.0905	4.462	0.47	0.53	2.097	2.365	2.870	2.960	2.960	2.960	0.71	0.80	C	C
	BEN HILL GRIFFIN PKWY	EAST	4	E	53	15.901	1.217	13.100	0.0905	1.186	0.47	0.53	557	629	1.890	2.010	2.040	2.040	0.27	0.31	C	C
BEN HILL GRIFFIN PKWY	FGCU ENTRANCE	COLLEGE CLUB DR	4	E	60	45.783	1.243	36.800	0.0991	3.647	0.53	0.47	1.933	1.714	1.900	1.960	1.960	1.960	0.99	0.87	D	C
	COLLEGE CLUB DR	ALICO ROAD	6	E	60	60.328	1.243	48.500	0.0991	4.806	0.53	0.47	2.547	2.259	2.870	2.960	2.960	2.960	0.86	0.76	C	C
	ALICO RD	TERMINAL ACCESS RD	4	E	60	36.629	1.243	29.500	0.0991	2.923	0.53	0.47	1.549	1.374	1.890	2.010	2.040	2.040	0.76	0.67	C	C
DANIELS PARKWAY	METRO PKWY	SIX MILE CYPRESS PKWY	6	E	30	71.404	1.170	61.000	0.0935	5.704	0.48	0.52	2.738	2.966	2.860	3.040	3.080	3.080	0.89	0.96	(8)	(8)
	SIX MILE CYPRESS PKWY	PALOMINO DR	6	E	31	86.671	1.173	73.900	0.0959	7.087	0.55	0.45	3.898	3.189	2.860	3.040	3.080	3.080	1.27	1.04	(8)	(8)
	PALOMINO DR	I-75	6	E	31	84.777	1.173	72.300	0.0959	6.934	0.55	0.45	3.814	3.120	2.860	3.040	3.080	3.080	1.24	1.01	(8)	(8)
	I-75	TREELINE AVENUE	6	E	52	83.048	1.110	74.800	0.0966	7.226	0.53	0.47	3.830	3.396	2.860	3.040	3.080	3.080	1.24	1.10	F	F
	TREELINE AVENUE	CHAMBERLIN PKWY	6	E	52	75.322	1.110	67.900	0.0966	6.559	0.53	0.47	3.476	3.083	2.860	3.040	3.080	3.080	1.13	1.00	F	F
I-75	CORKSCREW RD	ALICO RD	6	D	FDOT	167.820	1.111	151.000	0.0902	13.620	0.52	0.48	7.082	6.538	4.580	5.580	6.200	5.580	1.27	1.17	F	F
	ALICO RD	TERMINAL ACCESS RD	6	D	FDOT	125.409	1.111	112.900	0.0902	10.184	0.52	0.48	5.296	4.888	4.580	5.580	6.200	5.580	0.95	0.88	D	D
	TERMINAL ACCESS RD	DANIELS PKWY	6	D	FDOT	125.409	1.111	112.900	0.0902	10.180	0.52	0.48	5.294	4.886	4.580	5.580	6.200	5.580	0.95	0.88	D	D
	DANIELS PKWY	COLONIAL BLVD	6	D	FDOT	168.280	1.111	151.500	0.0902	13.665	0.52	0.48	7.106	6.559	4.580	5.580	6.200	5.580	1.27	1.18	F	F
METRO PARKWAY	ALICO RD	BRIARCLIFF RD	6	E	25	59.013	1.167	50.600	0.0933	4.721	0.53	0.47	2.502	2.219	3.920	5.080	5.760	5.760	0.43	0.39	C	C
SIX MILE CYPRESS PKWY	METRO PKWY	PLANTATION RD	4	E	46	39.504	1.163	34.000	0.0926	3.148	0.49	0.51	1.543	1.605	1.890	2.010	2.040	2.040	0.76	0.79	C	C
	PLANTATION RD	DANIELS PKWY	4	E	46	35.406	1.163	31.300	0.0926	2.898	0.49	0.51	1.420	1.478	1.890	2.010	2.040	2.040	0.70	0.72	C	C
	DANILES PKWY	NORTH	4	E	18	37.254	1.103	33.800	0.0976	3.299	0.54	0.46	1.781	1.518	1.890	2.010	2.040	2.040	0.87	0.74	C	C
THREE OAKS PARKWAY	SAN CARLOS BLVD	ALICO RD	4	E	25	31.978	1.167	27.400	0.0933	2.556	0.53	0.47	1.355	1.201	1.900	1.960	1.960	1.960	0.69	0.61	C	C
	ALICO RD	PROJECT ENTRANCE	4	E	25	19.620	1.167	16.800	0.0933	1.567	0.53	0.47	831	736	1.900	1.960	1.960	1.960	0.42	0.38	C	C
	PROJECT ENTRANCE	FIDDLESTICKS BLVD	4	E	25	19.007	1.167	16.300	0.0933	1.521	0.53	0.47	806	715	1.900	1.960	1.960	1.960	0.41	0.36	C	C
	FIDDLESTICKS BLVD	DANIELS PKWY	4	E	25	32.355	1.167	27.700	0.0933	2.584	0.53	0.47	1.370	1.214	1.900	1.960	1.960	1.960	0.70	0.62	C	C
TREELINE AVENUE	TERMINAL ACCESS RD	DANIELS PKWY	4	E	61	46.639	1.183	39.400	0.0880	3.467	0.53	0.47	1.638	1.629	1.890	2.010	2.040	2.040	0.90	0.80	C	C
	DANIELS PKWY	PLANTATION GARDENS PKWY	4	E	61	29.637	1.183	25.100	0.0880	2.209	0.53	0.47	1.171	1.038	1.900	1.960	1.960	1.960	0.60	0.53	C	C

Footnotes:

- (1) 2035 cost-feasible number of lanes.
- (2) Lee County Generalized Service Volumes (March, 2011). FDOT Generalized Service Volumes for I-75.
- (3) Lee County roadway LOS standard per The Lee Plan, Policy 37.1.1. I-75 based on FDOT FHHS LOS standard.
- (4) Based on Lee County 2010 Traffic Count Report. I-75 based on FDOT 2010 AADT traffic information.
- (5) Adjustment factors based on Lee County 2010 Traffic Count Report. I-75 based on FDOT 2010 traffic information.
- (6) Peak season traffic volumes based on FSUTMS travel model assignment.
- (7) PSADT/AADT factor based on Lee County 2010 permanent count station data. I-75 based on Lee Countywide PSF from FDOT data.
- (8) Costrained roadway segment. Maximum v/c ratio is less than 1.85.

EXHIBIT 3
 FIDDLESTICKS PROPERTY
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY
 FUTURE 2035 TRAFFIC CONDITIONS WITH PROJECT
 DIRECTIONAL PEAK HOUR (K100), PEAK SEASON

ROADWAY	FROM	TO	(6)																		(2)			
			(1)		(3)		FSUTMS (7)		(5)		Two-Way		(5)		Directional		Directional Service Volumes				LOS		V/C	
			# of Lanes	LOS	Std	PCS #	With CPA	PSWDT /AADT Factor	2035 AADT	K100 Factor	Peak Hr. Volume	D100 N/E	S/W	Peak Hr. Vol. N/E	S/W	LOS "C"	LOS "D"	LOS "E"	Std	N/E	S/W	N/		
ALICO ROAD	METRO PKWY	LEE RD	6	E	10	60.650	1.167	52.000	0.1005	5.226	0.47	0.53	2.456	2.770	2.870	2.960	2.960	2.960	0.83	0.94	C			
	LEE RD	THREE OAKS PKWY	6	E	10	63.996	1.167	54.800	0.1005	5.507	0.47	0.53	2.588	2.919	2.870	2.960	2.960	2.960	0.87	0.99	C			
	THREE OAKS PKWY	I-75	6	E	10	63.236	1.167	54.200	0.1005	5.447	0.47	0.53	2.560	2.887	2.870	2.960	2.960	2.960	0.86	0.98	C			
	I-75	BEN HILL GRIFFIN PKWY	6	E	53	60.486	1.217	49.700	0.0905	4.498	0.47	0.53	2.114	2.384	2.870	2.960	2.960	2.960	0.71	0.81	C			
	BEN HILL GRIFFIN PKWY	EAST	4	E	53	16.034	1.217	13.200	0.0905	1.195	0.47	0.53	562	633	1.890	2.010	2.040	2.040	0.28	0.31	C			
BEN HILL GRIFFIN PKWY	FGCU ENTRANCE	COLLEGE CLUB DR	4	E	60	46.054	1.243	37.100	0.0991	3.677	0.53	0.47	1.949	1.728	1.900	1.960	1.960	1.960	0.99	0.88	C			
	COLLEGE CLUB DR	ALICO ROAD	6	E	60	60.776	1.243	48.900	0.0991	4.846	0.53	0.47	2.568	2.278	2.870	2.960	2.960	2.960	0.87	0.77	C			
	ALICO RD	TERMINAL ACCESS RD	4	E	60	36.535	1.243	29.400	0.0991	2.914	0.53	0.47	1.544	1.370	1.890	2.010	2.040	2.040	0.76	0.67	C			
DANIELS PARKWAY	METRO PKWY	SIX MILE CYPRESS PKWY	6	E	30	71.923	1.170	61.500	0.0935	5.750	0.48	0.52	2.760	2.990	2.860	3.040	3.080	3.080	0.90	0.97	(E)			
	SIX MILE CYPRESS PKWY	PALOMINO DR	6	E	31	87.084	1.173	74.200	0.0959	7.116	0.55	0.45	3.914	3.202	2.860	3.040	3.080	3.080	1.27	1.04	(E)			
	PALOMINO DR	I-75	6	E	31	85.596	1.173	73.000	0.0959	7.001	0.55	0.45	3.851	3.150	2.860	3.040	3.080	3.080	1.25	1.02	(E)			
	I-75	TREELINE AVENUE	6	E	52	83.432	1.110	75.200	0.0966	7.264	0.53	0.47	3.850	3.414	2.860	3.040	3.080	3.080	1.25	1.11	F			
	TREELINE AVENUE	CHAMBERLIN PKWY	6	E	52	75.485	1.110	68.000	0.0966	6.569	0.53	0.47	3.482	3.087	2.860	3.040	3.080	3.080	1.13	1.00	F			
I-75	CORKSCREW RD	ALICO RD	6	D	FDOT	168.385	1.111	151.500	0.0902	13.665	0.52	0.48	7.106	6.559	4.580	5.580	6.200	5.580	1.27	1.18	F			
	ALICO RD	TERMINAL ACCESS RD	6	D	FDOT	128.504	1.111	115.700	0.0902	10.436	0.52	0.48	5.427	5.009	4.580	5.580	6.200	5.580	0.97	0.90	C			
	TERMINAL ACCESS RD	DANIELS PKWY	6	D	FDOT	128.504	1.111	115.700	0.0902	10.436	0.52	0.48	5.427	5.009	4.580	5.580	6.200	5.580	0.97	0.90	C			
	DANIELS PKWY	COLONIAL BLVD	6	D	FDOT	169.137	1.111	152.200	0.0902	13.728	0.52	0.48	7.139	6.589	4.580	5.580	6.200	5.580	1.28	1.18	F			
METRO PARKWAY	ALICO RD	BRIARCLIFF RD	6	E	25	61.230	1.167	52.500	0.0933	4.898	0.53	0.47	2.596	2.302	3.920	5.080	5.760	5.760	0.45	0.40	C			
SIX MILE CYPRESS PKWY	METRO PKWY	PLANTATION RD	4	E	46	35.832	1.163	30.800	0.0926	2.852	0.49	0.51	1.397	1.455	1.890	2.010	2.040	2.040	0.68	0.71	C			
	PLANTATION RD	DANIELS PKWY	4	E	46	36.247	1.163	31.200	0.0926	2.889	0.49	0.51	1.416	1.473	1.890	2.010	2.040	2.040	0.69	0.72	C			
	DANILES PKWY	NORTH	4	E	18	37.164	1.103	33.700	0.0976	3.289	0.54	0.46	1.776	1.513	1.890	2.010	2.040	2.040	0.87	0.74	C			
THREE OAKS PARKWAY	SAN CARLOS BLVD	ALICO RD	4	E	25	32.824	1.167	28.100	0.0933	2.622	0.53	0.47	1.390	1.232	1.900	1.960	1.960	1.960	0.71	0.63	C			
	ALICO RD	PROJECT ENTRANCE	4	E	25	20.752	1.167	17.800	0.0933	1.661	0.53	0.47	880	781	1.900	1.960	1.960	1.960	0.45	0.40	C			
	PROJECT ENTRANCE	FIDDLESTICKS BLVD	4	E	25	21.289	1.167	18.200	0.0933	1.698	0.53	0.47	900	798	1.900	1.960	1.960	1.960	0.46	0.41	C			
	FIDDLESTICKS BLVD	DANIELS PKWY	4	E	25	34.440	1.167	29.500	0.0933	2.752	0.53	0.47	1.459	1.293	1.900	1.960	1.960	1.960	0.74	0.66	C			
TREELINE AVENUE	TERMINAL ACCESS RD	DANIELS PKWY	4	E	61	46.562	1.183	39.400	0.0880	3.467	0.53	0.47	1.838	1.629	1.890	2.010	2.040	2.040	0.90	0.80	C			
	DANIELS PKWY	PLANTATION GARDENS PKWY	4	E	61	29.719	1.183	25.100	0.0880	2.209	0.53	0.47	1.171	1.038	1.900	1.960	1.960	1.960	0.60	0.53	C			

EXHIBIT 4
 FIDDLESTICKS PROPERTY
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY
 FUTURE 2016 TRAFFIC CONDITIONS WITHOUT PROJECT
 DIRECTIONAL PEAK HOUR (K100), PEAK SEASON

ROADWAY	FROM	TO	(1) # of Lanes	(3) LOS	(4) PCS #	(6) FSUTMS		2016 AADT	(5) K100 Factor	(5) Two-Way Peak Hr. Volume	(5) Directional D100 Peak Hr. Vol.		(2) Directional Service Volumes				LOS		V/C	
						Without CPA	/AADT Factor				N/E	S/W	N/E	S/W	LOS "C"	LOS "D"	LOS "E"	Std	N/E	S/W
ALICO ROAD	METRO PKWY	LEE RD	6	E	10	48.750	1.167	41,800	0.1005	4,201	0.47	0.53	1,974	2,227	2,870	2,960	2,960	2,960	0.67	0.75
	LEE RD	THREE OAKS PKWY	6	E	10	47.676	1.167	40,900	0.1005	4,110	0.47	0.53	1,932	2,178	2,870	2,960	2,960	2,960	0.65	0.74
	THREE OAKS PKWY	I-75	6	E	10	46.464	1.167	39,800	0.1005	4,000	0.47	0.53	1,880	2,120	2,870	2,960	2,960	2,960	0.64	0.72
	I-75	BEN HILL GRIFFIN PKWY	6	E	53	36.592	1.217	30,100	0.0905	2,724	0.47	0.53	1,280	1,444	2,870	2,960	2,960	2,960	0.43	0.49
	BEN HILL GRIFFIN PKWY	EAST	2	E	53	3.874	1.217	3,200	0.0905	290	0.47	0.53	136	154	650	820	860	860	0.16	0.18
BEN HILL GRIFFIN PKWY	FGCU ENTRANCE	COLLEGE CLUB DR	4	E	60	24.530	1.243	19,700	0.0991	1,952	0.53	0.47	1,035	917	1,900	1,960	1,960	1,960	0.53	0.47
	COLLEGE CLUB DR	ALICO ROAD	6	E	60	33.530	1.243	27,000	0.0991	2,676	0.53	0.47	1,418	1,258	2,870	2,960	2,960	2,960	0.48	0.43
	ALICO RD	TERMINAL ACCESS RD	4	E	60	21.900	1.243	17,600	0.0991	1,744	0.53	0.47	924	820	1,890	2,010	2,040	2,040	0.45	0.40
DANIELS PARKWAY	METRO PKWY	SIX MILE CYPRESS PKWY	6	E	30	55.829	1.170	47,700	0.0935	4,460	0.48	0.52	2,141	2,319	2,860	3,040	3,080	3,080	0.70	0.75
	SIX MILE CYPRESS PKWY	PALOMINO DR	6	E	31	66.649	1.173	56,800	0.0959	5,447	0.55	0.45	2,996	2,451	2,860	3,040	3,080	3,080	0.97	0.80
	PALOMINO DR	I-75	6	E	31	66.692	1.173	56,900	0.0959	5,457	0.55	0.45	3,001	2,456	2,860	3,040	3,080	3,080	0.97	0.80
	I-75	TREELINE AVENUE	6	E	52	63.654	1.110	57,300	0.0966	5,535	0.53	0.47	2,934	2,601	2,860	3,040	3,080	3,080	0.95	0.84
	TREELINE AVENUE	CHAMBERLIN PKWY	6	E	52	58.735	1.110	52,900	0.0966	5,110	0.53	0.47	2,708	2,402	2,860	3,040	3,080	3,080	0.88	0.78
	CHAMBERLIN PKWY	GATEWAY BLVD	6	E	52	54.047	1.110	48,700	0.0966	4,704	0.53	0.47	2,493	2,211	2,860	3,040	3,080	3,080	0.81	0.72
I-75	CORKSCREW RD	ALICO RD	6	D	FDOT	132.763	1.111	119,500	0.0902	10,779	0.52	0.48	5,605	5,174	4,580	5,580	6,200	5,580	1.00	0.93
	ALICO RD	TERMINAL ACCESS RD	6	D	FDOT	124.975	1.111	112,500	0.0902	10,148	0.52	0.48	5,277	4,871	4,580	5,580	6,200	5,580	0.95	0.87
	TERMINAL ACCESS RD	DANIELS PKWY	6	D	FDOT	124.975	1.111	112,500	0.0902	10,148	0.52	0.48	5,277	4,871	4,580	5,580	6,200	5,580	0.95	0.87
	DANIELS PKWY	COLONIAL BLVD	6	D	FDOT	121.921	1.111	109,700	0.0902	9,895	0.52	0.48	5,145	4,750	4,580	5,580	6,200	5,580	0.92	0.85
METRO PARKWAY	ALICO RD	BRIARCLIFF RD	6	E	25	47.393	1.167	40,600	0.0933	3,788	0.53	0.47	2,008	1,780	3,920	5,080	5,760	5,760	0.35	0.31
SIX MILE CYPRESS PKWY	METRO PKWY	PLANTATION RD	4	E	46	30.105	1.163	25,900	0.0926	2,398	0.49	0.51	1,175	1,223	1,890	2,010	2,040	2,040	0.58	0.60
	PLANTATION RD	DANIELS PKWY	4	E	46	27.499	1.163	23,600	0.0926	2,185	0.49	0.51	1,071	1,114	1,890	2,010	2,040	2,040	0.53	0.55
	DANILES PKWY	NORTH	4	E	18	26.691	1.103	24,200	0.0976	2,362	0.54	0.46	1,275	1,087	1,890	2,010	2,040	2,040	0.63	0.53
THREE OAKS PARKWAY	SAN CARLOS BLVD	ALICO RD	4	E	25	17.257	1.167	14,800	0.0933	1,381	0.53	0.47	732	649	1,900	1,960	1,960	1,960	0.37	0.33
TREELINE AVENUE	TERMINAL ACCESS RD	DANIELS PKWY	4	E	61	28.632	1.183	24,200	0.0880	2,130	0.53	0.47	1,129	1,001	1,890	2,010	2,040	2,040	0.55	0.49
	DANIELS PKWY	PLANTATION GARDENS PKWY	4	E	61	17.143	1.183	14,500	0.0880	1,276	0.53	0.47	676	600	1,900	1,960	1,960	1,960	0.34	0.31

EXHIBIT 5
 FIDDLESTICKS PROPERTY
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY
 FUTURE 2016 TRAFFIC CONDITIONS WITH PROJECT
 DIRECTIONAL PEAK HOUR (K100), PEAK SEASON

			(6)																(2)			
			FSUTMS				(7)				(5) Two-Way				(5) Directional				Directional Service Volumes			
ROADWAY	FROM	TO	(1)	(3)	(4)	PSWDT	PSWDT	2016	K100	Peak Hr.	D100		Peak Hr. Vol.		LOS "C" LOS "D" LOS "E"			LOS	V/C			
			# of Lanes	Std	PCS #	With CPA	/AADT Factor	AADT	Factor	Volume	N/E	S/W	N/E	S/W	LOS "C"	LOS "D"	LOS "E"	Std	N/E	S/W		
ALICO ROAD	METRO PKWY	LEE RD	6	E	10	48.639	1.167	41.700	0.1005	4.191	0.47	0.53	1.970	2.221	2.870	2.960	2.960	2.960	0.67	0.75		
	LEE RD	THREE OAKS PKWY	6	E	10	47.463	1.167	40.700	0.1005	4.090	0.47	0.53	1.922	2.168	2.870	2.960	2.960	2.960	0.65	0.73		
	THREE OAKS PKWY	I-75	6	E	10	46.347	1.167	39.700	0.1005	3.990	0.47	0.53	1.875	2.115	2.870	2.960	2.960	2.960	0.63	0.71		
	I-75	BEN HILL GRIFFIN PKWY	6	E	53	36.349	1.217	29.900	0.0905	2.706	0.47	0.53	1.272	1.434	2.870	2.960	2.960	2.960	0.43	0.48		
	BEN HILL GRIFFIN PKWY	EAST	2	E	53	3.861	1.217	3.200	0.0905	290	0.47	0.53	136	154	650	820	860	860	0.16	0.18		
BEN HILL GRIFFIN PKWY	FGCU ENTRANCE	COLLEGE CLUB DR	4	E	60	25.104	1.243	20.200	0.0991	2.002	0.53	0.47	1.061	941	1.900	1.960	1.960	1.960	0.54	0.48		
	COLLEGE CLUB DR	ALICO ROAD	6	E	60	33.773	1.243	27.200	0.0991	2.696	0.53	0.47	1.429	1.267	2.870	2.960	2.960	2.960	0.48	0.43		
	ALICO RD	TERMINAL ACCESS RD	4	E	60	22.331	1.243	18.000	0.0991	1.784	0.53	0.47	946	838	1.890	2.010	2.040	2.040	0.46	0.41		
DANIELS PARKWAY	METRO PKWY	SIX MILE CYPRESS PKWY	6	E	30	57.900	1.170	49.500	0.0935	4.628	0.48	0.52	2.221	2.407	2.860	3.040	3.080	3.080	0.72	0.78		
	SIX MILE CYPRESS PKWY	PALOMINO DR	6	E	31	66.985	1.173	57.100	0.0959	5.476	0.55	0.45	3.012	2.464	2.860	3.040	3.080	3.080	0.98	0.80		
	PALOMINO DR	I-75	6	E	31	66.997	1.173	57.100	0.0959	5.476	0.55	0.45	3.012	2.464	2.860	3.040	3.080	3.080	0.98	0.80		
	I-75	TREELINE AVENUE	6	E	52	63.527	1.110	57.200	0.0966	5.526	0.53	0.47	2.929	2.597	2.860	3.040	3.080	3.080	0.95	0.84		
	TREELINE AVENUE	CHAMBERLIN PKWY	6	E	52	58.667	1.110	52.900	0.0966	5.110	0.53	0.47	2.708	2.402	2.860	3.040	3.080	3.080	0.88	0.78		
	CHAMBERLIN PKWY	GATEWAY BLVD	6	E	52	53.963	1.110	48.600	0.0966	4.695	0.53	0.47	2.488	2.207	2.860	3.040	3.080	3.080	0.81	0.72		
I-75	CORKSCREW RD	ALICO RD	6	D	FDOT	132.222	1.111	119.000	0.0902	10.734	0.52	0.48	5.582	5.152	4.580	5.580	6.200	5.580	1.00	0.92		
	ALICO RD	TERMINAL ACCESS RD	6	D	FDOT	124.486	1.111	112.000	0.0902	10.102	0.52	0.48	5.253	4.849	4.580	5.580	6.200	5.580	0.94	0.87		
	TERMINAL ACCESS RD	DANIELS PKWY	6	D	FDOT	124.506	1.111	112.100	0.0902	10.111	0.52	0.48	5.258	4.853	4.580	5.580	6.200	5.580	0.94	0.87		
	DANIELS PKWY	COLONIAL BLVD	6	D	FDOT	122.299	1.111	110.100	0.0902	9.931	0.52	0.48	5.164	4.767	4.580	5.580	6.200	5.580	0.93	0.85		
METRO PARKWAY	ALICO RD	BRIARCLIFF RD	6	E	25	42.924	1.167	36.800	0.0933	3.433	0.53	0.47	1.819	1.614	3.920	5.080	5.760	5.760	0.32	0.28		
SIX MILE CYPRESS PKWY	METRO PKWY	PLANTATION RD	4	E	46	29.552	1.163	25.400	0.0926	2.352	0.49	0.51	1.152	1.200	1.890	2.010	2.040	2.040	0.56	0.59		
	PLANTATION RD	DANIELS PKWY	4	E	46	27.200	1.163	23.400	0.0926	2.167	0.49	0.51	1.062	1.105	1.890	2.010	2.040	2.040	0.52	0.54		
	DANILES PKWY	NORTH	4	E	18	26.407	1.103	23.900	0.0976	2.333	0.54	0.46	1.260	1.073	1.890	2.010	2.040	2.040	0.62	0.53		
THREE OAKS PARKWAY	SAN CARLOS BLVD	ALICO RD	4	E	25	17.406	1.167	14.900	0.0933	1.390	0.53	0.47	737	653	1.900	1.960	1.960	1.960	0.38	0.33		
TREELINE AVENUE	TERMINAL ACCESS RD	DANIELS PKWY	4	E	61	29.082	1.183	24.600	0.0880	2.165	0.53	0.47	1.147	1.018	1.890	2.010	2.040	2.040	0.56	0.50		
	DANIELS PKWY	PLANTATION GARDENS PKWY	4	E	61	17.004	1.183	14.400	0.0880	1.267	0.53	0.47	672	595	1.900	1.960	1.960	1.960	0.34	0.30		

EXHIBIT 6a
 FIDDLESTICKS PROPERTY
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY
 ROADS IMPACT FEE CALCULATION ⁽¹⁾

FIRST FIVE YEARS (2016)

		<u>Size</u>	<u>Fee Rate /Unit</u>	<u>Amount</u>
Residential:	Single-Family Detached	220	\$6,701 /d.u.	\$1,474,220
	Multi-Family	0	\$4,659 /d.u.	\$0
	Mobile Home/RV Park	0	\$3,499 /pad (park site)	\$0
	Elderly/Disabled Housing	0	\$2,435 /d.u.	\$0
	Adult Cong. Living Facility (ACLF)	0	\$1,512 /d.u.	\$0
Lodging:	Hotel / Motel / Timeshare	0	\$3,861 /room	\$0
Retail:	Shopping Center/General Retail	0	\$7,933 /1,000 s.f.	\$0
	Bank	0	\$17,187 /1,000 s.f.	\$0
	Car Wash, Self Service	0	\$3,800 /1,000 s.f.	\$0
	Convenience Store w/Gas Sales	0	\$29,116 /1,000 s.f.	\$0
	Golf Course (open to public)	0	\$1,907 /acre	\$0
	Movie Theater	0	\$16,769 /1,000 s.f.	\$0
	Restaurant, Standard	0	\$14,688 /1,000 s.f.	\$0
	Restaurant, Fast Food	0	\$32,028 /1,000 s.f.	\$0
Service:	Office	0	\$5,355 /1,000 s.f.	\$0
	Hospital	0	\$7,576 /1,000 s.f.	\$0
	Nursing Home	0	\$3,418 /1,000 s.f.	\$0
	Church	0	\$3,851 /1,000 s.f.	\$0
	Day Care Center	0	\$10,705 /1,000 s.f.	\$0
	Elementary / Secondary School (Private)	0	\$1,897 /1,000 s.f.	\$0
Industrial:	Industrial Park or General Industrial	0	\$4,626 /1,000 s.f.	\$0
	Warehouse	0	\$2,366 /1,000 s.f.	\$0
	Warehouse, High Cube	0	\$956 /1,000 s.f.	\$0
	Mini-Warehouse	0	\$1,125 /1,000 s.f.	\$0
	Mine or Quarry	0	\$0.026 /Cubic Yard	\$0

\$1,474,220

FOOTNOTES:

(1) Based on Lee County Roads Impact Fee Ordinance 11-06.

EXHIBIT 6b
 FIDDLESTICKS PROPERTY
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY
 ROADS IMPACT FEE CALCULATION ⁽¹⁾

BUILD-OUT (2035)

		<u>Size</u>	<u>Fee Rate /Unit</u>	<u>Amount</u>
Residential:	Single-Family Detached	1,122	\$6,701 /d.u.	\$7,518,522
	Multi-Family	0	\$4,659 /d.u.	\$0
	Mobile Home/RV Park	0	\$3,499 /pad (park site)	\$0
	Elderly/Disabled Housing	0	\$2,435 /d.u.	\$0
	Adult Cong. Living Facility (ACLF)	0	\$1,512 /d.u.	\$0
Lodging:	Hotel / Motel / Timeshare	0	\$3,861 /room	\$0
Retail:	Shopping Center/General Retail	20,000	\$7,933 /1,000 s.f.	\$158,660
	Bank	0	\$17,187 /1,000 s.f.	\$0
	Car Wash, Self Service	0	\$3,800 /1,000 s.f.	\$0
	Convenience Store w/Gas Sales	0	\$29,116 /1,000 s.f.	\$0
	Golf Course (open to public)	0	\$1,907 /acre	\$0
	Movie Theater	0	\$16,769 /1,000 s.f.	\$0
	Restaurant, Standard	0	\$14,688 /1,000 s.f.	\$0
	Restaurant, Fast Food	0	\$32,028 /1,000 s.f.	\$0
Service:	Office	0	\$5,355 /1,000 s.f.	\$0
	Hospital	0	\$7,576 /1,000 s.f.	\$0
	Nursing Home	0	\$3,418 /1,000 s.f.	\$0
	Church	0	\$3,851 /1,000 s.f.	\$0
	Day Care Center	0	\$10,705 /1,000 s.f.	\$0
	Elementary / Secondary School (Private)	0	\$1,897 /1,000 s.f.	\$0
Industrial:	Industrial Park or General Industrial	0	\$4,626 /1,000 s.f.	\$0
	Warehouse	0	\$2,366 /1,000 s.f.	\$0
	Warehouse, High Cube	0	\$956 /1,000 s.f.	\$0
	Mini-Warehouse	0	\$1,125 /1,000 s.f.	\$0
	Mine or Quarry	0	\$0.026 /Cubic Yard	\$0

\$7,677,182

FOOTNOTES:

(1) Based on Lee County Roads Impact Fee Ordinance 11-06.

APPENDIX 1
METHODOLOGY REPORT

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FIDDLESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY METHODOLOGY OUTLINE

Project #11533

August 31, 2011

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
2149 McGregor Boulevard
Fort Myers, Florida 33901

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FIDDLESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT
TRAFFIC STUDY METHODOLOGY OUTLINE

Introduction

Fiddlesticks Property, hereafter referred to as the Project, is a proposed residential development located within the unincorporated Lee County. The Project site is located just west of I-75, approximately half way between Daniels Parkway to the north and Alico Road to the south, Exhibit 1.

The subject property is currently under agricultural zoning (AG-2) and identified as rural/wetlands on Lee County's Future Land Use map. As part of a Comprehensive Plan Amendment (CPA) process, the applicant desires to change the land use designation of the property to Residential.

The purpose of this report, therefore, is to provide a methodology outline for the traffic study that will be prepared in support of the Comprehensive Plan Amendment (CPA) application to change the land use designation of the subject property from AG-2 to Residential.

Study Area

As required by the Lee County Application for a Comprehensive Plan Amendment (Appendix A) the study area will include the roadway segments within a 3-mile radius of the site. Based on that criterion, the study area is generally bounded by the following.

Study Area – 3-Mile Radius

To North	Penzance Boulevard and Plantation Gardens Parkway
To South	San Carlos Boulevard
To East	Southwest Florida International Airport
To West	Metro Parkway

The study area boundary is identified in Exhibit 2.

Development Parameters

The proposed land development program is summarized below.

Preliminary Development Parameters ⁽¹⁾

<u>Land Use</u>	<u>5-Years</u>		<u>Build-out</u>	
	<u>Size</u>	<u>Units</u>	<u>Size</u>	<u>Units</u>
Residential – Single Family	240	d.u.	1,182	d.u.

Footnotes:

(1) Preliminary land use projections. Subjected to some changes.

As shown above, the preliminary development plan reflects approximately 1,182 single-family residential units at build-out. Of which, approximately 20% (240 d.u.) of the development is anticipated within the first five years.

Property Access

The subject property is anticipated to have access to/from Fiddlesticks Boulevard, which connects to Daniels Parkway. In addition, it also anticipated that the property will have access onto the future Three Oaks Parkway Extension.

Horizon Year

Consistent with the requirements identified in Lee County Application for a Comprehensive Plan Amendment, B.1. Traffic Circulation Analysis, the traffic study will evaluate the effect of the proposed land use change on the Financial Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon).

It is noted that the Financial Feasible Plan/Map 3A from The Lee Plan has not been updated yet to reflect the recently adopted Lee County MPO 2035 Long Range Transportation Plan (LRTP), Lee County Highway Cost Feasible Plan, Appendix B. Therefore, the traffic analysis will use and reflect the adopted MPO 2035 LRTP, Cost Feasible Plan. In addition, it is noted that the long-term analysis described in the Lee County CPA analysis requirements refers to a 20-year horizon, which is sooner than 2035. Therefore, it is also acknowledged that using the MPO 2035 LRTP in the traffic analysis is appropriate to reflect the long-term analysis.

The short-term (5-year) analysis will be based on the current Lee County DOT Major Road Improvements Tentatively Programmed Through Construction Phase F.Y. 2010/11 - 2014/15 (June 2010), Appendix C, and a horizon year of 2016. Some additional major roadway improvements have been included into the recently adopted FDOT Five Year Program. Some of those improvements include the following.

- I-75 Airport Access at SWFIA CD System – Fiscal Year 2012
- 6-lane widening of I-75 from North of SR 80 to South of SR 78 – Fiscal Year 2014

These improvements will be included as part of the existing plus committed network that will be used in the short-term (5-year) analysis.

Level of Service Standards

Per The Lee Plan, Policy 37.1.1., appropriate level of service (LOS) standards will be used in the traffic analysis, which acknowledges State LOS standards on FIHS, SIS and TRIP-funded facilities.

Traffic Analysis

Long Range – 20-Year Horizon

The recently adopted Lee County MPO CUBE travel model (FSUTMS) will be used to run comparative travel model assignments, both without and with the proposed CPA, under the adopted Lee County MPO 2035 Cost Feasible Plan. For these assignments, the future year 2035 Cost Feasible road network, as provided by the MPO, will be used.

The Lee County MPO's 2035 socio-economic data projections will be used for both of these travel model assignments.

For the travel model assignment without the CPA, the MPO zonal data will be used without any changes. For the travel model assignment with the proposed CPA, the land uses associated with the proposed CPA will be input into the ZONEDATA file as a new Traffic Analysis Zone (TAZ). The new TAZ representing the proposed CPA and the corresponding land use data will also be identified and documented in the report.

The roadway segment PSWADT volume projections from the comparative travel model runs will be converted to peak hour, peak season (K_{100}) volumes using the adjustment factors from the corresponding permanent count station data identified in the Lee County 2010 Traffic Count Report and the Florida DOT 2010 Traffic Information DVD, which ever is applicable.

Short Range – 5-Year Horizon

Similar to the long-term analysis, the short-term (5-year) analysis will be based on the CUBE travel model. However, the horizon year will be 2016, with corresponding interpolated socioeconomic data and the existing plus committed (E+C) roadway network.

For the travel model assignment without the CPA, the MPO interpolated zonal data (2016) will be used without any changes. For the travel model assignment with the proposed CPA, the land uses associated with the proposed CPA, within the first five years, will be input into the ZONEDATA file as a new Traffic Analysis Zone (TAZ). The new TAZ representing the

proposed CPA and the corresponding land use data will also be identified and documented in the report.

The roadway segment PSWADT volume projections from the comparative travel model runs will be converted to peak hour, peak season (K_{100}) volumes using the adjustment factors from the corresponding permanent count station data identified in the Lee County 2010 Traffic Count Report and the Florida DOT 2010 Traffic Information DVD, which ever is applicable.

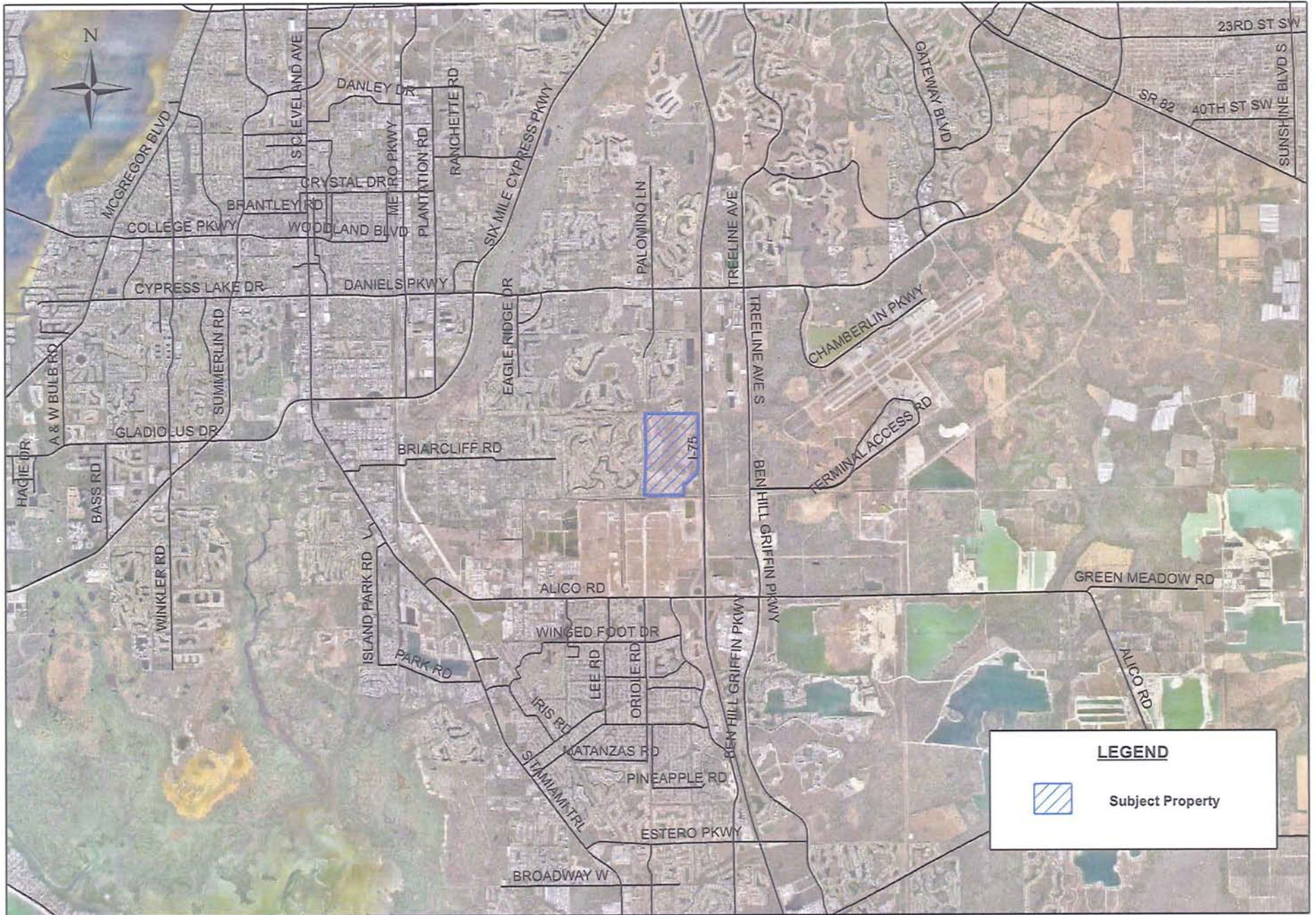
Traffic Mitigation

Based on the comparative travel model analysis, the deficient roadway segments will be identified corresponding to the respective horizon years, both without and with the proposed CPA. In addition, the roadway deficiencies, if any, as a result of the proposed CPA will be clearly identified.

Based on the above, needed modifications to the Financial Feasible Plan/Map 3A from The Lee Plan (which is currently represented by the MPO LRTP, Cost Feasible Plan) and the Lee County CIP will be identified.

Final Report

The results of the travel model evaluation will be summarized in the final report and submitted to the Lee County DOT. The submittal will also include the digital files of the CUBE travel model runs, including the corresponding social-economic data.

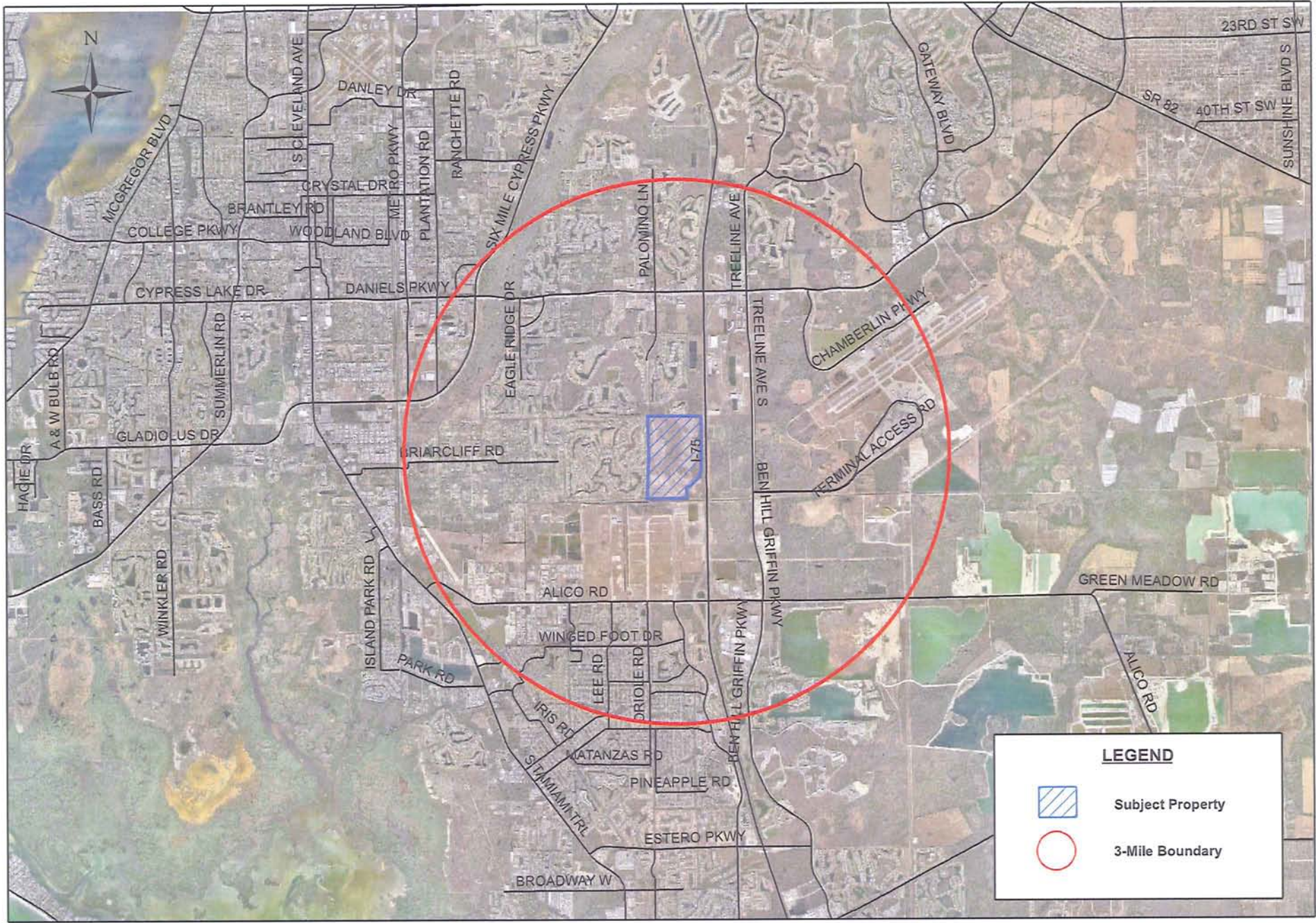


0 2,500 5,000 10,000 Feet

**FIDDLESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT**

Project Location Map

11533/02A/0811



LEGEND

-  Subject Property
-  3-Mile Boundary



**FIDDESTICKS PROPERTY
COMPREHENSIVE PLAN AMENDMENT**

3-Mile Radius Map

11533/01A/0511

APPENDIX A

**EXCERPTS FROM LEE COUNTY APPLICATION FOR A
COMPREHENSIVE PLAN AMEDMENT**

7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
- a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools.

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.

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APPENDIX B

LEE COUNTY MPO 2035 LRTP, COST FEASIBLE PLAN



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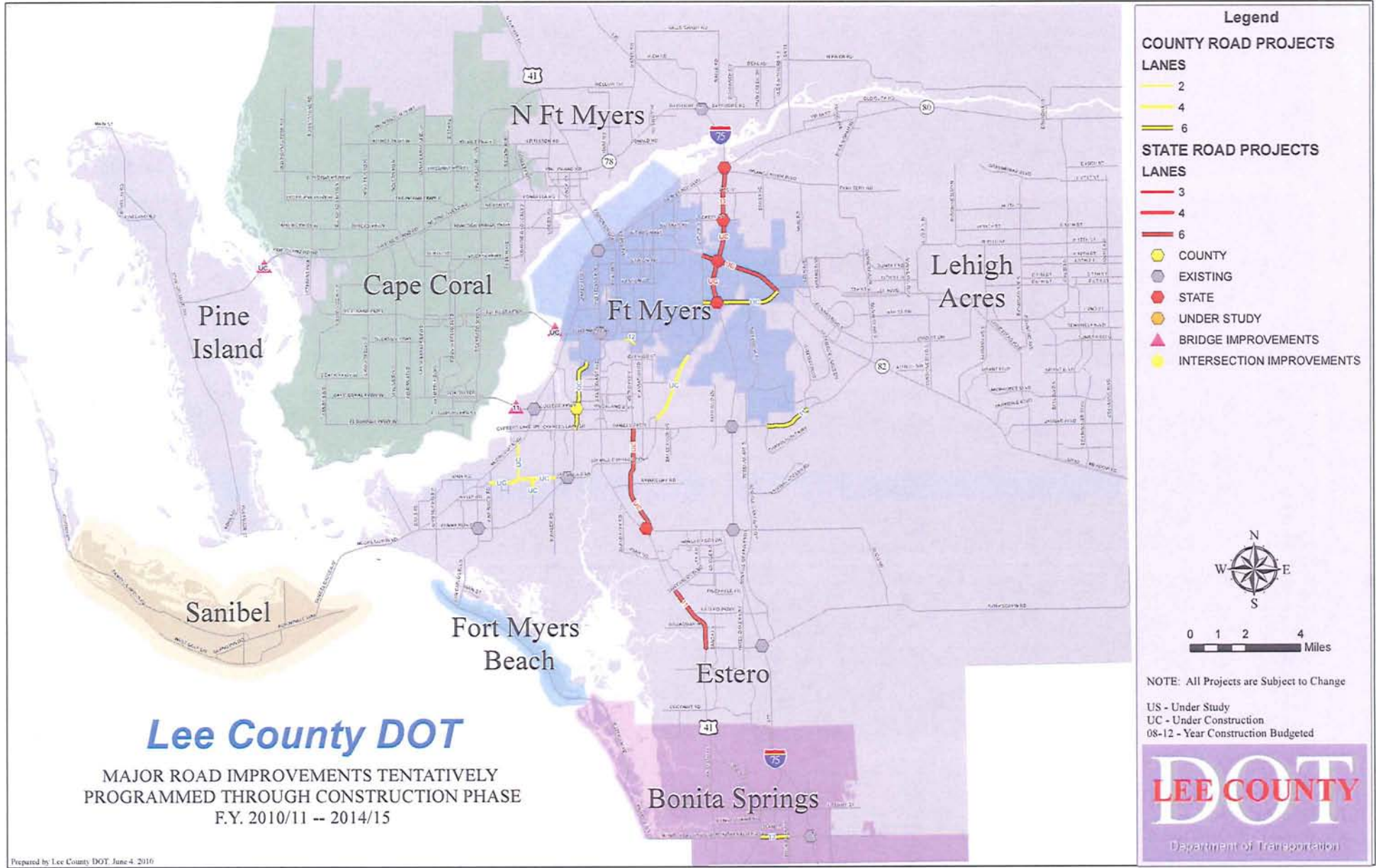
Figure 12-1



APPENDIX C

LEE COUNTY CIP (FY 2010/11 – 2014/15)

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Lee County DOT

MAJOR ROAD IMPROVEMENTS TENTATIVELY
PROGRAMMED THROUGH CONSTRUCTION PHASE
F.Y. 2010/11 -- 2014/15

Prepared by Lee County DOT, June 4, 2010

Legend

COUNTY ROAD PROJECTS

LANES

- 2
- 4
- 6

STATE ROAD PROJECTS

LANES

- 3
- 4
- 6

- COUNTY
- EXISTING
- STATE
- UNDER STUDY
- BRIDGE IMPROVEMENTS
- INTERSECTION IMPROVEMENTS

0 1 2 4 Miles

NOTE: All Projects are Subject to Change

US - Under Study
UC - Under Construction
08-12 - Year Construction Budgeted

LEE COUNTY DOT
Department of Transportation

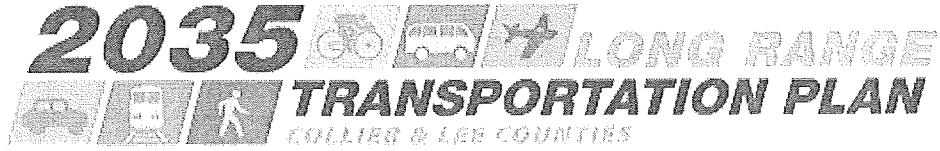
APPENDIX 2

EXCERPTS FROM THE LEE COUNTY MPO 2035 LRTP



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LEE COUNTY MPO 2035 LONG RANGE TRANSPORTATION PLAN



CONGESTION MANAGEMENT PROCESS TECHNICAL MEMORANDUM

Prepared For:



Prepared By:



December 2010

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Table 5.2 Deficient Segments, 2035 Cost Feasible Plan (Cont'd)

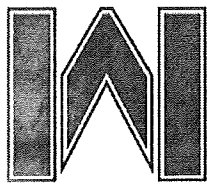
Road	From	To	Cost Affordable Lanes	Adopted LOS Threshold	Vol.	LOS	V/C
CLEVELAND AVE/ US 41/ Tamiami*	Broadway Ave	Corkscrew Rd	6	55,300	57,148	F	1.03
CLEVELAND AVE/ US 41/ Tamiami*	Corkscrew Rd	Williams Rd	6	55,300	61,417	F	1.11
CLEVELAND AVE/ US 41/ Tamiami*	Williams Rd	Coconut Rd	6	55,300	62,032	F	1.12
COLLEGE PKWY	W of McGregor Blvd	Winkler Rd	6	50,300	52,811	E	1.05
COLLEGE PKWY	Winkler Rd	Whiskey Creek	6	50,300	50,934	E	1.01
COLLEGE PKWY	Whiskey Creek Dr	Summerlin Rd	6	50,300	62,865	F	1.25
COLONIAL BLVD-EXP LANES	Sommerset Dr	US 41	6	50,300	53,409	F	1.06
COLONIAL BLVD-EXP LANES	Fowler St	Metro Pkwy	6	50,300	62,007	F	1.23
COLONIAL BLVD-EXP LANES	Metro Pkwy	Winkler Ave	6	55,300	64,260	F	1.16
COLONIAL BLVD-EXP LANES	Winkler Ave	Ortiz Ave	6	55,300	60,911	F	1.10
COLONIAL BLVD-EXP LANES	Ortiz Ave	I-75 SB Ramps	6	50,300	95,470	F	1.90
COLONIAL BLVD-EXP LANES	I-75 SB Ramps	Tree Line Ave	6	55,300	76,216	F	1.38
COLONIAL BLVD-EXP LANES	Tree Line Ave	SR 82	6	55,300	65,811	F	1.19
CONSTITUTION BLVD	Liberty Square Cir	Constitution Cir	2	8,580	11,203	F	1.31
CORBETT RD	Diplomat Pkwy	Pine Island R	2	8,580	12,377	F	1.44
CORKSCREW RD	US 41	Three Oaks Pk	4	36,700	37,350	F	1.02
CORKSCREW RD	Three Oaks Pkwy	I-75	4	36,700	46,043	F	1.25
CORKSCREW RD	I-75	Ben Hill Grif	4	36,700	45,671	F	1.24
COUNTRY LAKES DR	Tice St	Luckett Rd	2	8,580	8,666	F	1.01
CRYSTAL DR	W of Dartmouth	Dartmouth	2	14,208	14,396	E	1.01
CRYSTAL DR	Dartmouth	Metro Pkwy	2	19,980	21,238	E	1.06
CYPRESS LAKE DR	Winkler Rd	Summerlin Rd	4	36,700	40,490	F	1.10
DANIELS PKWY	US 41	Metro Pkwy	6	50,300	63,258	F	1.26
DANIELS PKWY	Metro Pkwy	Ben C Pratt Pkwy	6	50,300	60,314	F	1.20
DANIELS PKWY	Ben.C Pratt Pkwy	Eagle Ridge Dr	6	50,300	74,470	F	1.48
DANIELS PKWY	Eagle Ridge Dr	I-75	6	55,300	74,341	F	1.34
DANIELS PKWY	I-75	Treeline Ave	6	55,300	74,644	F	1.35
DANIELS PKWY	Treeline Ave	Chamberlin Pkwy	6	55,300	66,940	F	1.21
DANLEY DR	Page Airport Dr	Metro Pkwy	2	8,580	8,908	F	1.04
DEL PRADO BLVD N	US 41	Del Navarra P	4	61,085	69,211	F	1.13
DEL PRADO BLVD N	Viscaya Pkwy	SE 16th Ter	6	55,300	57,791	F	1.05
DEL PRADO BLVD N	SE 16th Ter	Veterans Pkwy	6	50,300	54,899	F	1.09
DEL PRADO BLVD N	Veterans Pkwy	Coronado Pkwy	6	50,300	51,366	E	1.02
DIPLOMAT PKWY E	Santa Barbara Blvd	Andalusia Blv	4	33,030	34,895	F	1.06
DIPLOMAT PKWY E	Andalusia Blvd	Del Prado Blv	4	33,030	37,703	F	1.14
ESTERO PKWY	Three Oaks Pkwy	Ben Hill Grif	4	33,030	34,363	F	1.04
FIDDLESTICKS BLVD	Three Oaks Pkwy Ext	Fiddlesticks Blvd	2	8,580	12,671	F	1.48
FORUM BLVD	SR 82	Colonial Blvd	2	7,904	11,547	F	1.46
GLADIOLUS DR	A and W Bulb Rd	Winkler Rd	4	36,700	39,505	F	1.08
GLADIOLUS DR	Summerlin Rd	US 41	6	55,300	63,394	F	1.15
GUNNERY RD N	Buckingham Rd	S of Sunset R	2	17,760	17,762	E	1.00
GUNNERY RD N	centennial Blvd	12th St W	2	17,760	18,511	E	1.04
GUNNERY RD N	12th St W	Lee Blvd	2	16,500	17,079	F	1.04
HANCOCK BRIDGE PKWY	Cultural Park blvd	Del Prado Blv	4	36,700	44,866	F	1.22

**Table 10-1 (Page 2)
Highway Needs Plan**

34A	NE 24th Ave	Garden Blvd	Del Prado Blvd	New 4 Lane Rd	30.15
35	Hancock Creek Blvd / NE 24th Ave	Pondella Rd	Pine Island Rd	2 to 4 Lanes	7.08
36	Hanson St	Tamiami Trail	Veronica S Shoemaker Blvd	2 to 4 Lanes	42.98
37	Hanson St Ext	Veronica S Shoemaker Blvd	SR 82	New 4-Lane Rd	50.56
38	Homestead Rd	Sunrise Blvd.	Alabama Rd	2 to 4 Lanes	14.41
38A	Homestead Rd	Milwaukee Blvd	Sunrise Blvd.	2 to 4 lanes	22.78
38B	Homestead Rd	SR 82	Milwaukee Blvd	2 to 4 lanes	26.2
39	I-75	Collier County Line	SR 82	4-Lane (Special Use)	430.42
40	I-75	SR 82	SR 80	6 to 8 Lanes	Inc. in #45
41	I-75	SR 80	Charlotte County Line	4 to 8 Lanes	275.23
42	Imperial Pkwy	S Lee County Line	Bonita Beach Rd	4 to 6 Lanes	14.53
43	Jacaranda Pkwy	Old Burnt Store Rd	Burnt Store Rd	New 2-Lane Rd	14.79
44	Joel Blvd	N of E 17th St	SR 80	2 to 4 Lanes	41.67
45	Kismet Pkwy Ext	Burnt Store Rd	El Dorado Blvd	New 4-Lane Rd	37.95
46	Littleton Rd	NE 24th Ave	Bus US 41 / Tamiami Trail N	2 to 4 Lanes	29.08
47	Littleton Rd Ext	Bus US 41 / Tamiami Trail N	SR 78	New 2-Lane Rd	34.42
48	Logan Blvd Ext	Immokalee Rd	Bonita Beach Rd	New 2-Lane Rd	Cost in inc. in Collier Plan
49	Luckett Rd	Ortiz Ave	E of I-75	2 to 4 Lanes	2.9
50	Luckett Rd Ext	Forum Blvd Ext	Buckingham Rd	New 6-Lane Rd	54
51	Luckett Rd Ext	Buckingham Rd	Gunnery Rd	New 8-Lane Rd	65.46
52	Luckett Rd Ext	Gunnery Rd	Sunshine Blvd	New 6-Lane Rd	54.84
53	Luckett Rd Ext	Sunshine Blvd	12th St W	New 4-Lane Rd	25.28
54	McGregor Blvd	A & W Bulb Rd	Cypress Lake Dr	4 to 6 Lanes	11.97
55	61st St W	Stratton Rd	Sunshine Blvd	2-Lane Connections & Bridges	Awaiting new estimate
56	Metro Pkwy	Daniels Pkwy	Crystal Dr	4 to 6 Lanes	22.6
57	Metro Pkwy	Crystal Dr	Winkler Ave	4 to 6 Lanes	22.6
58	Metro / Fowler Connector	Winkler Ave	Fowler St	New 6-Lane Rd	23.5
59	Old US 41	S Lee County Line	Bonita Beach Rd	2 to 4 Lanes	16.39
60	Oriole Rd Ext	N of Alico Rd	Three Oaks Pkwy Ext	New 4-Lane Rd	14.69
61	Ortiz Ave	Luckett	SR 80	2 to 4 Lanes	9.7
62	Ortiz Ave	Luckett	SR 82	2 to 6 Lanes	9.25
63	Ortiz Ave	Colonial Blvd	SR 82	2 to 4 Lanes	10.3
64	Pine Island Rd	Burnt Store Rd	Chiquita Blvd	2 to 4 Lanes	50
65	Pine Island Rd	Skyline Blvd	Santa Barbara Blvd	4 to 6 Lanes	14.77
66	Pine Island Rd	Santa Barbara Blvd	Del Prado Blvd	4 to 6 Lanes	44.3

**Figure 10-1
 Highway Needs Plan**





IV.B.2 – Infrastructure Analysis – REVISED PER 2011 CONCURRENCY REPORT

I. Sanitary Sewer

LOS Standard = 200 GPD/ERC

Existing Land Use – Rural

394 single family du @ 200 GPD = 78,800 GPD

Proposed Land Use – Outlying Suburban

1,182 single family du @ 200 GPD = 236,400 GPD

20,000 s.f. of commercial @ 0.1 GPD per s.f. = 2,000 GPD

Total Proposed Sanitary Sewer Demand = 238,400 GPD

The proposed FLUM amendment results in an increased sanitary sewer demand of 159,600 GPD.

The Fiddlesticks Blvd. Parcel (“Property”) is located in the Lee County Utilities Franchise area and would be served by the Three Oaks Wastewater Treatment Plant (WWTP). The plant has a current capacity of 6.0 MGD. According to the 2011 Lee County Concurrency Report, the projected 2012 daily flows are 2,800,000 GPD. Existing lines will need to be extended and potentially upgraded, to service the Property.

II. Potable Water

LOS Standard = 250 GPD/ERC

Existing Land Use – Rural

394 single family du @ 250 GPD = 98,500 GPD

Proposed Land Use – Outlying Suburban

1,182 single family du @ 250 GPD = 295,500 GPD

20,000 s.f. of commercial @ 0.12 GPD per s.f. = 2,400 GPD

Total Proposed Potable Water Demand = 297,900 GPD

The proposed FLUM amendment results in an increased potable water demand of 199,400 GPD.

The Property is located in the Lee County Utilities Franchise area and would be served by the Corkscrew Water Treatment Plant (WTP). The plant has a current capacity of 15.0 MGD. According to the 2011 Lee County Concurrency Report, the projected 2012 daily flows are 8,700,000 GPD. Existing lines will need to be extended and potentially upgraded, to service the Property.

III. Surface Water Management

The Property is located within the Briarcliff-Fiddlesticks Ditch Receiving Body and the Six Mile Cypress Drainage Basin.

LOS Standard = 25 year, 3-day storm event of 24 hours duration.

The Applicant will obtain an Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD) prior to Development Order approval to be deemed concurrent.

IV. Parks, Recreation and Open Space

Current Regional Parks LOS Standard = 6 acres per 1,000 seasonal population

Current Community Parks LOS Standard = 0.8 acres per 1,000 permanent population

Existing Land Use – Rural

394 single family du @ 2.5 persons/unit = 985 persons

Regional Parks @ 6 acres/1,000 = 5.91 acres required

Community Parks @ 0.8 acres/1,000 = 0.79 acres required

Proposed Land Use – Outlying Suburban

1,182 single family du @ 2.5 persons/unit = 2,955 persons

Regional Parks @ 6 acres/1,000 = 17.73 acres required

Community Parks @ 0.8 acres/1,000 = 2.36 acres required

The amendment results in an additional 1.57 acres of Community Parks required. The site is located in the Community Park Benefit District 44, South Fort Myers. According to the 2011 Concurrency Report, there are 198 acres of Community Park within the district, and the District meets the LOS standard of 0.8 acres developed community park acreage through 2016. No additional Community Parks are required as to meet LOS requirements.

The amendment results in an additional 11.82 acres of Regional Parks required. There are currently 7,128 acres of existing Regional Parks currently operated by the County, City, State and Federal government. This acreage is sufficient to meet the "Regulatory Level of Service Standard" of six (6) acres per 1,000 total seasonal population in the County for the year 2011, and will continue to do so at least through the year 2016 as currently projected. In addition, the Regional Park acreage met the "Desired Level of Service Standard" of eight (8) acres per 1,000 total seasonal County population in 2011 and will continue to do so at least through the year 2016 as currently projected. As such, no additional Regional Parks are required as a result of this amendment.

V. Public Schools – South Zone, S2

Current Public Schools LOS Standard = 100% of the Permanent Inventory of Public Schools (FISH) capacity.

Existing Land Use – Rural

394 single family du @ 0.299 students per household = 118 students

Proposed Land Use – Outlying Suburban

1,182 single family du @ 0.299 students per household = 353 students

Elementary Schools (Rayma Page, San Carlos, Three Oaks)

Projected 2011-2012 FISH Capacity = 2,603

Available Capacity = 176

Middle Schools (Lexington, Three Oaks)

Projected 2011-2012 FISH Capacity = 2,017

Available Capacity = 286

High Schools (South Fort Myers)

Projected 2010-2011 FISH Capacity = 1,909

Available Capacity = 222

The amendment results in the addition of 235 students. No breakdown is available for elementary, middle or high school ages. Capacity is available according to the Fish Capacities above.

VI. Solid Waste –Waste to Energy (WTE) Facility

Current LOS Standard = 7 lbs./day/capita

Current Facility Capacity = 1,836 tons/day (3,672,000 lbs./day)

Existing Land Use – Rural

394 single family du @ 2.5 persons/unit = 985 persons

985 persons @ 7lbs./day = 6,895 lbs./day (3.44 tons/day)

Proposed Land Use – Outlying Suburban

1,182 single family du @ 2.5 persons/unit = 2,955 students

2,955 persons @ 7 lbs./day = 20,685 lbs./day (10.34 tons/day)

The amendment results in an increased solid waste generation of 13,790 lbs./day (6.85 tons/day).

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LEE COUNTY
SOUTHWEST FLORIDA

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County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing
Examiner

November 29, 2011

Alexis V. Crespo
Principle Planner
Waldrop Engineering
28100 Bonita Grande Dr.
Bonita Springs, FL 34135

SUBJECT: Fiddlesticks Boulevard – Comprehensive Plan Amendment

Dear Ms. Crespo:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the residential project located along Fiddlesticks Blvd. through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

The Solid Waste Ordinance (11-27, Section 21) and the Lee County Land Development Code, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of certain multi-family and commercial solid waste containers. Please review these requirements when planning the project. Additionally, please review the Solid Waste Ordinance (11-27, Section 7) which defines those residential dwelling units that are eligible to receive curbside residential collection service. If you have any questions, please call me at (239) 533-8000.

Sincerely,

William T. Newman
Operations Manager
Solid Waste Division

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Diana M. Parker
County Hearing Examiner

November 23rd 2011

Alexis Crispo
Principle Planner
Waldrop Engineering, P.A.

RE: Fiddlesticks Boulevard Comprehensive Plan Amendment Letter of Parks Service Availability

Both regional and community parks have two levels of service standards as prescribed in the Lee Plan and reported by the 2011 Concurrency Report. These two sets of standards are referred to as the "level of service" (LOS) and the "desired level of service" (DLOS). The current regional park inventory is 7,128 acres and the Lee Plan prescribed service standards of 6 acres (LOS) and 8 acres (DLOS) of developed regional park open to the public per 1,000 total seasonal county population are currently being met through 2016. The Fiddlesticks Blvd proposed amendment is in the community park benefit district 44-South Fort Myers. South Fort Myers Community park district 44 has a current inventory of 198 acres of developed community park open to the public. District 44 meets the (LOS) of 0.8 acres of developed community park acreage per 1,000 permanent population in the district through 2016. District 44 currently does not meet the (DLOS) of 2 acres of community park per 1,000 permanent population in the district and is not projected to meet this standard through 2016. Lee County currently does not meet the desired level of service standard for Boat Ramps of one boat ramp lane with adequate parking per 12,500 people based on seasonal population and will not meet this level of service as currently projected through 2016.

Lee County currently has an adopted formula and objective based park impact fee which charges development to pay a one-time, up-front, proportionate fair share of the capital costs of new park facilities. Please refer to the currently adopted park impact fee schedule for the park impact fee calculations and payments required by new development.

Should you have any additional requests or questions please do not hesitate in contacting me.

Daniel J. Calvert
Coordinator Planning
Lee County Parks & Recreation
3410 Palm Beach Blvd
Fort Myers Florida 33916
dcalvert@leegov.com

Enclosure: [2011 Lee County Concurrency Report, Parks & Recreation tables.]

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LEE COUNTY
SOUTHWEST FLORIDA

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Michael E. Hunt
County Attorney

Diana M. Parker
County Hearing Examiner

Ms. Alexis Crespo, AICP, LEED AP
Waldrop Engineering
28100 Bonita Grande Drive #305
Bonita Springs, FL 34135

November 23, 2011

Subject: Fiddlesticks Boulevard Comprehensive Plan Amendment

Dear Ms. Crespo:

This letter is to advise you that the above referenced property is not located on or proximate to any existing or proposed LeeTran route. As such, we conclude that LeeTran is not able to provide service to this future project. Without service availability, under current Lee County Code, the project developer would not be required to construct or place any transit amenities in support of the above referenced property.

Should you have any questions, or need additional documentation, please do not hesitate to contact me at (239) 533-0333 or by e-mail at drudge@leegov.com.

Sincerely,

Daniel Rudge
Principal Planner

CC: File

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LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 533-8532

John E. Manning December 2, 2011
District One

Brian Bigelow Alexis Crespo
District Two Waldrop Engineering, P.A.
Ray Judah 28100 Bonita Grande Dr. #305
District Three Bonita Springs, FL 34135

Tammy Hall
District Four **RE: Potable Water and Wastewater Availability**
Frank Mann **Fiddlestick Blvd Parcels**
District Five **Strap #: 34-45-25-00-00001.0000 and 34-45-25-00-00002.0000**

Karen B. Hawes
County Manager Dear Ms. Crespo:

Diana M. Parker Potable water and sanitary sewer lines are in operation along Fiddlestick Blvd north of the subject
County Hearing Examiner properties. In order to provide service to the subject parcels, developer funded system enhancements such as line extensions and off-site improvements will be required.

Your firm has indicated that this project will consist of 1,182 single family residential units with an estimated flow demand of approximately 295,500 gallons per day and 20,000 sq. ft. commercial shopping center with an estimated flow demand of approximately 2,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

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

Sanitary sewer service will be provided by the City of Ft Myers So Wastewater Treatment Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

Prior to beginning design work on this project, please schedule a meeting with Thom Osterhout to determine the best point of connection and discuss requirements for construction.

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

Further, this letter of availability of Water and Wastewater service to be utilized for request for comprehensive plan amendment for this project Only. Individual letters of availability will be required to obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Technician Senior
UTILITIES ENGINEERING

Recycled Paper
Original Mailed

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
lee-county.com

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

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**SOUTH TRAIL
FIRE PROTECTION & RESCUE
SERVICE DISTRICT**

"Compassion, Commitment, Courage"

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FAX (239) 433-1941
Prevention Division (239) 482-8030
FAX (239) 433-2185

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ADMINISTRATION

William B. Lombardo
Chief

Richard J. Intartaglio
Assistant Chief

October 4, 2011

Alexis V. Crespo, AICP, LEED AP
Waldrop Engineering
28100 Bonita Grande Dr. #305
Bonita Springs, FL 34135

**Re: Fiddlesticks Boulevard – Comprehensive Plan Amendment Letter of
Service Availability**

Dear Ms. Crespo:

I am in receipt of your letter dated September 26, 2011 regarding your application for a Comprehensive Plan Amendment for 394+/-acres of property located along Fiddlesticks Blvd. in central Lee County. In your letter, you requested a response from our agency regarding the ability of our agency to serve this future project.

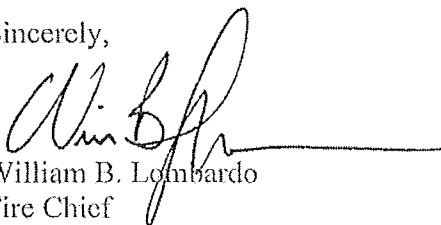
According to your letter, "The proposed population build out is estimated at 2,955 (maximum of 1,182 dwelling units X 2.5 persons per unit)", with a proposed build out date of 2021.

Below is my response to your request:

Existing facilities, staffing, and equipment: I am confident that our present facilities, staffing, and equipment will be adequate to serve this future project.

Should you require further information or clarification on anything contained herein, please do not hesitate to contact my office.

Sincerely,



William B. Lombardo
Fire Chief

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Lee County
Southwest Florida

Statement of Initial Review

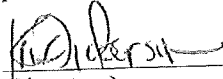
Lee County Emergency Medical Services (LCEMS) has performed a preliminary review of the project referenced herein. Based upon the limited amount of information provided, LCEMS has concerns with the ability to provide service to this project.

The Comprehensive Plan Amendment for Fiddlesticks Boulevard proposes a population at build out estimated at 2,955 (maximum of 1,182 dwelling units x 2.5 persons per unit). In addition, it is proposed to develop approximately 20,000 s.f. of commercial within the project.

The closest ambulance servicing this location is LCEMS Station 23, located at 9700 Treeline Avenue, Fort Myers, which is approximately 7.5 miles away. Our response time to this location is 13+ minutes, which does not meet our core service level response standards of 8:59 minutes or less in 90% of the total emergency responses for life-threatening calls as required by Lee County Ordinance #08-16.

In the event that Station 23 is busy on a response, the next closest station is LCEMS Station 1, located at 2100 Crystal Drive, Fort Myers, and is approximately 7.5 miles away.

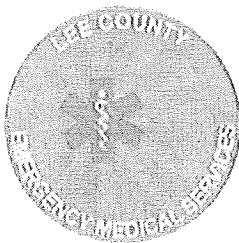
This statement does not indicate that any plans have been received, it just identifies that Lee County EMS has concerns with the ability to provide service to this area. Current resources prohibit establishing and staffing an EMS station closer to this development.


(Signature)

Chief / Deputy Director of Public Safety
(Title)

Kim Dickerson
(Printed Name)

December 6, 2011
(Date)



Kim Dickerson, EMT-P, RN, MBA
Deputy Director, Lee County Public Safety
Chief, Lee County Emergency Medical Services
14752 Ben Pratt/Six Mile Cypress Parkway
Fort Myers, FL 33912
Phone: 239-335-1661
Fax: 239-335-1671
Email: kdickerson@leegov.com
Website: www.lee-ems.com

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**FIDDLESTICKS BLVD. PARCEL
LEE COUNTY COMPREHENSIVE PLAN AMENDMENT
ENVIRONMENTAL ASSESSMENT**

**September 2011
Revised March 2012**

Prepared For:

***Jeffrey B. Freeman Trust &
FSM of Fort Myers, LLC
4245 Fowler Street
Fort Myers, Florida 33901
(239) 226-4236***

Prepared By:

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

Project No. 05JFF1341
Exhibit IV.C

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INTRODUCTION

An environmental assessment was conducted on the Fiddlesticks Blvd. Parcel (Project) to document existing land uses and vegetative cover; research potential utilization by wildlife species listed by the Florida Fish and Wildlife Conservation Commission (FWCC) and U.S. Fish and Wildlife Service (USFWS) as Threatened, Endangered, or Species of Special Concern and for plant species listed by the Florida Department of Agriculture and Consumer Services (FDACS) and the USFWS as Threatened, Endangered, or Commercially Exploited; and survey for Lee County protected species. The assessment included field surveys to map vegetation communities and to perform a Lee County protected species survey. This report summarizes the results of the environmental assessment.

The Project totals 393.68± acres and is located in Section 34, Township 44 South, Range 25 East, Lee County (Figure 1). The property is predominantly improved pasture and forested areas. The Project's east property line directly abuts the future alignment for the Three Oaks Parkway Extension. Surrounding land uses include Interstate 75 (I-75) to the east, single-family residential and golf communities to the west and north, and the I-75 canal to the south (Exhibit A).

LAND USES AND VEGETATION ASSOCIATIONS

The vegetation mapping for the Project was conducted using 2010 Lee County rectified aerials. Groundtruthing to map the vegetative communities was conducted on September 20, 2011 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrological conditions and disturbance. "E" codes were used to identify levels of exotic infestation (i.e., Brazilian pepper (*Schinus terebinthifolius*)). AutoCAD Map 3D 2011 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Exhibit B).

A total of 28 vegetative associations and land uses (i.e., FLUCFCS codes) were identified on the property. An aerial photograph of the property with an overlay of the FLUCFCS is provided as Exhibit C. A description of each FLUCFCS code is also included in Exhibit D.

SOILS

The soils for the property, per the Natural Resource Conservation Service (formerly the Soil Conservation Service), are shown on Exhibit E and listed in Exhibit F. A brief description for each soils type per the Soil Survey of Lee County, Florida (Soil Conservation Service 1998) is included in Exhibit F.

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LISTED SPECIES

Listed wildlife species as listed by the FWCC and the USFWS (FWCC 2011) that have the potential to occur on the Project are listed in Table 1. Listed plant species as listed by the FDACS and the USFWS (FDACS Chapter 5B-40) that have the potential to occur on the Project are listed in Table 2. Information used in assessing the potential occurrence of these species included the Lee County Land Development Code, Field Guide to the Rare Plants of Florida (Chafin 2000), Atlas of Florida Vascular Plants (Wunderlin 2004), and professional experience and knowledge of the geographic region. In addition, the FWCC records for documented listed species were reviewed for listed species records on or adjacent to the property (Exhibit G). No documented occurrences are recorded on the property.

Table 1. Listed Wildlife Species That Could Potentially Occur on the Fiddlesticks Blvd. Parcel

Common Name	Scientific Name	Designated Status	
		FWCC	USFWS
Amphibians and Reptiles			
American Alligator	<i>Alligator mississippiensis</i>	FT(S/A)	T(S/A)
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	FT	T
Gopher Tortoise	<i>Gopherus polyphemus</i>	ST	-
Gopher Frog	<i>Rana capito</i>	SSC	-
Birds			
Wood Stork	<i>Mycteria americana</i>	FE	E
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	ST	-
Roseate Spoonbill	<i>Platalea ajaja</i>	SSC	-
Little Blue Heron	<i>Egretta caerulea</i>	SSC	-
Limpkin	<i>Aramus guarana</i>	SSC	-
Snowy Egret	<i>Egretta thula</i>	SSC	-
Tri-Colored Heron	<i>Egretta tricolor</i>	SSC	-
White Ibis	<i>Eudocimus albus</i>	SSC	-
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	FE	E
Southeastern American Kestrel	<i>Falco sparverius paulus</i>	ST	-
Mammals			
Big Cypress Fox Squirrel	<i>Sciurus niger avicennia</i>	ST	-

FWCC – Florida Fish and Wildlife Conservation Commission

USFWS – U.S. Fish and Wildlife Service

E – Endangered

FE – Federal Endangered

FT – Federal Threatened

FT(S/A) – Federally Threatened due to similarity of appearance

SSC – Species of Special Concern

ST – State Threatened

T(S/A) – Threatened due to similarity of appearance

American Alligator (*Alligator mississippiensis*)

The American alligator could potentially occur within the Freshwater Marsh (FLUCFCS Code 6419), Shallow Pond (FLUCFCS Code 525), and native forested and herbaceous wetlands within the site.

Eastern Indigo Snake (*Drymarchon corais couperi*)

The Eastern indigo snake could potentially occur within the native upland and wetland habitats on the Project site. The Eastern indigo snake is typically found in association with populations of gopher tortoise (*Gopherus polyphemus*).

Gopher Tortoise

Habitat for gopher tortoises exists on the Project site in Palmetto Prairie (FLUCFCS Code 3219), Pine Flatwoods (FLUCFCS Code 411), Disturbed Land (FLUCFCS Code 740), Spoil Area (FLUCFCS Code 743), and Berm (FLUCFCS Code 747) areas on the Project site.

Gopher Frog (*Rana areolata*)

The gopher frog is typically found in association with populations of gopher tortoise. Preferred breeding habitat includes seasonally flooded grassy ponds and cypress ponds that lack fish populations (Moler 1992).

Wood Stork (*Mycteria americana*)

Potential foraging habitat for wood stork includes Drainage Canal/Ditch (FLUCFCS Code 514), Cypress (FLUCFCS Code 6219), Cypress/Pine/Cabbage Palm (FLUCFCS Code 6249), and Freshwater Marsh (FLUCFCS Code 6419) areas on the Project site. Almost any wetland depression where fish tend to become concentrated, either through local reproduction by fishes or as a consequence of area drying, may be good for foraging habitat (Rodgers *et al.* 1996).

Florida Sandhill Crane (*Grus canadensis pratensis*)

Potential foraging habitat for Florida sandhill crane may exist within the Palmetto Prairie (FLUCFCS Code 3219), Ditch (FLUCFCS Code 514), Freshwater Marsh (FLUCFCS Code 6419), Disturbed Land (FLUCFCS Code 740), and Cleared Land (FLUCFCS Code 746) areas on the Project site. Preferred sandhill crane habitat includes prairies and shallow marshes dominated by pickerelweed (*Pontederia cordata*) and maidencane (*Panicum hemitomom*).

Roseate Spoonbill (*Platalea ajaja*)

Potential foraging habitat for roseate spoonbill includes Drainage Canal/Ditch (FLUCFCS Code 514) and Shallow Pond (FLUCFCS Code 525) areas on the Project site. The Florida Atlas of Breeding Sites for Herons and Their Allies (Runde *et al.* 1991) list no bird rookeries on the subject parcel.

Little Blue Heron (*Egretta caerulea*)

Potential foraging habitat for little blue heron includes Drainage Canal/Ditch (FLUCFCS Code 514), Cypress (FLUCFCS Code 6219), Cypress/Pine/Cabbage Palm (FLUCFCS Code 6249), and Freshwater Marsh (FLUCFCS Code 6419) areas on the Project site.

Limpkin (*Aramus guarauna*)

Potential habitat for limpkin includes Drainage Canal/Ditch (FLUCFCS Code 514), Cypress (FLUCFCS Code 6219), Cypress/Pine/Cabbage Palm (FLUCFCS Code 6249), and Freshwater Marsh (FLUCFCS Code 6419) areas on the Project site.

White Ibis (*Eudocimus albus*)

Potential habitat for white ibis includes Drainage Canal/Ditch (FLUCFCS Code 514), Cypress (FLUCFCS Code 6219), Cypress/Pine/Cabbage Palm (FLUCFCS Code 6249), and Freshwater Marsh (FLUCFCS Code 6419) areas on the Project site.

Snowy Egret (*Egretta thula*)

Potential habitat for snowy egret includes Drainage Canal/Ditch (FLUCFCS Code 514), Cypress (FLUCFCS Code 6219), Cypress/Pine/Cabbage Palm (FLUCFCS Code 6249), and Freshwater Marsh (FLUCFCS Code 6419) areas on the Project site.

Tri-Colored Heron (*Egretta tricolor*)

Potential habitat for tri-colored heron includes Drainage Canal/Ditch (FLUCFCS Code 514), Cypress (FLUCFCS Code 6219), Cypress/Pine/Cabbage Palm (FLUCFCS Code 6249), and Freshwater Marsh (FLUCFCS Code 6419) areas on the Project site.

Bald Eagle (*Haliaeetus leucocephalus*)

Habitat for the bald eagle exists in Pine Flatwoods (FLUCFCS Code 4119), Hydric Pine (FLUCFCS Code 6259), and Cypress (FLUCFCS Code 6219) areas on the Project site.

Southeastern American Kestrel (*Falco sparverius paulus*)

Potential habitat for Southeastern American kestrel may exist within the Improved Pasture (FLUCFCS Code 211) areas on the Project site. Since 1980, observations of Southeastern American kestrel in Florida have occurred primarily in sandhill or sandpine scrub areas of north and central Florida (Rodgers *et al.* 1996).

Big Cypress Fox Squirrel (*Sciurus niger avicennia*)

Potential habitat for the Big Cypress fox squirrel exists on the Project site in Pine Flatwoods (FLUCFCS Code 4119), Pine (FLUCFCS Code 4159), Hydric Pine (FLUCFCS Code 6259), and Cypress (FLUCFCS Code 6219) areas on the Project site. Dense interiors of mixed cypress-hardwood strands seem to be avoided by fox squirrels (Moler 1992).

Table 2. Listed Plant Species That Could Potentially Occur on the Fiddlesticks Blvd. Parcel

Common Name	Scientific Name	Designated Status		Potential Location (FLUCFCS Code)
		FDACS	USFWS	
Curtis Milkweed	<i>Asclepias curtisii</i>	E	-	3219 E2/3219 E3
Beautiful Paw-Paw	<i>Deeringothamus pulchellus</i>	E	E	3219 E1/3219 E2/ 4119 E1/ 4119 E2/4119 E4

Table 2. (Continued)

Common Name	Scientific Name	Designated Status		Potential Location (FLUCFCS Code)
		FDACS	USFWS	
Satinleaf	<i>Chrysophyllum olivaeforme</i>	T	-	4119 E1/ 4119 E2/4119 E4
Fakahatchee Burmannia	<i>Burmannia flava</i>	E	-	3219 E1/3219 E2/ 4119 E1/ 4119 E2/4119 E4

FDACS – Florida Department of Agriculture and Consumer Services

USFWS – U.S. Fish and Wildlife Service

E – Endangered

T – Threatened

A Lee County protected species survey was conducted within the Project site on September 21 and 22, 2011. Eight Lee County protected species were observed during the surveys. The observed species include 7 wood stork, 2 Florida sandhill crane, 4 roseate spoonbill, 3 little blue heron, 8 snowy egret, 3 tri-colored heron, 32± white ibis, and 1 Big Cypress fox squirrel. A summary of the protected species observed within the Project is provided in Table 3. The locations of the observed protected species are depicted in Exhibit H.

Table 3. Listed Wildlife Species Documented on the Fiddlesticks Blvd. Parcel

Common Name	Scientific Name	Designated Status		Observed Location (FLUCFCS Code)
		FWCC	USFWS	
Wood Stork	<i>Mycteria americana</i>	FE	E	211
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	ST	-	211
Roseate Spoonbill	<i>Platalea ajaja</i>	SSC	-	211
Little Blue Heron	<i>Egretta caerulea</i>	SSC	-	211, 6219 E2
Snowy Egret	<i>Egretta thula</i>	SSC	-	211
Tri-Colored Heron	<i>Egretta tricolor</i>	SSC	-	211
White Ibis	<i>Eudocimus albus</i>	SSC	-	211
Big Cypress Fox Squirrel	<i>Sciurus niger avicennia</i>	ST	-	6259 E1

FWCC – Florida Fish and Wildlife Conservation Commission

USFWS – U.S. Fish and Wildlife Service

E – Endangered

FE – Federally Endangered

SSC – Species of Special Concern

ST – State Threatened

SUMMARY

A total of 28 vegetative associations and land uses (i.e., FLUCFCS types) have been identified on the 393.68± acre Project. The dominant land uses on the site are improved pasture and forested areas including pine flatwoods and wetland forested habitats.

During the protected species survey conducted on the Project a total of eight protected species were identified utilizing the Project site. These species include wood stork, Florida sandhill crane, roseate spoonbill, little blue heron, snowy egret, tri-colored heron, white ibis, and a Big Cypress fox squirrel.

REFERENCES

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- Moler, P.E. 1992. Rare and Endangered Biota of Florida. Volume III. Amphibians and Reptiles. University Press of Florida, Gainesville, Florida.
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- Soils Conservation Service. 1998. Soil Survey of Lee County, Florida.
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EXHIBIT A

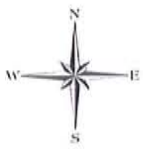
AERIAL WITH BOUNDARY

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PROJECT
LOCATION

LEGEND
 FIDDELESTICKS BLVD. PARCEL



NOTES
 AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY-MARCH 2011.
 PROPERTY BOUNDARY ACQUIRED FROM VALDOP ENGINEERING, P.A. DRAWING NO. 2011-067 DWS DATED MARCH 29, 2012.
 COUNTY INFORMATION AND ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

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DRAWN BY F.L.	DATE 9/15/11	1 In 20 Metropolis Avenue Suite 200
DESIGNED BY J.H.	DATE 9/15/11	Fort Myers, Florida 33912
CHECKED BY F.L.	DATE 3/29/12	Phone (239) 274-0067 Fax (239) 274-0069



FIDDELESTICKS BLVD. PARCEL
 AERIAL WITH BOUNDARY

DRAWN BY 05JEF141
SHEET NO. EXHIBIT A

EXHIBIT B
FLUCFCS MAP

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EXHIBIT C

AERIAL WITH FLUCFCS MAP

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NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY-MARCH 2011.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ACQUIRED FROM WALDROP ENGINEERING P.A. DRAWING No. 2011-667 DWG DATED MARCH 20, 2012

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL	FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	243.77 Ac ±	61.0%	6210 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	2.00 Ac ±	0.5%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	11.20 Ac ±	2.9%	6219 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	7.92 Ac ±	2.0%
3219 E2	PALMETTO PRAIRIE, DISTURBED (25-49% EXOTICS)	0.68 Ac ±	0.2%	6249 E2	CYPRESS/PINE/CABBAGE PALM, DISTURBED (25-49% EXOTICS)	3.98 Ac ±	1.0%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	1.47 Ac ±	0.4%	6249 E3	CYPRESS/PINE/CABBAGE PALM, DISTURBED (50-75% EXOTICS)	22.48 Ac ±	5.7%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	4.59 Ac ±	1.1%	6250 E1	PINE HYDRIC, DISTURBED (0-24% EXOTICS)	6.50 Ac ±	1.6%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	6.52 Ac ±	1.7%	6250 E2	PINE HYDRIC, DISTURBED (25-49% EXOTICS)	1.77 Ac ±	0.4%
4159 E3	PINE, DISTURBED (50-75% EXOTICS)	0.67 Ac ±	0.2%	6250 E3	PINE HYDRIC, DISTURBED (50-75% EXOTICS)	3.49 Ac ±	0.9%
422	BRAZILIAN PEPPER	0.09 Ac ±	0.0%	6319 E2	WETLAND SHRUB, DISTURBED (25-49% EXOTICS)	22.93 Ac ±	5.8%
424	MELALEUCA	0.33 Ac ±	0.1%	6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	1.29 Ac ±	0.3%
4241	MELALEUCA, HYDRIC	26.17 Ac ±	6.6%	6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	0.30 Ac ±	0.1%
514	DRAINAGE CANAL/DITCH	2.59 Ac ±	0.7%	720	DISTURBED LAND	0.17 Ac ±	0.0%
525	SHALLOW POND	0.51 Ac ±	0.1%	7601	DISTURBED LAND HYDRIC	0.60 Ac ±	0.2%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	6.80 Ac ±	2.2%	743	SPOIL AREAS	0.09 Ac ±	0.0%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	6.49 Ac ±	1.6%	747	BERM	4.19 Ac ±	1.1%
TOTAL		393.68 Ac ±	100.0%				

DATE: 3/22/11
 BY: D.B.
 DATE: 3/22/11
 BY: J.H.
 DATE: 3/29/12
 BY: H.H.

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FIDDLESTICKS BLVD. PARCEL
 AERIAL WITH FLUCFCS MAP

10/4/2012
 05H11341
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 SHEET 11
 EXHIBIT C

EXHIBIT D

**EXISTING LAND USE AND COVER SUMMARY TABLE
AND FLUCFCS DESCRIPTIONS**

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**FIDDLESTICKS BLVD. PARCEL
EXISTING LAND USE AND COVER SUMMARY TABLE
AND FLUCFCS DESCRIPTIONS**

The following table summarizes the FLUCFCS codes and provides an acreage breakdown of the habitat types found on the Fiddlesticks Blvd. Parcel property, while a description of each of the FLUCFCS classifications follows.

Existing Land Use and Cover Summary

FLUCFCS Code	Habitat	Acreage	Percent of Total
211	Improved Pasture	243.77	61.9
3219 E1	Palmetto Prairie, Disturbed (0-24% Exotics)	11.26	2.9
3219 E2	Palmetto Prairie, Disturbed (25-49% Exotics)	0.08	<0.1
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	1.47	0.4
4119 E2	Pine Flatwoods, Disturbed (25-49% Exotics)	4.39	1.1
4119 E4	Pine Flatwoods, Disturbed (76-100% Exotics)	6.52	1.7
4159 E3	Pine, Disturbed (50-75% Exotics)	0.67	0.2
422	Brazilian Pepper	0.09	<0.1
424	Melaleuca	0.33	0.1
4241	Melaleuca, Hydric	26.17	6.6
514	Drainage Canal/Ditch	2.58	0.7
525	Shallow Pond	0.51	0.1
6219 E1	Cypress, Disturbed (0-24% Exotics)	8.80	2.2
6219 E2	Cypress, Disturbed (25-49% Exotics)	6.49	1.6
6219 E3	Cypress, Disturbed (50-75% Exotics)	2.06	0.5
6219 E4	Cypress, Disturbed (76-100% Exotics)	7.92	2.0
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	3.98	1.0
6249 E3	Cypress/Pine/Cabbage Palm, Disturbed (50-75% Exotics)	22.48	5.7
6259 E1	Pine, Hydric, Disturbed (0-24% Exotics)	8.38	2.1
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	1.77	0.4
6259 E3	Pine, Hydric, Disturbed (50-75% Exotics)	3.49	0.9
6319 E2	Wetland Shrub, Disturbed (25-49% Exotics)	22.93	5.8
6419 E1	Freshwater Marsh, Disturbed (0-24% Exotics)	1.29	0.3
6419 E4	Freshwater Marsh, Disturbed (76-100% Exotics)	0.32	0.1
740	Disturbed Land	0.17	<0.1
7401	Disturbed Land, Hydric	0.89	0.2
743	Spoil Areas	0.68	0.2
747	Berm	4.19	1.1
Total		393.68	100.0

Improved Pasture (FLUCFCS Code 211)

This upland area occupies 243.77± acres or 61.9 percent of the property. The canopy and sub-canopy is open and includes widely scattered slash pine (*Pinus elliottii*). The ground cover is mostly bare ground and includes areas of bahiagrass (*Paspalum notatum*), broomsedge bluestem (*Andropogon virginicus*), flatsedge (*Cyperis* sp.), and torpedograss (*Panicum repens*). The improved pasture throughout the area will be seeded with bahiagrass.

Palmetto Prairie, Disturbed (0-24% Exotics) (FLUCFCS Code 3219 E1)

This upland community type occupies 11.26± acres or 2.9 percent of the property. The canopy contains scattered slash pine and cabbage palm (*Sabal palmetto*). The sub-canopy contains wax myrtle (*Myrica cerifera*), saltbush (*Baccharis halimifolia*), melaleuca (*Melaleuca quinquenervia*), and Brazilian pepper (*Schinus terebinthifolius*). The ground cover contains saw palmetto (*Serenoa repens*), caesarweed (*Urena lobota*), beautyberry (*Callicarpa americana*), St. John Wort (*Hypericum cystifolium*), broomsedge bluestem, Brazilian pepper, and greenbrier (*Smilax* sp.).

Palmetto Prairie, Disturbed (25-49% Exotics) (FLUCFCS Code 3219 E2)

This upland community type occupies 0.08± acre or less than 0.1 percent of the property. The vegetation associations are similar to FLUCFCS Code 3219 E1, except with 25 to 49 percent melaleuca in the sub-canopy.

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)

This upland community type occupies 1.47± acres or 0.4 percent of the property. The canopy contains slash pine, scattered cabbage palm, and melaleuca. The sub-canopy contains dahoon holly (*Ilex cassine*), myrsine (*Rapanea punctata*), and wax myrtle. The ground cover contains saw palmetto, broomsedge bluestem, caesarweed, and grapevine (*Vitis rotundifolia*).

Pine Flatwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 4119 E2)

This upland community type occupies 4.39± acres or 1.1 percent of the property. The vegetation associations are similar to FLUCFCS Code 4119 E1, except with 25 to 49 percent melaleuca in the sub-canopy.

Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)

This upland community type occupies 6.52± acres or 1.7 percent of the property. The vegetation associations are similar to FLUCFCS Code 4119 E2, except with 76 to 100 percent melaleuca in the sub-canopy.

Pine, Disturbed (50-75% Exotics) (FLUCFCS Code 4159 E3)

This upland community type occupies 0.67± acre or 0.2 percent of the property. The canopy contains slash pine, scattered cabbage palm, and melaleuca. The sub-canopy includes wax myrtle and melaleuca. The ground cover is predominately wiregrass (*Aristida stricta*) with broomsedge bluestem, and bahiagrass.

Brazilian Pepper (FLUCFCS Code 422)

This upland area occupies 0.09± acre or less than 0.1 percent of the property. The canopy is open. The sub-canopy is dominated by Brazilian pepper with scattered wax myrtle and cabbage palm. The ground cover is mostly bare ground and also includes Brazilian pepper.

Melaleuca (FLUCFCS Code 424)

This non-native upland habitat occupies 0.33± acre or 0.1 percent of the property. The canopy and sub-canopy consists of melaleuca. The ground cover is mostly bare with occasional grapevine and wiregrass.

Melaleuca, Hydric (FLUCFCS Code 4241)

This non-native wetland habitat occupies 26.17± acres or 6.6 percent of the property. The canopy and sub-canopy consists of melaleuca and scattered cypress (*Taxodium distichum*). The ground cover includes swamp fern (*Blechnum serrulatum*), yellow-eyed grass (*Xyris* sp.), rosy camphorweed (*Pluchea rosea*), little blue maidencane (*Amphicarpum muhlenbergianum*), and climbing hempvine (*Mikania scandens*).

Drainage Canal/Ditch (FLUCFCS Code 514)

This open water area occupies 2.58± acres or 0.7 percent of the property. Ground cover vegetation includes cattail (*Typha* sp.) and torpedograss.

Shallow Pond (FLUCFCS Code 525)

This open water area occupies 0.51± acre or 0.1 percent of the property. The canopy is open. The sub-canopy is open with scattered cattail. Ground cover includes water pennywort (*Hydrocotyle umbellata*) and torpedograss.

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)

This wetland community type occupies 8.80± acres or 2.2 percent of the property. The canopy contains cypress, cabbage palm, and melaleuca. The sub-canopy contains cypress, cabbage palm, Carolina willow (*Salix caroliniana*), Brazilian pepper, and wax myrtle. The ground cover contains swamp fern, maidencane (*Panicum hemitomon*), musky mint (*Hyptis alata*), smartweed (*Polygonum argyrocoleon*), sawgrass (*Cladium jamaicense*), rosy camphorweed, yellow-eyed grass, bladderwort (*Utricularia* sp.), water-lily (*Nymphaea* sp.), climbing hempvine, and greenbrier.

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)

This wetland community type occupies 6.49± acres or 1.6 percent of the property. The vegetation associations are similar to FLUCFCS Code 6219 E1, except with 25 to 49 percent melaleuca and/or Brazilian pepper in the sub-canopy.

Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3)

This wetland community type occupies 2.06± acres or 0.5 percent of the property. The vegetation associations are similar to FLUCFCS Code 6219 E2, except with 50 to 75 percent melaleuca and/or Brazilian pepper in the sub-canopy.

Cypress, Disturbed (76-100% Exotics) (FLUCFCS Code 6219 E4)

This wetland community type occupies 7.92± acres or 2.0 percent of the property. The vegetation associations are similar to FLUCFCS Code 6219 E3, except with 76 to 100 percent melaleuca and/or Brazilian pepper in the sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2)

This wetland community type occupies 3.98± acres or 1.0 percent of the property. The canopy contains cypress, melaleuca and slash pine. The sub-canopy contains cypress, slash pine, cabbage palm, melaleuca, Brazilian pepper, and wax myrtle. The ground cover contains sawgrass, sand cordgrass (*Spartina bakeri*), iris (*Iris* sp.), yellow-eyed grass, swamp fern, and gulfdune paspalum (*Paspalum monostachyum*).

Cypress/Pine/Cabbage Palm, Disturbed (50-75% Exotics) (FLUCFCS Code 6249 E3)

This wetland community type occupies 22.48± acres or 5.7 percent of the property. The vegetation associations are similar to FLUCFCS Code 6249 E2, except with 50 to 75 percent melaleuca and/or Brazilian pepper in the sub-canopy.

Pine, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 6259 E1)

This wetland community type occupies 8.38± acres or 2.1 percent of the property. The canopy contains slash pine and melaleuca. The sub-canopy contains slash pine, melaleuca, cabbage palm, Brazilian pepper, and wax myrtle. The ground cover contains gulfdune paspalum, sawgrass, sand cordgrass, and water pennywort.

Pine, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 6259 E2)

This wetland community type occupies 1.77± acres or 0.4 percent of the property. The vegetation associations are similar to FLUCFCS Code 6259 E1, except with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 6259 E3)

This wetland community type occupies 3.49± acres or 0.9 percent of the property. The vegetation associations are similar to FLUCFCS Code 6259 E2, except with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wetland Shrub, Disturbed (25-49% Exotics) (FLUCFCS Code 6319 E2)

This wetland community type occupies 22.93± acres or 5.8 percent of the property. The canopy is open and contains dead melaleuca trees. The sub-canopy contains cypress, saltbush, wax myrtle, Brazilian pepper, and scattered Carolina willow. The ground cover contains swamp fern, Brazilian pepper, saltbush, sawgrass, and climbing hempvine.

Freshwater Marsh, Disturbed (0-24% Exotics) (FLUCFCS Code 6419 E1)

This wetland community type occupies 1.29± acres or 0.3 percent of the property. The canopy is open with scattered Carolina willow. The sub-canopy is open. The ground cover contains maidencane, pickerelweed (*Pontedaria cordata*), duck potato (*Sagittaria lanceifolia*), bladderwort, and water-lily.

Freshwater Marsh, Disturbed (76-100% Exotics) (FLUCFCS Code 6419 E4)

This wetland community type occupies 0.32± acre or 0.1 percent of the property. The vegetation associations are similar to FLUCFCS Code 6419 E1, except with 76 to 100 percent melaleuca and/or Brazilian pepper in the sub-canopy.

Disturbed Land (FLUCFCS Code 740)

This upland area occupies 0.17± acre or less than 0.1 percent of the property. The canopy and sub-canopy are open. The ground cover contains bahiagrass, smutgrass (*Sporobolus indicus*), broomsedge bluestem, frog fruit (*Phyla nodiflora*), caesarweed, and Brazilian pepper.

Disturbed Land, Hydric (FLUCFCS Code 7401)

This wetland area occupies 0.89± acre or 0.2 percent of the property. The canopy and sub-canopy are open. The ground cover is predominantly open with torpedograss, rosy camphorweed, little blue maidencane, and climbing hempvine.

Spoil Areas (FLUCFCS Code 743)

This upland area occupies 0.68± acre or 0.2 percent of the property. It consists of spoil material that was deposited from excavation activities.

Berm (FLUCFCS Code 747)

This upland area occupies 4.19± acres or 1.1 percent of the property.

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EXHIBIT E

SOILS MAP

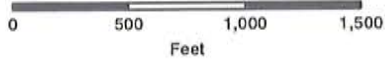
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LEGEND
 FIDDELSTICKS BLVD. PARCEL

Soil Unit	Description
6	HALLANDALE FINE SAND
7	MATLACHA-URBAN LAND COMPLEX
12	FELDA FINE SAND
13	BOCA FINE SAND
14	VALKARIA FINE SAND
26	PINEDA FINE SAND
27	POMPAHO FINE SAND; DEPRESSIONAL
28	IMMOCKALEE SAND
30	ISLES FINE SAND; DEPRESSIONAL
49	FELDA FINE SAND; DEPRESSIONAL
73	PINEDA FINE SAND; DEPRESSIONAL



NOTES:
 AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY-MARCH 2011.
 ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.
 SOILS MAPPING WAS ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE OCTOBER 2007 AND CREATED BY THE NATURAL RESOURCES CONSERVATION SERVICE 1990.

**EXHIBIT E. SOILS MAP
 FIDDELSTICKS BLVD. PARCEL**

DRAWN BY	DATE
F.L.	9/15/11
REVIEWED BY	DATE
J.H.	9/15/11
REVISED	DATE
F.L.	3/29/12



EXHIBIT F

SOILS SUMMARY TABLE AND DESCRIPTIONS

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FIDDLESTICKS BLVD. PARCEL SOILS SUMMARY TABLE AND DESCRIPTIONS

Soils Listed by the NRCS on the Project

Soil Unit	Description
6	Hallandale Fine Sand
7	Matlacha-Urban Land Complex
12	Felda Fine Sand
13	Boca Fine Sand
14	Valkaria Fine Sand
26	Pineda Fine Sand
27	Pompano Fine Sand, Depressional
28	Immokalee Sand
39	Isles Fine Sand, Depressional
49	Felda Fine Sand, Depressional
73	Pineda Fine Sand, Depressional

6 – Hallandale Fine Sand

This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about two inches thick. The subsurface layer is light gray fine sand about 5 inches thick. The substratum is very pale brown fine sand about 5 inches thick. At a depth of 12 inches is fractured limestone bedrock that has solution holes extending to a depth of 25 inches. These solution holes contain mildly alkaline, loamy material. In most years, under natural conditions, the water table is less than 10 inches below the surface for 1 to 3 months. It recedes below the limestone for about 7 months.

7 – Matlacha-Urban Land Complex

This complex consists of nearly level Matlacha gravelly fine sand and areas of Urban land. The areas of the Matlacha soil and of Urban land are so intermingled that it was not practical to map them separately at the scale used for mapping. The mapped areas range from about 20 to 640 acres. Typically, the surface layer of the Matlacha soil is about 40 inches of light gray, gray, very pale brown, grayish brown, very dark grayish brown, and dark gray mixed gravelly fine sand and sandy material. The surface layer contains lenses of loamy sand and coated sandy fragments of a former subsoil and is about 25 percent coarse fragments of limestone and shell. Below the surface layer, to a depth of 80 inches or more, there is undisturbed fine sand. The upper 6 inches is dark gray and the rest is light gray with dark grayish brown stains and streaks along old root channels.

12 – Felda Fine Sand

This is a nearly level, poorly drained soil on broad, nearly level sloughs. Slopes are smooth to concave and range from 0 to 2 percent. Typically, the surface layer is dark gray fine sand about 8 inches thick. The subsurface layer is light gray and light brownish gray fine sand about 14 inches thick. The subsoil is light gray loamy fine sand about 16 inches thick and is underlain by gray and light gray fine sand that extends to a depth of 80 inches or more. In most years, under

natural conditions, this soil has a water table within 10 inches of the surface for 2 to 4 months. The water table is 10 to 40 inches below the surface for about 6 months. It is more than 40 inches below the surface for about 2 months. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

13 – Boca Fine Sand

This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The subsurface layer is fine sand about 22 inches thick. The upper 11 inches is light gray and the lower 11 inches is very pale brown. The subsoil, about 5 inches thick, is gray fine sandy loam with brownish yellow mottles and calcareous nodules. At a depth of 30 inches is a layer of fractured limestone. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.

14 – Valkaria Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 1 percent. Typically, the surface layer is about 2 inches of dark grayish brown fine sand. The subsurface layer is 5 inches of very pale brown fine sand. The subsoil is loose fine sand to a depth of 80 inches or more. The upper 9 inches is yellow, the next 4 inches is brownish yellow, the next 6 inches is yellowish brown, and the lowermost 54 inches is pale yellow, yellow, brown, and very pale brown. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for about 6 months and recedes to a depth of more than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more.

26 – Pineda Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Typically, the surface layer is black fine sand about 1 inch thick. The subsurface layer is very pale brown fine sand about 4 inches thick. The upper part of the subsoil is brownish yellow fine sand about 8 inches thick. The next 10 inches is strong brown fine sand. The next 6 inches is yellowish brown fine sand. The next 7 inches is light gray fine sand with brownish yellow mottles. The lower part of the subsoil is light brownish gray fine sandy loam with light gray sandy intrusions about 18 inches thick. The substratum is light gray fine sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months, and it recedes to more than 40 inches below the surface during extended dry periods. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

27 – Pompano Fine Sand, Depressional

This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The substratum is fine sand to a depth of 80 inches or more. The upper 32 inches is light brownish gray with few, fine, faint yellowish brown mottles. The lower 45 inches is light gray. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months and stands

above the surface for about 3 months. It is 10 to 40 inches below the surface for more than 5 months.

28 – Immokalee Sand

This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand to a depth of 69 inches. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It recedes to a depth of more than 40 inches during extended dry periods.

39 – Isles Fine Sand, Depressional

This is a nearly level, very poorly drained soil in depressions. Slopes are smooth to concave and less than 1 percent. Typically, the surface layer is very dark gray fine sand about 5 inches thick. The subsurface layer is about 5 inches of light gray fine sand. Next is 11 inches of very pale brown fine sand with yellowish brown mottles. The subsoil is 26 inches of gray fine sandy loam with brownish yellow mottles and pockets of light brownish gray loamy sand. Limestone bedrock is at a depth of 47 inches. In most years, under natural conditions, the water table is above the surface for 3 to 6 months. It is within a depth of 10 to 40 inches for 2 to 4 months. The water table recedes to a depth of more than 40 inches during extended dry periods.

49 – Felda Fine Sand, Depressional

This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is gray fine sand about 4 inches thick. The subsurface layers extend to a depth of 35 inches. The upper 13 inches is grayish brown fine sand and the lower 18 inches is light gray fine sand with yellowish brown mottles. The subsoil is about 17 inches thick. The upper 6 inches is gray sandy loam and the lower 11 inches is sandy clay loam with many yellowish brown and strong brown mottles. Below this is light gray fine sand to a depth of 80 inches or more. In most years, under natural conditions, the soil is ponded for about 3 to 6 months or more. The water table is within a depth of 10 to 40 inches for 4 to 6 months.

73 – Pineda Fine Sand, Depressional

This is a nearly level, very poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is dark gray fine sand about 3 inches thick. The subsurface layer is fine sand to a depth of 31 inches. The upper 9 inches is light gray, the next 7 inches is very pale brown with yellowish brown mottles, and the lower 12 inches is brownish yellow with many iron-coated sand grains. The subsoil is fine sandy loam to a depth of 55 inches. The upper 8 inches is gray with very pale brown sandy intrusions and yellowish brown mottles. The lower 16 inches is gray. Below that and extending to a depth of 80 inches is light gray loamy sand. In most years, under natural conditions, the soil is ponded for about 3 to 6 months or more. The water table is within a depth of 10 to 40 inches for 4 to 6 months.

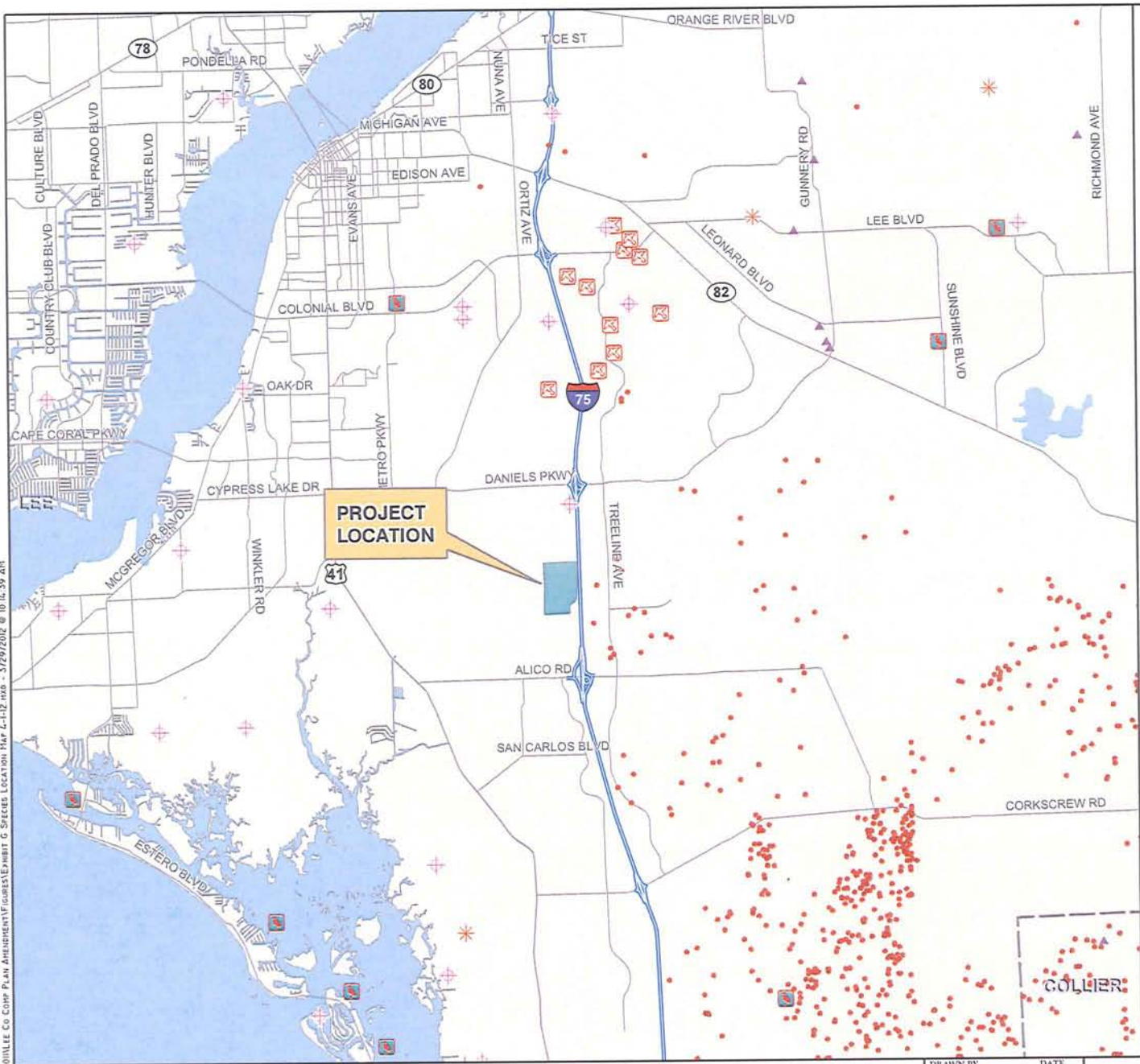
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EXHIBIT G

DOCUMENTED OCCURRENCES OF LISTED SPECIES

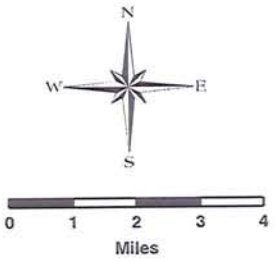
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J:\2005\05\FF\GIS\2011\LEE Co CORP PLAN AMENDMENT\FIGURE\EXHIBIT G SPECIES LOCATION MAP L-1-12.mxd - 3/29/2012 @ 10:44:39 AM



LEGEND

- FIDDLESTICKS BLVD. PARCEL
- BALD EAGLE NEST
- FLORIDA PANTHER TELEMTRY
- FWCC BLACK BEAR LOCATIONS
- FWCC RCW LOCATIONS
- FWCC WADING BIRD LOCATIONS
- SCRUB JAY LOCATIONS



NOTES:

EAGLE NEST LOCATIONS WERE ACQUIRED FROM THE FWCC AUGUST 2011.

BLACK BEAR LOCATIONS WERE ACQUIRED FROM THE FWCC AUGUST 2011 AND IS CURRENT TO 2007.

PANTHER TELEMTRY WAS ACQUIRED FROM THE FWCC AUGUST 2011 AND IS CURRENT TO JUNE 2011.

RED COCKADED WOODPECKER LOCATIONS WERE ACQUIRED PER THE FWCC AUGUST 2011.

SCRUB JAY LOCATIONS WERE ACQUIRED FROM THE USFWS FTP SITE SEPTEMBER 2006.

WADING BIRD ROOKERIES WERE ACQUIRED FROM THE FWCC AND ARE CURRENT TO 1999.

**EXHIBIT G. DOCUMENTED OCCURRENCES OF LISTED SPECIES
FIDDLESTICKS BLVD. PARCEL**

DRAWN BY	DATE
F.L.	9/15/11
REVIEWED BY	DATE
J.H.	9/15/11
REVISED	DATE
F.L.	3/29/12



EXHIBIT H

**AERIAL WITH FLUCFCS, SURVEY TRANSECTS,
AND APROXIMATE SPECIES LOCATIONS**

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LEGEND

- APPROXIMATE LOCATION OF WALKED TRAJECT
- LBHE** LITTLE BLUE HERON
- TRHE** TRICOLORED HERON
- WHIB** WHITE IBIS
- RSPB** ROSEATE SPOONBILL
- SNEG** SNOWY EGRET
- WDST** WOOD STORK
- BCFS** BIG CYPRESS FOX SQUIRREL
- SHCR** SANDHILL CRANE

NOTES

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY-MARCH 2011.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED

FLUCFCS PER FLORIDA LAND USE COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999)

PROPERTY BOUNDARY ACQUIRED FROM WALDROP ENGINEERING P.A. DRAWING No. 2011-167 DWG DATED MARCH 29, 2012.

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL	FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	243.77 Ac ±	61.0%	6219 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	2.06 Ac ±	0.5%
3219 E1	PALMETTO PRairie, DISTURBED (0-24% EXOTICS)	11.26 Ac ±	2.9%	6219 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	7.92 Ac ±	2.0%
3219 E2	PALMETTO PRairie, DISTURBED (25-49% EXOTICS)	0.08 Ac ±	0.0%	6249 E2	CYPRESS/PINE/CARRIAGE PALM, DISTURBED (25-49% EXOTICS)	3.99 Ac ±	1.0%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	1.47 Ac ±	0.4%	6249 E3	CYPRESS/PINE/CARRIAGE PALM, DISTURBED (50-75% EXOTICS)	22.49 Ac ±	5.7%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	4.29 Ac ±	1.1%	6259 E1	PINE HYDRIC, DISTURBED (0-24% EXOTICS)	5.29 Ac ±	2.1%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	0.52 Ac ±	0.1%	6259 E2	PINE HYDRIC, DISTURBED (25-49% EXOTICS)	1.77 Ac ±	0.4%
4159 E3	PINE, DISTURBED (50-75% EXOTICS)	0.67 Ac ±	0.2%	6259 E3	PINE HYDRIC, DISTURBED (76-100% EXOTICS)	3.49 Ac ±	0.9%
422	BRAZILIAN PEPPER	0.00 Ac ±	0.0%	6319 E2	WETLAND SHRUB, DISTURBED (25-49% EXOTICS)	22.00 Ac ±	5.5%
424	MELALEUCA	0.33 Ac ±	0.1%	6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	1.29 Ac ±	0.3%
4341	MELALEUCA, HYDRIC	25.17 Ac ±	6.6%	6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	0.29 Ac ±	0.1%
614	DRAINAGE CANAL/DITCH	2.59 Ac ±	0.7%	740	DISTURBED LAND	0.17 Ac ±	0.0%
625	SHALLOW FOND	0.51 Ac ±	0.1%	7301	DISTURBED LAND, HYDRIC	0.89 Ac ±	0.2%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	8.00 Ac ±	2.2%	743	SPOIL AREAS	0.68 Ac ±	0.2%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	5.49 Ac ±	1.6%	747	BERM	4.19 Ac ±	1.1%
		TOTAL	393.63 Ac ±	100.0%			

DATE: 9/22/11
 DRAWN BY: D.B.
 CHECKED BY: J.H.
 DATE: 9/22/11
 DATE: 1/29/12
 13620 Metropolis Avenue
 Suite 200
 Fort Myers, Florida 33912
 Phone (239) 274-0067
 Fax (239) 274-0069



FIDDLESTICKS BLVD. PARCEL
 AERIAL WITH FLUCFCS, SURVEY TRANSECTS,
 AND APPROXIMATE SPECIES LOCATIONS

PROJECT: 05111141
 SHEET: 05111142
 EXHIBIT: 11

ZONE "X"


ZONE "X"

ZONE "X"

ZONE "X"



Legend

 Subject Property

ZONE "X"



EXHIBIT IV.C.4 FLOOD INSURANCE RATE MAP

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This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

August 24, 2011



Ms. Alexis V. Crespo
Waldrop Engineering, P.A.
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34135
Office: 239.405.7777
Cell: 239.850.8525
Email: AlexisC@waldropengineering.com

In response to your inquiry of August 23, 2011, the Florida Master Site File lists no previously recorded cultural resources in the following section of Lee County:

T45S R25E Section 34

When interpreting the results of this search, please consider the following information:

- This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.
- Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.

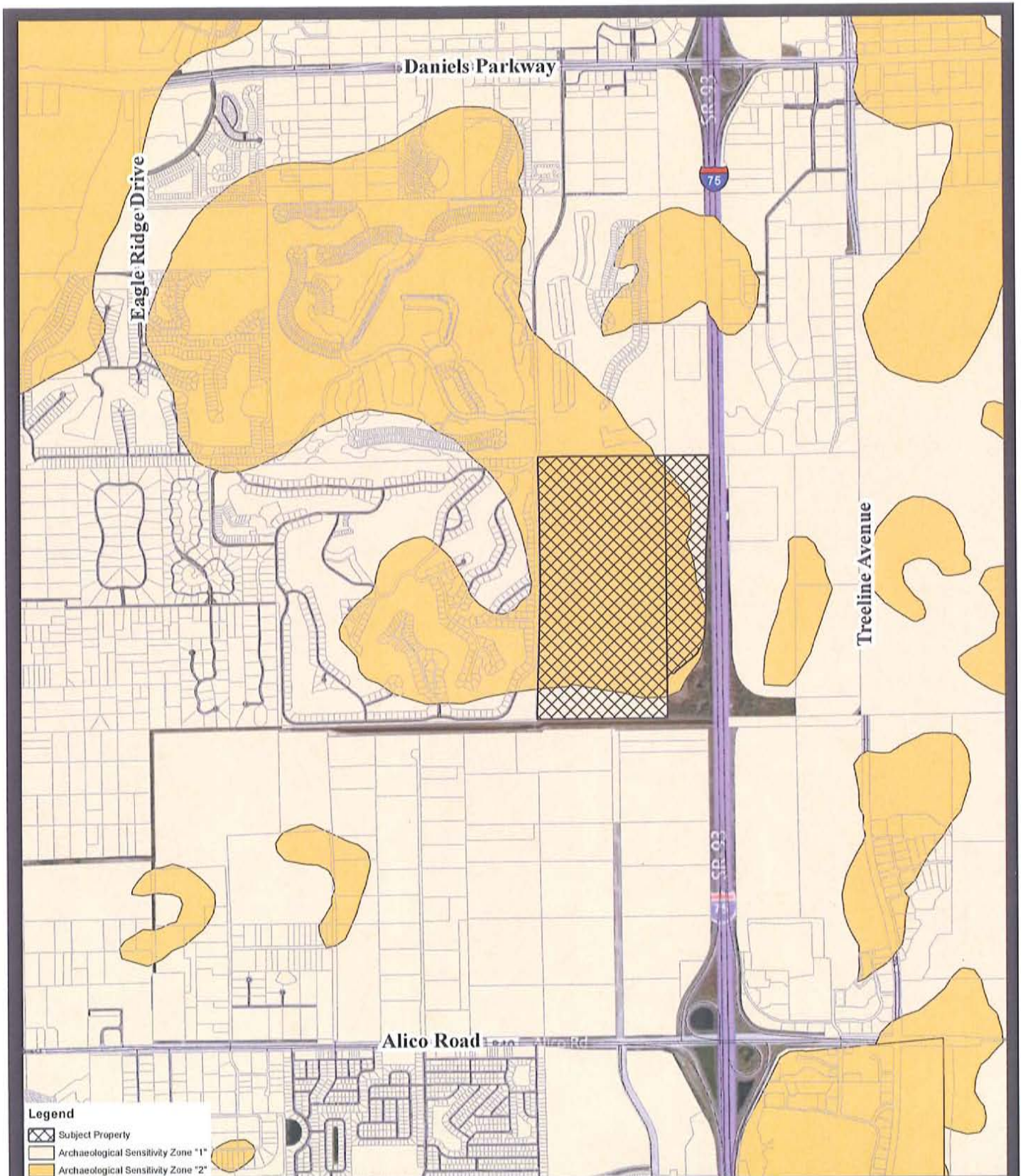
Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

A handwritten signature in black ink that reads "Lindsey Morrison".

Lindsey Morrison
Archaeological Data Analyst
Florida Master Site File
Lindsey.Morrison@dos.myflorida.com

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Legend


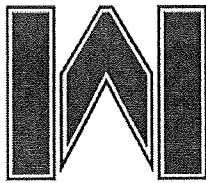
-  Subject Property
-  Archaeological Sensitivity Zone "1"
-  Archaeological Sensitivity Zone "2"



EXHIBIT IV.D.2
ARCHAEOLOGICAL SENSITIVITY MAP



IV.E.4 – Lee Plan Consistency & Amendment Justification Narrative

The Applicant is requesting approval of a Future Land Use Map (FLUM) Amendment to remove the 394+/- acre property from the Rural and Wetlands FLU Categories and re-designate the property as Outlying Suburban and Wetlands. The Outlying Suburban designation currently terminates at the northern property line and encompasses the Olde Hickory and Legends Golf and Country Clubs to the north and northwest, respectively. Approval of this request will allow for the logical extension of the existing development pattern in this urbanized portion of the County, and will permit clustered, infill development to accommodate future population growth in an area serviced by existing public infrastructure.

Per Table 1(b) "Planning Community Year 2030 Allocations", there are 1,700 acres of Outlying Suburban Future Land Use available for residential development within the Daniels Planning Community. Therefore, the proposed 394-acre FLUM amendment is in compliance with the 2030 residential allocation for this area.

As indicated in the Infrastructure Analysis, attached as Exhibit IV.B.2, the projected population of the FLUM amendment is 2,955 persons (1,182 du @ 2.5 persons/unit). Additionally, the amendment includes 20,000 s.f. of commercial uses to provide future residents with local goods and services.

The following is an analysis of how the proposed Amendment is consistent with the goals, policies and objectives of the Lee Plan, State Comprehensive Plan (SCP), and the Strategic Regional Policy Plan (SRPP).

I. Lee Plan Consistency

Policy 1.1.6: *The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed.*

In compliance with this policy, the subject property is located in a developed area of the County with available public infrastructure to support future growth. This portion of the county consists of established residential communities, industrial development, and is in close proximity to I-75 and the Southwest Florida International Airport. Therefore, the Property and its surrounds are no longer characterized as rural, and the Property is consistent with the description of an Outlying Suburban area.

Table 1.1 below further defines the surrounding Future Land Use designations, zoning districts and land uses.

Table 1.1: Inventory of Surrounding Lands

DIRECTION	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USE
North	Outlying Suburban	Residential Planned Development (RPD)	Multi-Family Residential/Golf Course (Olde Hickory Golf & Country Club)
South	Industrial Development	Industrial Planned Development (IPD)	Industrial/Vacant
East	Tradeport	Agriculture (AG-2)	I-75/Vacant
West	Rural	Planned Unit Development (PUD)	Single-Family Residential/Golf Course (Fiddlesticks Golf & Country Club)

Objective 2.2: *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.*

The proposed amendment will allow for the development of a vacant property entirely surrounded by suburban and urban levels of development, with available public infrastructure in place. Additionally, development will be clustered within the uplands of the Property to the furthest extent possible, thereby creating a compact development pattern that is contiguous to similar, established communities.

OBJECTIVE 2.7: *Historic resources will be identified and protected pursuant to the Historic Preservation element and the county's Historic Preservation Ordinance.*

In compliance with this policy, the Applicant has secured a letter from the Florida Master Site File indicating that no recorded historical or archaeological resources exist on the property.

POLICY 2.12.1: *The County encourages and promotes clustered, mixed use development within certain Future Urban Area land use categories to spur cluster development and smart growth within those areas of Lee County where sufficient infrastructure exists to support development, as well as continue to improve the economic well-being of the County; provide for diversified land development; and provide for cohesive, viable, well-integrated, and pedestrian and transit oriented projects. This is intended to encourage development to be consistent with Smart Growth principles.*

As outlined in this application, the Applicant is seeking approval of this FLUM amendment to allow for the development of a residential community with a neighborhood commercial component. The diversified development program will allow for lower vehicle miles travelled (VMT) through the provision of local goods and services in close proximity to residential units.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate*

the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

The proposed FLUM amendment will support and protect the existing development pattern along Fiddlesticks Blvd. in direct compliance with this policy. The proposal for a residential community with a neighborhood commercial component will be similar in both character and density to the established, surrounding Planned Developments (Olde Hickory, Fiddlesticks, and The Legends). Furthermore, specific design standards and the mix of uses will be further defined through the Planned Development rezoning process to ensure the protection of surrounding communities.

POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.*

The proposed neighborhood commercial component permitted per the Outlying Suburban Future Land Use Designation is tentatively planned for the southeastern corner of the property. These non-residential uses will be strategically located near the I-75 and Three Oaks Extension frontage to buffer proposed residential uses. Additionally, locating the commercial component away from the established residential communities in the immediate area will further ensure compatibility with the existing development pattern.

OBJECTIVE 114.1: *The natural functions of wetlands and wetland systems will be protected and conserved through the enforcement of the county's wetland protection regulations and the goals, objectives, and policies in this plan. "Wetlands" include all of those lands, whether shown on the Future Land Use Map or not, that are identified as wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended by F.S. 373.4211.*

The Applicant and consultant team are in the process of determining the extent and quality of existing wetlands on the Property. Future submittals will provide additional environmental data in compliance with this policy. Furthermore, it is understood that all future development activities and approvals will comply with the goals, objectives and policies governing wetlands, including the residential densities outlined in Table 1(a) of the Lee Plan.

POLICY 115.1.2: *New development and additions to existing development must not degrade surface and ground water quality.*

Prior to future development activities on the Property, the Applicant will obtain the requisite Environmental Resource Permit (ERP) from the South Florida Water Management District, and all other applicable state agencies. Therefore, the proposed amendment will be in compliance with this policy.

II. Adjacent Local Governments

The subject property is located entirely within Lee County and does not abut any other jurisdictions. Therefore, the proposed amendment will not affect other local governments.

III. State Comprehensive Plan

The following area goals and policies from the State Comprehensive Plan that are generally applicable to the Fiddlesticks Blvd. Parcel.

Water Resources. Florida shall assure the availability of an adequate supply of water for all competing uses deemed reasonable and beneficial and shall maintain the functions of natural systems and the overall present level of surface and ground water quality. Florida shall improve and restore the quality of waters not presently meeting water quality standards.

In compliance with this goal, this application will be reviewed by Lee County to ensure the availability of potable water for future residents, as well as the protection of surface water and groundwater in terms of both quality and quantity.

Natural Systems & Recreational Lands. Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forests, and restore degraded natural systems to a functional condition.

Through the forthcoming rezoning and environmental resource permitting process the amendment will ensure adequate protection of natural habitats and wetlands located on the property. Furthermore, development will be clustered on uplands to the furthest extent possible to ensure preservation of environmentally sensitive areas.

Land Use. In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

As indicated above, the proposed amendment will allow for the development of a vacant property entirely surrounded by suburban and urban levels of development with available public infrastructure in place. Therefore, approval of this request will direct new development to an infill location as encouraged by this goal.

Transportation. Florida shall direct future transportation improvements to aid in the management of growth and shall have a state transportation system that integrates highway, air, mass transit and transportation

The project will provide for a bicycle and pedestrian network internal to the site, as well as a neighborhood commercial component to reduced dependence on automobile travel and reduce overall energy demands. Additionally, the Applicant has indicated their cooperation in the extension of Three Oaks Parkway along the eastern portion of the property, which will further improve the county's transportation system.

IV. Regional Policy Plan Consistency

The following are goals within the Strategic Regional Policy Plan (SRPP) that are generally applicable to the Property.

Housing Element

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

The proposed amendment will allow for the development of a mixed-use community with a range of housing types and neighborhood commercial uses within walking distance of residential development areas. While it is anticipated that the neighborhood center will be geared towards daily goods and services rather than office uses, it will inevitably provide some employment opportunities for residents within the community and/or nearby areas.

Natural Resources Element

Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.

The proposed amendment, and forthcoming rezoning and environmental resource permitting processes will ensure protection of the site's natural resources. Additionally, the Applicant is actively managing the property for agricultural uses and has undertaken best practice land management, including the removal of exotic vegetation.

Regional Transportation

Goal 2: Livable communities designed to affect behavior, improve quality of life and responsive to community needs.

As outlined above, the Applicant is seeking approval of this FLUM amendment to allow for the development of a residential community with a neighborhood commercial component. The diversified development program will allow for lower vehicle miles travelled (VMT) through the provision of local goods and services in close proximity to residential units. Additionally, pedestrian and bicycle infrastructure within the site will serve as an amenity for future residents.

V. Sprawl Analysis

The proposed amendment does not constitute urban sprawl, as the property is bound on all sides by existing and approved development, and is in proximity to available public infrastructure.

The property abuts I-75 to the east, a six-lane state freeway, as defined by Administrative Code 11-1, Exhibit 1. Further east of the interstate is the Southwest Florida International Airport. The Property's proximity to these major transportation nodes clearly indicates that the current Rural FLU designation is no longer applicable or appropriate.

Additionally, the property is bound by existing, established residential developments to the north, northwest

and west; as well as a mix of industrial uses to the south. Therefore, the proposed amendment will allow for true infill development, and does not constitute a “leap frog” development pattern where new development occurs in rural, largely undeveloped areas of a jurisdiction unserved by public infrastructure.

In addition to the infill nature of the proposed amendment, there are existing public utilities and roadways available to service the proposed amendment. Specifically, the Property has direct access to Fiddlesticks Blvd., a 2-lane county-maintained collector roadway. The Property will also be intersected by the future Three Oaks Parkway Extension, a planned 4-lane divided arterial roadway.

Capacity is available in nearby water and wastewater treatment plants, as evidenced in the attached Infrastructure Analysis. Existing utility lines will need to be extended from adjacent properties to service future development on the Property. It is understood that these extensions and any associated upgrades to the lines will be required by the Applicant.

Therefore, based on the available public utilities, major existing and planned roadways adjacent to and/or bisecting the Property, as well as the surrounding development pattern, this amendment does not constitute urban sprawl.

VI. Sound Planning Principles

The proposed amendment will address several sound planning principles that are currently of interest to Lee County. In direct compliance with the New Horizon 2035 Comprehensive Plan Update, the amendment will allow for infill development within a suburban portion of the County that is currently serviced by public infrastructure. As presented above, the Property is surrounded by existing and approved developments, ranging from low and medium density residential communities to industrial developments and the Southwest Florida International Airport. Therefore, approval of this amendment will direct new development and accommodate population growth within an appropriate area of the County with the requisite level of public services.

Additionally, the future community will be clustered on the property’s uplands, as determined through the Environmental Resource Permitting process, thereby incorporating environmental protection into the overall site design.

Lastly, the amendment will also include a neighborhood commercial component, which will provide local goods and services to residents and commuters along the future Three Oaks Parkway extension. By providing for a local commercial component, vehicle miles traveled (VMT) are effectively reduced which provides a positive environmental impact, as well as serves to decrease roadway congestion. New Horizon 2035 has a strong focus on mixed use development patterns and improving upon the existing single-use subdivisions inherent to Lee County.

Based on the above principles, the proposed Future Land Use Map amendment represents sound planning and the opportunity for a mixed-use infill development in an appropriate area of the County.

TEXT AMENDMENTS:**Land Use Element****INTENT**

The Land Use Element ~~intends is intended~~ to guide new development, infill, and redevelopment efforts through land use practices that support urban, suburban, coastal, and rural places; economic development; interconnected transportation and land use projects; land and wetland conservation; and existing neighborhoods. The element's growth management strategies included in this element are designed to coordinate the location and timing of development with the availability of infrastructure, public services, and needed public facilities. (New)

GOAL 1: LAND USE. Provide for a wide array of land uses that support mixed-use centers, economic development, defined urban and rural areas, protection and enhancement of natural resources, and provision of essential public services and facilities. (New Goal)

OBJECTIVE 1.1: LAND USE MAP. Maintain a land use map that defines a structure of urban and non-urban land use areas, establishes a pattern for future development and provides for appropriately located residential densities, ~~and nonresidential intensities~~. (Map ## and Table XX) (New Objective)

POLICY 1.1.1: Utilize the Land Use Map to identify and distinguish urban and non-urban land use areas within the county as identified in Table XX).

- a. Urban Land Use Areas include ~~the county's~~ major development areas and consist of the following land use categories:
 1. Urban Land Use Categories: Urban Core, Urban Places, Urban Neighborhoods;
 2. Suburban Land Use Categories: Suburban Ten, Suburban Six, Suburban Four, Suburban Two, Coastal Suburban
 3. Economic Development and Job Center Land Use Categories: Commercial, Industrial/Research Development, Tradeport, Airport Lands, University Community, and Interchange
- b. Non-Urban Land Use Areas include predominantly rural, agricultural, and conservation areas and consist of the following land use categories:
 1. Rural Land Use Categories: Rural, Rural Community Preserve, Coastal Rural, Outer Islands, Open Lands, and Density Reduction/Groundwater Recharge Resource (DR/GR); and
 2. Conservation Land Use Categories: Conservation Lands Uplands and Conservation Lands Wetlands.
- c. General Land Use Areas may be found in areas throughout the county and consist of the following land use categories:
 1. County-wide Land Use Categories: Public Facilities and Wetlands; and
 2. Place-Based Land Use Categories: Burnt Store Marina and Destination Resort Mixed Use Water Dependent (DRMUWD).

(New Policy)

Land Use Categories	Densities and Intensities			
	Residential Densities and Intensities			Commercial Intensities (Maximum FAR)
	Base	Standard	Incentive	
Urban Core	15 DU/Ac.	25 DU/Ac.	40 DU/Ac.	4.00
Urban Places	8 DU/Ac.	18 DU/Ac.	25 DU/Ac.	2.00
Urban Neighborhood ^{1,2}	4 DU/Ac.	8 10 DU/Ac.	16 DU/Ac.	1.00
<u>Suburban 10</u>	<u>4 DU/Ac.</u>	<u>10 DU/Ac.</u>		0.50
Suburban 6	4 DU/Ac.	6 DU/Ac.	10 DU/Ac.	0.50
Suburban 4	2 DU/Ac.	4 DU/Ac.		0.30
Suburban 2		2 DU/Ac.		0.25
Coastal Suburban		3 DU/Ac.		0.25
Commercial				1.00
Industrial Research Development				1.00
Tradeport				?????
Airport Lands				See Table ##
University Community	See Land Use Element Policy 1.4.5			
Interchange				
Rural ³		1 DU/Ac.		?????
Rural Community Preserve		1 DU/Ac.		?????
Coastal Rural	See Land Use Element Policy 1.5.3			
Outer Islands		1 DU/Ac.		?????
Open Lands ⁴		1 DU / 10 Ac.	1 DU / 5 Ac.	?????
Density Reduction/ Groundwater Resource ⁵		1 DU / 10 Ac.		?????
Conservation Lands - Upland				
Conservation Lands - Wetland				
Public Facilities				
Wetlands		1 DU / 20 Ac.		
Burnt Store Marina Village	See Land Use Element Policy 1.8.2			
Destination Resort Mixed Use Water Dependent	See Land Use Element Policy 1.8.3			
<u>Gasparilla Island Conservation District</u>	<u>See Land Use Element Policy 1.8.4</u>			

Clarifications and Exceptions:

1. Within the Urban Neighborhood land use category in Pine Island Center, rezonings that will allow in excess of 2 dwelling units per gross acre must “acquire” the density above 2 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. TDRs that were created from receiving sites outside of Greater Pine Island are not permitted to be transferred into Greater Pine Island.
2. In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended.

3. In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1DU/2.25 Ac.
4. The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy ~~1-4.4 1.5.5~~), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.
5. See ~~Policies 33.3.2, 33.3.3, 33.3.4 and 33.3.5~~ Southeast Lee County Goal in the Communities Element for potential density adjustments resulting from concentration or transfer of development rights.

POLICY 1.1.2: Promote the character of Urban Land Use Areas through planning and development practices ~~that by:~~

- a. Identifying and enabling incentive density ~~and higher intensity~~ within ~~these~~ Urban ~~and Suburban~~ Land Use Categories -- Urban Core, Central Urban Place, and Urban Neighborhoods, ~~and Suburban Six~~;
- b. Utilizing higher range densities in the Urban Land Use Categories to promote transit, walkability, complete streets and the integration of mixed uses;
- c. Employing good urban design to foster compatibility and diversity of uses between urban, suburban, and rural places;
- d. Supporting and incentivizing the development of mixed-use centers within Urban Areas that connect communities ~~urban and suburban places~~ and support redevelopment of commercial corridors;
- e. Establishing a multi-modal transportation system that connects and completes the existing transportation network within Urban Areas with a variety of walk, bike, transit, and vehicular options;
- f. Supporting the development of higher levels of density and intensity in Urban Areas by providing ~~Provide for~~ greater levels of public services, infrastructure, and park resources ~~within Urban Areas~~;
- g. Protecting capital investments by supporting development that is built at or above standard level density as permitted by the applicable land use category; and
- h. Facilitating higher levels of employment and economic activity within the Urban Areas—particularly within mixed-use centers and Urban, Economic ~~Development and Job Center~~, and Interstate Highway Land Use Categories.

(New Policy)

POLICY 1.1.3: The existence of lower density developments in proximity to proposed projects within the Urban Areas will not be used as the sole reason to lower the proposed project's density and intensity of use. (New Policy)

POLICY 1.1.4: Retain the character of Non Urban Areas through planning and development practices that:

- a. Promote development design that maintains large, contiguous tracts of open space, while supporting agricultural uses;
- b. Identify, ~~and evaluate, and incentivize~~ opportunities to sell or transfer development rights from Non Urban Areas within Rural and Conservation Land Use Categories to Urban Land Use Categories or other appropriate locations;
- c. Maintain existing low density standards within Non Urban Areas;

- d. Allow for ancillary businesses and uses that support and serve agriculture and farm operations; and
- e. Discourage the expansion of ~~public services, public utilities, and transportation services~~ into Non Urban Areas.

(New Policy)

POLICY 1.1.5: Facilitate the development of urban, suburban, and rural developments through the appropriate assignment of suggested base, standard, and incentive density provisions as follows:

- a. Base Density is the suggested, ~~but not required,~~ minimum ~~base-line~~ density for a particular land use category based on the expected development form in that area;
- b. Standard Density is the most appropriate ~~maximum~~ density that can be achieved by right in a particular land use category; and
- c. Incentive Density is ~~additional the maximum~~ density that may be ~~provided permitted within Urban Land Use Categories in exchange for meeting specific land use and development goals. within the following land use categories: Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and~~
- d. ~~Incentive density does not apply to any islands or to Greater Pine Island.~~

(New Policy)

POLICY 1.1.6: Incentive Density Units ~~are~~ may be used to ~~provide~~ permit additional development rights within the ~~Urban Core, Urban Places, Urban Neighborhoods, and Suburban 6 Urban~~ Land Use Categories except for any islands or to Greater Pine Island. ~~Incentive Density Unities may be obtained through participation in various county programs including: The incentive density may be obtained in exchange for meeting specific land use and development goals including:~~

- a. Transfer or purchase of development rights from sending areas to receiving areas;
- b. Provision of enhanced public infrastructure and urban services;
- c. Meeting established industry guidelines for green building construction and design verified by a certified third party;
- d. Redevelopment of strip commercial centers, vacant or decaying properties, or properties located within the Urban Core land use classification;
- e. Development of mixed-use projects that meet the standards established through Goal 4;
- f. Promoting transit services by locating within a current and future transit service area; construction of transit related infrastructure (e.g.: transit stops, bus shelters, bus lanes, etc...), or contribution to transit services (e.g.: busses, transit fees, or maintenance or operation costs;
or
- g. Provision of affordable housing.
- h. ~~Provision of contribution towards:~~
 - 1. ~~Infrastructure improvements; or~~
 - 2. ~~Affordable housing.~~

(New Policy)

OBJECTIVE 1.2: URBAN LAND USE CATEGORIES. Urban Land Use Categories are Urban Areas that strengthen the economic base, ~~and~~ provide a more diverse and better balanced tax base, and improve the quality of life. Urban land uses feature interconnected forms of development and provide for mixture of land uses, diverse economic opportunities, multi-modal transportation systems, varied housing types, and an array of park and public spaces. Maximum densities and intensities within Urban Land Use Categories are encouraged and densities below the ~~minimum-base~~ density ~~range~~ are discouraged. There are three urban land use categories:

- a. Urban Core;
- b. Urban Places; and
- c. Urban Neighborhoods.

(New, addresses issues from Objective 1.2)

POLICY 1.2.1: Urban Core. ~~The Urban Core land use category is located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. Due to their locations, existing, development patterns, and the available and potential levels of public services,~~ Urban Core land uses are interconnected urban areas that have the greatest range of uses and highest levels of urban infrastructure. Development in the Urban Core land use category is well suited to accommodate high densities and intensities and would include planned mixed-use centers of high-density residential, commercial, ~~limited light industrial, and office uses are encouraged to be developed in Urban Core land uses-~~ retail, office/professional, limited light industrial land uses, civic spaces, and park and recreational facilities. The development of mixed-use centers within Urban Core areas will enable the county to develop a better connected, more diverse land use pattern with a variety of economic, residential, and recreational opportunities. The Urban Core land use category has the following land use standards:

- a. Residential Density Range:
 1. Base Density: Fifteen units per acre (15 du/a)
 2. Standard Density: Twenty-five units per acre (25 du/a)
 3. Incentive Density Units: Forty units per acre (40 du/a)
- ~~b. Non-Residential Intensity:~~
 - ~~1. Maximum Floor Area Ratio: 4.00~~

(Modified Policy 1.1.2)

POLICY 1.2.2: Urban Places. ~~The Urban Places land use category typically surrounds the Urban Core land uses and urban areas in Central Tice, Iona/McGregor near the gateway to Sanibel, and Captiva, the eastern gateway to Lehigh Acres, and North Fort Myers. These~~ Urban Places are among the most heavily settled areas within Lee County and are intended to have ~~the greatest a~~ diverse range of uses supported by a ~~and~~ highest level of urban infrastructure. Urban Places include an integrated and highly connected variety of residential, commercial, retail, office/professional, limited light industrial land uses, civic spaces, and park and recreational ~~resources~~ facilities. Future development is encouraged in mixed-use forms or connected to central mixed-use developments via multi-modal transportation system. The Urban Places land use category has the following land use standards:

- a. Residential density range:
 - 1. Base Density: Eight units per acre (8 du/a)
 - 2. Standard Density: Eighteen units per acre (18 du/a)
 - 3. Incentive Density Units: Twenty-five units per acre (25 du/a)

~~b. Non-Residential Intensity:~~

- ~~1. Maximum Floor Area Ratio: 2.00~~

(Modified Policy 1.1.3)

POLICY 1.2.3: Urban Neighborhoods. The Urban Neighborhoods Land Use Category includes a mixture of relatively intense commercial and residential uses. While these places have a distinctly urban character, they should be developed at ~~slightly~~ lower densities than the Urban Core or Urban Places land use categories due to the proximity to more suburban, mostly residential, communities. Predominant land uses in the Urban ~~Communities Neighborhoods~~ will be residential, commercial, ~~public and quasi-public, and limited light industry retail, office/professional, limited light industrial land uses, civic spaces, and park and recreational facilities.~~ Future development in this category is encouraged to be developed as a mixed-use, that are intended to support and connect to nearby residential suburban communities. The Urban Neighborhoods land use category has the following land use standards:

- a. Residential density range:
 - 1. Base Density: Four units per acre (4 du/a)
 - 2. Standard Density: ~~Ten Eight~~ units per acre (~~10 8~~ du/a)
 - 3. Incentive Density Units: Sixteen units per acre (16 du/a)

~~b. Non-Residential Intensity:~~

- ~~1. Maximum Floor Area ratio: 1.00~~

(Modified Policy 1.1.4)

OBJECTIVE 1.3: SUBURBAN LAND USE CATEGORIES. Suburban Land Use Category ~~are~~ predominantly residential places located within ~~includes~~ Urban Areas that promote the development of suburban places including: ~~residential communities neighborhoods; economic centers with~~ commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. These categories are intended to be well connected communities with land uses that are linked via a system of roadways, pedestrian and bike connections, and open spaces. There are ~~four~~ five suburban land use categories.

- a. Suburban Ten;
- b. Suburban Six;
- c. Suburban Four;
- d. Suburban Two; and
- e. Coastal Suburban.

(New)

Policy 1.3.1: Suburban Ten. The Suburban Ten Land Use Category consists of predominantly residential communities that link more intensely developed urban mixed-use centers and nearby suburban neighborhood areas. The Suburban Ten Land Use Category features the development of moderately high density suburban land use areas that are characterized by a mixture of

residential communities; commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. The Suburban Ten land use category has the following land use standards:

a. Residential density range:

1. Base Density: Suggested Four units per acre (4 du/a)
2. Standard Density: Ten units per acre (10 du/a) (New)

POLICY ~~1.3.1~~ 1.3.2: Suburban Six. The Suburban Six Land Use Category consists of predominantly residential areas that allow the development of moderately ~~density~~ dense suburban communities ~~land use areas that are~~ characterized by a mixture of ~~residential neighborhoods, commercial and professional shops and services, civic uses, and park and recreational facilities~~ residential communities; commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. ~~Additional density is available through the use of Incentive Density Units.~~ The Suburban Six land use category has the following land use standards:

a. Residential density range:

1. Base Density: Suggested Four units per acre (4 du/a)
2. Standard Density: Six units per acre (6 du/a)
3. ~~Incentive Density Units: Ten units per acre (10 du/a)~~

~~b. Non-Residential Intensity Range:~~

1. ~~Maximum Floor Area Ratio: 0.50~~

(New)

POLICY ~~1.3.2~~ ~~1.3.3~~ 1.3.3: Suburban Four. The Suburban Four Land Use Category consists of predominantly residential areas ~~allow the development~~ of moderately low density ~~suburban areas~~ that provide diverse housing options ~~in locations near the urbanized areas~~ supported by a mix of land uses that support a residential lifestyle including ~~commercial shops and entertainments uses, professional and office businesses and services, civic uses, and park and recreational resources~~ residential communities; commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. The Suburban Four land use category has the following land use standards:

a. Residential Density Range:

1. Base Density: Two units per acre (2 du/a)
2. Standard Density: Four units per acre (4 du/a)
3. ~~Incentive Density Units: None~~

~~b. Non-Residential Intensity Range:~~

1. ~~Maximum Floor Area Ratio: 0.30~~

(New)

POLICY ~~1.3.3~~ 1.3.4: Suburban Two. The Suburban Two Land Use Category are predominantly residential areas ~~allow the development~~ of low-density residential neighborhoods that do not have the public infrastructure resources needed for higher density development. Suburban two land use areas are located within ~~low-density communities~~ areas where it is desirable to retain a low-

density residential community character ~~without large commercial, office, or industrial developments~~. The Suburban Two areas have the following land use standards:

- a. Residential density range:
 1. Base Density: No Base units per acre
 2. Standard Density: Two units per acre (2 du/a)
 - ~~3. Incentive Density Units: None~~
- ~~b. Non-Residential Intensity Range:~~
 - ~~1. Maximum Floor Area Ratio: 0.25~~

(New)

POLICY ~~1.3.4~~ 1.3.5: Coastal Suburban. The Coastal Suburban Land Use Category consists of predominantly residential areas that allow the development of low-density residential neighborhoods and limited commercial uses in a coastal environment subject to storm events. These areas are mainly located adjacent to the Gulf of Mexico, the Caloosahatchee River, Estero Bay, and on Pine Island. The majority of the property within this category is located in the Coastal High Hazard zone and therefore increased or Incentive Density is not permitted. The Coastal Suburban land use category has the following land use standards

- a. Residential density range:
 1. Base Density: No base dwelling units per acre
 2. Standard Density: Three units per acre (3 du/a)
 - ~~3. Incentive Density Units: None~~
- ~~b. Non-Residential Intensity Range:~~
 - ~~1. Maximum Floor Area Ratio: 0.25~~

(New)

OBJECTIVE 1.4: ECONOMIC ~~DEVELOPMENT~~ AND JOB CENTER LAND USE CATEGORIES. Economic Development and Job Center Land Use Categories are Urban Areas needed to establish a strong, vibrant local economy. Economic Development and Job Center land use categories accommodate commercial, industrial, and research and development enterprises. This category provides opportunities for: expanded job and workforce opportunities; new and innovative investment, research, and production industries; and, a diversified economy base. Additionally, it protects and allows the expansion of major economic engines such as the Southwest Florida International Airport, Florida Gulf Coast University, and other commercial and industrial areas. There are ~~five~~ six Economic Development and Job Center land use categories:

- a. Commercial;
- b. Industrial Research Development;
- c. Tradeport;
- d. Airport Lands;
- e. University Community; and
- f. Interstate Interchange.

(New)

POLICY 1.4.1: Commercial. The Commercial Land Use Category is located proximate to existing commercial areas or along corridors accommodating employment centers, tourist oriented needs, and where commercial services are necessary to meet the projected needs of residential-lands of the county. Residential uses, other than bona fide caretaker residences, are not permitted in this land use category except to the extent provided in the Procedures and Administration Element. The Commercial land uses are located where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location.

The infrastructure needed for commercial development is planned or in place. New developments must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will predominate in the Commercial Land Use Category. Limited light industrial uses are also permitted, excluding outdoor storage type uses. Redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned development rezoning process must be used to prevent adverse impacts to the surrounding areas and to ensure site development regulations are incorporated into the development plans. ~~A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development.~~ Development in the commercial category is not required to comply with the site location criteria provided in the LDC.

POLICY 1.4.2: Industrial/Research Development. Industrial/Research Development Land Use Category plays an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. Industrial/Research Development land uses provide expanded job opportunities, investments, and production opportunities, as well as a balanced and sufficient tax base. These land uses have special location requirements that are more stringent than those for residential land uses, including transportation needs (e.g., air, rail, and highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are accessible to employees. Other Urban Areas will include a broad combination of residential, commercial, public and limited industrial land uses. The Industrial/Research Development land uses are reserved mainly for industrial activities and for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations) and office complexes (if related to industrial uses and research and development activities) that constitute a growing part of Florida's economic development sector.

Retail and commercial service uses supporting the industrial neighborhood are allowed if the following criteria are met:

- a. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises;
- b. Commercial uses are integrated into the primary R&D/Industrial development; or,
- c. Commercial service and retail uses may not exceed 20% of the total acreage within the Industrial Development areas per each Planning District.

(Modified Policy 1.1.7)

POLICY 1.4.3: Tradeport. The Tradeport Land Use Category includes commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2035. These land uses will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if approved as part of a Development of Regional Impact (DRI) or Planned Development zoning. Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. DRI or Planned Developments may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that protect wetlands, flow ways or occupied listed species habitat to provide an incentive to preserve upland habitat.

Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in Tradeport, are allowed if permitted in a Planned Development. Residential uses, other than bona fide caretaker residences, are not permitted except to the extent provided in Procedures and Administration Element. Caretaker residences are prohibited in the Airport Noise Zone B. Limerock mining may be approved using the Mine Excavation Planned Development zoning process if the property is on the Future Limerock Mining map (Map 14.) Tradeport land is located within the Six Mile Cypress Basin and is a primary point of entry into Lee County. As a result, special environmental and design review guidelines will be applied to development to maintain the appearance of this area as a primary point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, “Groundwater Resource Protection Study” will be presumed necessary to protect potential groundwater resources in the area. (Modified Policy 1.2.2)

POLICY 1.4.4: Airport Lands. The Airport Lands Land Use Category includes the existing facility and projected growth lands of the Southwest Florida International Airport (RSW) and Page Field General Aviation Airport (Fort Myers (FMY)) through the year 2035. The Airport Lands comprising the RSW includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and as depicted on the Airport Layout Plan sheet (Map XX) and the RSW Proposed Development Schedule (Table XX). The uses are intended to support the continued development of the RSW. Future development at the RSW will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. The Airport Lands comprising FMY includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and depicted on the Airport Layout Plan sheet (Map XX) and FMY Proposed Development Schedule (Table XX). The uses are intended to support the continued development of FMY. Future development at FMY will include non-aviation related land uses such as

hotels/motels, light industrial, service stations, retail/shopping, and office development. The physical design of any airport expansion will minimize any degradation of the recharge capability of land being developed. Wetland mitigation for any future expansion or development of aviation and non-aviation uses on Airport Lands must be designed so it does not create a wildlife hazard. Development and land management practices on airport property will be in accordance with FAA directives and other required agency approvals. Airport expansion beyond the present boundaries will be subject to necessary amendments to the Lee Plan.

(Modified Policy 1.2.1)

POLICY 1.4.5: University Community. The University Community Land Use Category provides for the development of the university campus and surrounding areas. The purpose of this land use category is to ensure that the land uses within the category (e.g.: residential, research/development, office/professional, commercial, retail, civic spaces, and park and recreational resources.) support and enhance a university environment. The location and timing of development, provision of infrastructure facilities, and demand for public services within this category must be coordinated with the associated university and applicable service providers. Specific details that define how this category is to be applied to a specific area are established within the Communities Element. (New)

POLICY 1.4.6: Interchange. Interchange Land Use Category lands are Urban Areas that provide for the unique development and land use needs of property adjacent to the interchanges of Interstate 75. Interchange uses permit a broad range of land uses that include tourist commercial, general commercial. Light industrial uses will only be permitted at the Alico Road and Lockett Road interchanges. (New)

OBJECTIVE 1.5: RURAL LAND USE CATEGORIES. Rural Land Use Categories are Non-Urban Areas that ~~promote the unique character of the county's rural places and protect vital environmental lands. Rural communities~~ convey a sense of rural lifestyle including: farm lands and ranches, large lot or clustered residential development, ample wooded areas, open spaces, river fronts, and environmentally sensitive lands. Rural land use categories consist of low population communities, existing and evolving commercial agricultural operations, open space and environmental lands preservation, and natural habitat protection. Rural land uses are not programmed to receive urban-type capital improvements, and can anticipate levels of public services below that of the urban areas. There are six Rural land use categories:

- a. Rural;
- b. Rural Community Preserves;
- c. Coastal Rural;
- d. Outer Islands;
- e. Open Lands; and
- f. Density Reduction/Groundwater Resource (DR/GR).

(New Objective)

POLICY 1.5.1: Rural. The Rural Land Use Category will remain predominantly rural with low density residential, agricultural uses, and minimal non-residential land uses needed to serve the rural community. These areas are not to be programmed to receive Urban Area capital improvements, and can anticipate a continued level of public services below that of the urban areas. Rural land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)

~~e. Incentive Density Units: None~~

(Modified Policy 1.4.1)

POLICY 1.5.2: Rural Community Preserves. The Rural Community Preserves Land Use Category is established following special studies of the county's intact rural communities. Special design approaches are necessary to maintain existing rural character. Such approaches include: conservation easements, flexible transportation design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. Rural Community Preserves are not programmed to receive urban-type capital improvements. Rural Community Preserves are not intended for conversion to Urban Areas; rather, they are to remain rural in character and use. These Rural Community Preserves are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Rural Community Preserve land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)

~~e. Incentive Density Units: None~~

(Modified Policy 1.4.3)

POLICY 1.5.3: Coastal Rural. The Coastal Rural Land Use Category will remain rural except for property where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, on the remainder of the property. The standard maximum density is one dwelling unit per ten acres (1DU/10 acres). Maximum densities may increase as higher percentages of native habitat are permanently preserved or restored on the uplands portions of the site, or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, in accordance with the chart below. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, minimal non-residential land uses, limited to minor commercial, that are necessary to provide basic commercial services to serve the island residents and visitors, and residential uses up to the following densities:

Percentage of the on site uplands that are preserved or restored native habitats or continued in agricultural use on existing farmland	Maximum density if undeveloped land will be permanently preserved or restored as native habitats ¹	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 ac	1 DU/ 10 ac
5%	1 DU/ 9 ac	
10%	1 DU/ 8 ac	1 DU/ 9 ac
15%	1 DU/ 7 ac	
20%	1 DU/ 6 ac	1 DU/ 8 ac
30%	1 DU/ 5 ac	1 DU/ 7 ac
40%	1 DU/ 4 ac	1 DU/ 6 ac
50%	1 DU/ 3 ac	1 DU/ 5 ac
60%	1 DU/ 2 ac	1 DU/ 3 ac
70%	1 DU/ 1 ac	1 DU/ 2 ac

Footnote 1: Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Edited Policy 1.4.7)

POLICY 1.5.4: Outer Islands. The Outer Islands Land Use Category includes sparsely settled lands that have minimal existing or planned infrastructure, distant from major shopping and employment centers. With minor exceptions, Outer Islands are not expected to be programmed to receive Urban Area capital improvements in the time frame of this plan. Outer Islands lands uses will continue to experience levels of public services below that of other land use categories. The continuation of the Outer Islands in their present character is intended to provide for rural lifestyle, and conserve open space and important natural upland resources. Outer Islands uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- ~~c. Incentive Density Units: None~~

(Edited Policy 1.4.2)

POLICY 1.5.5: Open Lands. Open Lands Land Use Category consists of upland land uses located north of Rural and sparsely developed areas in Township 43 South. These lands are remote from public services and characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted consistent with the standards in the Rural category. Open Lands land uses must adhere to the following land use standards:

- a. The maximum density in this category is one dwelling unit per ten acres (1 du/10 acres); except that a maximum density of one dwelling unit per five acres (1 du/5 acres) is permitted if the planned development process is used to prevent adverse impacts on environmentally sensitive lands

(Edited Policy 1.4.4)

POLICY 1.5.6: Density Reduction/Groundwater Resource (DR/GR). The DR/GR Land Use Category includes uplands that provide substantial recharge to aquifers most suitable for future

wellfield development. These lands also are the most favorable locations for physical withdrawal of water from those aquifers. Minimal public facilities exist or are programmed.

- a. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided elsewhere in the plan, particularly the Southeast Lee County goal and policies within the Communities Element utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. Modeling must also show that no adverse impacts will result to properties located upstream or downstream, as well as adjacent to the site. Offsite mitigation can be utilized, and may be required, to demonstrate compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.
- b. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a ~~maximum~~ standard density of one dwelling unit per ten acres (1 du/10 acres). See the DR/GR Policies within the Communities Element for potential density adjustments resulting from concentration or transfer of development rights.
 1. For residential development, also see Southeast Lee County goal and policies within the Communities Element. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.
 2. Individual residential parcels may consist of up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to the wetland areas.
 3. The Future Limerock Mining overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the 2035 planning horizon.
- c. Private Recreational Facilities may be permitted in accordance with the site location requirements and design standards. No Private recreational facilities may occur within DR/GR land use category without zoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards.
(Modified Policy 1.4.5)

OBJECTIVE 1.6: CONSERVATION LANDS LAND USE CATEGORIES. Conservation Lands are Non-Urban Areas used for conservation purposes via a binding mechanism such as statutory requirements, funding or grant conditions, mitigation preserve areas required for land development approvals, or by agreement from the property owner. There are two Conservation Lands Categories:

- a. Conservation Lands Uplands and
- b. Conservation Lands Wetlands.

(New Objective)

POLICY 1.6.1: Conservation Lands Uplands. The Conservation Lands Upland Land Use Category includes uplands owned and used for long range conservation purposes. Conservation Lands Uplands may include wildlife preserves; wetland and upland mitigation land uses and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (e.g.: signage, parking

facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands including aquifer recharge areas, flow ways, flood prone areas, and well fields. Conservation 2020 lands designated as Conservation Lands are also subject to the more stringent use provisions of the Conservation 2020 Program and its governing ordinances. (Modified Policy 1.4.6)

POLICY 1.6.2: Conservation Lands Wetlands. The Conservation Lands Wetlands includes wetlands owned and used for long range conservation purposes. Conservation Wetlands are subject to the most stringent provisions of the Wetlands land use category described in the Wetlands and Conservation Lands land use categories. (Modified Policy 1.4.6)

OBJECTIVE 1.7: COUNTY-WIDE LAND USE CATEGORIES. County-Wide Land Use Categories are General Areas that are found throughout the county in Urban and Non-Urban areas. County-Wide Land Use categories include:

- a. Public Facilities; and
- b. Wetlands.

(New Objective)

POLICY 1.7.1: Public Facilities. The Public Facilities ~~areas~~ Land Uses Category includes the ~~publicly-owned~~ lands such as public schools, parks, public transportation, rail corridors, utilities, and governmental facilities. The allowable uses in these areas are determined by the entity owning the parcel and the local government with zoning and permitting jurisdiction. (Modified Policy 1.1.8)

POLICY 1.7.2: Wetlands. Wetlands Land Use Category lands identified as Wetlands in accordance with Florida Statutes Chapter 373 through the use of the unified state delineation methodology described in FAC Chapter 17-340. Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. Development in Wetlands must be consistent with other plan goals, objectives, and policies The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as provided in the Procedures and Administration Element

- a. When Wetlands boundaries are in question, the Procedures and Administration Element provides an administrative process to define the boundary.
- b. Wetlands that are conservation lands will be subject to the provisions of the most stringent provisions of the Conservation Lands and Wetlands land use categories. Conservation wetlands will be identified on the Land Use Map to distinguish them from non-conservation wetlands.
- c. ~~If the dwelling units are~~ Dwelling units can be relocated off-site through the provisions of the Transfer of Development Rights Ordinance; or
- d. Dwelling units may be relocated to developable contiguous uplands designated Urban Core, Urban Places, Urban Neighborhood, Suburban 6, Suburban 4, Suburban 2, or Coastal Suburban from preserved freshwater wetlands at the same underlying density as is permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling unit per 20 acres. Planned Developments or Development Orders approved prior to

October 20, 2010 are permitted the density approved ~~prior to the adoption of CPA 2008-18 by such Planned Development or Development Order.~~

(Edited and merged Objective 1.5, and Policies 1.5.1, 1.5.2 and 1.5.3)

OBJECTIVE 1.8: PLACE-BASED LAND USE CATEGORIES. Place-Based Land Use Categories address the unique needs and conditions of specific locations by establishing land use categories with specific development plans and requirements pertinent to the location. (New Objective)

POLICY 1.8.1: Discourage the adoption of additional placed-based land use categories. (New Policy)

POLICY 1.8.2: The Burnt Store Marina Village Land Use Category is located within Urban Land Areas. The category provides for ~~the~~ redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing public access to the water via boat ramps and docks. By establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center, the category manages the location and intensity of future commercial, residential and commercial marina uses. The following uses are permitted within the Burnt Store Marina Village category: a maximum of 55,000 square feet of retail uses; a maximum of 1,325 wet and dry ~~spaces~~ slips; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. (Edited Policy 1.7.12)

POLICY 1.8.3: Destination Resort Mixed Use Water Dependent (DRMUWD). The DRMUWM Land Use Category provides for attractive, functioning mixed use water dependent destination resorts. The land uses within this category are characterized by their proximity to water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these locations are suitable for a mixture of uses including residential, resort, commercial, and industrial type activities that benefit from access to the water front. These developments offer a diverse living, working and vacationing experience that benefit the entire county while being environmentally friendly and economically viable. The density ranges up to ten dwelling units per acre (10 du/a). Residential densities in developments that include commercial and residential uses in the same project or same building may be developed through mixed-use development practices.

Determine appropriate locations for Destination Resort Mixed Use Water Dependent areas by evaluating considerations such as:

- a. Characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts;
- b. Located in Areas predominantly impacted by a declining water dependant industry (like commercial fishing) ~~or other and~~ with a minimum of 8 acres of contiguous lands under unified control;

- c. Areas within coastal wind zones depicted as 100 Year Flood Plains, as illustrated on Map## of the Lee Plan;
- d. Areas with direct access to existing roadways and navigable bodies of water;
- e. Areas with multiple zoning districts that may not be compatible with each other; and
- f. New dwelling units are limited to existing platted, recorded, or vested units.

(Modified Policy 31.1.2)

POLICY 1.8.4: Gasparilla Island Conservation District. The Gasparilla Island Conservation District is located on Gasparilla Island. Although the Gasparilla Island Conservation District has a distinctly urban character, it should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. The predominant land uses in the Gasparilla Island Conservation District will be residential, commercial, public and quasi-public, and limited light industry with future development in this category encouraged to be developed as a mixed-use, where appropriate. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended. (Modified Policy 1.1.4)

OBJECTIVE 1.9: SPECIAL TREATMENT AREAS. Designate as overlays on the Future Land Use Map special treatment areas that contain special restrictions or allowances in addition to the requirements of the underlying land uses categories. (Formerly Objective 1.7)

POLICY 1.9.1: Airport Noise Zones. Airport Noise Zones include lands subject to varying levels of airport-related noise. The Port Authority will update the aviation forecasts and associated noise contours for RSW, on an as needed basis as required by the FAA or as determined by the Lee County Port Authority; and initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study. In addition to the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:

- a. Airport Noise Zone A is limited to uses compatible with airports and air commerce, including but not limited to uses necessary to provide services and convenience goods to airline passengers, uses generally associated with airport operation, and related development.
- b. Airport Noise Zone B prohibits residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as the replacement would be allowed by the LDC. Existing conventional homes may not be replaced with new mobile or manufactured homes. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if the use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification to property owners through

recording of the Airport Noise Zone in the official county records of potential noise and over flights.

- c. Airport Noise Zones C and D allow development permitted by the LDC. However, this zone requires notification by recording of the Airport Noise Zone in the official county records of potential noise and over flights.

(Modified Policy 1.7.1)

POLICY 1.9.2: Urban Reserve. The Urban Reserve Overlay includes areas suitable for annexation into the adjoining municipality. Urban Reserve areas are established by interlocal agreement pursuant to Florida Statute Chapter 163. (Edited Policy 1.7.3)

POLICY 1.9.3: Water-Dependent. The Water-Dependent Overlay zone includes shoreline areas where priority will be granted to water-dependent land uses. Specific requirements are detailed for these zones are located within the Conservation and Coastal Management Element as well as the San Carlos Island and Greater Pine Island goals and policies within the Communities Element. (Edited Policy 1.7.5)

POLICY 1.9.4: Agricultural. The Agricultural Overlay (Map ##) reflects existing active and passive agricultural operations in excess of 100 acres located outside Future Urban Areas. Since agriculture plays a vital role in the economy, these lands should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them to satisfy the lifestyle expectations of residents. (Edited Policy 1.7.8)

POLICY 1.9.5: Urban Infill and Redevelopment. The Urban Infill and Redevelopment Overlay (Map ##) designates areas that have been targeted for economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage infill and redevelopment within the urban core, in accordance with Florida Statute Chapter 163. These areas have the opportunity to receive additional funding to implement ~~the~~ planning programs through the Urban Infill and Redevelopment Assistance Grant Program. (Edited Policy 1.7.9)

POLICY 1.9.6: Irrigation Well. The Irrigation Well Overlay (Map ##) is a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. The county will maintain regulations to prohibit issuance of new irrigation well permits in the Irrigation Well overlay that utilize the main potable water source. The boundaries of the Irrigation Well overlay are reflected on Map ## of the Future Land Use Map series. Also see other plan elements including Conservation and Community Facilities and Services Elements. (Edited Policy 1.7.10)

POLICY 1.9.7: Future Limerock Mining. The Future Limerock Mining Overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 2035). See additional Southeast Lee County goal and policies within the Communities Element. (Edited Policy 1.7.13)

POLICY 1.9.8: Southeast Residential DR/GR. The Southeast Residential DR/GR Overlay (Map ##) is described in the other Southeast Lee County goal and policies within the Communities Element and identifies four types of land:

- a. “Existing Acreage Subdivisions”: existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction;
- b. “Rural Golf Course Communities” potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the DR/GR land use category;
- c. “Mixed-Use Communities” locations where this concentration of development rights from large contiguous tracts with the DR/GR that can be supplemented by transfer of development rights from non-contiguous tracts in the DR/GR; and
- d. “Improved Residential Communities:” Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.

(Edited Policy 1.7.14)

POLICY 1.9.9: Historic Surface and Groundwater Levels. The Historic Surface and Groundwater Levels Overlay (Map ##) depicts the best available analysis of historic wet-season water depths and hydro-periods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography described in the 2008 report, *Ecological Memorandum of the Density Reduction/Groundwater Resource Area*, by Kevin L. Erwin, Consulting Ecologist, Inc. For purposes of determining compliance with the DR/GR land use category, additional evidence on historic water levels and hydro-periods may be submitted during the rezoning or development review processes as a basis for site-specific hydrological analysis for project design.

POLICY 1.9.10: Hideaway Cove. The Hideaway Cove Overlay (Map ##) depicts the development standards for Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area:

- a. The property may be developed at a gross density of one dwelling unit per acre; however, a gross density of up to two dwelling units per acre is permitted through the planned development zoning process, in which the residential development is clustered in a manner that provides for the protection of flow ways, high quality native vegetation, and endangered, threatened or species of special concern. Clustered development must also connect to a central water and sanitary sewer system.
- b. A maximum of one hundred and twenty (120) residential dwelling units, along with accessory, and accessory active recreation uses are permitted through the use of clustering and the planned development zoning process. The dwelling units and accessory uses must be clustered on an area not to exceed thirty two (± 32) acres, which must be located on the northwestern portion of the property. No development may occur in the flow way, with the exception of the improvement of the existing road access from the site to Pine Road. The remainder of the property will be designated as preserve/open space, which can be used for passive recreation, and environmental management and education. In addition, the developer

will diligently pursue the sale or transfer of the preserve/open space area, along with development rights for thirty (30) of the maximum one hundred and twenty (120) residential dwelling units, to the State, County, or other conservation entity.

(Excerpted Policy 1.1.11)

POLICY 1.9.11: Research and Enterprise Diamond. The Research and Enterprise Diamond ~~Overlay (Map ##) depicts an~~ is located in the Urban Areas in the general vicinity of Florida Gulf Coast University (FGCU) and the Southwest Florida International Airport (SWFIA). The area is targeted for the creation of an economically diverse center for businesses. ~~Located within a~~ The approximately 40+/-square-mile area ~~of south Lee County, businesses in the Diamond~~ will benefit from existing and planned infrastructure in transportation, education and recreation. Resources, such as the SWFIA, JetBlue Park, and FGCU, establish a prime location for creating synergies among research, renewable energy, enterprise opportunities, and economic growth. Infill development to create more walkable, transit-oriented communities that meet complete streets objectives will be encouraged. (New)

GOAL 2: GROWTH MANAGEMENT. Coordinate the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources. (Edited Policy Goal 2)

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Promote contiguous and compact growth patterns through the plan amendment, rezoning, and land development process to contain urban sprawl; maintain rural areas; minimize energy costs; conserve land, water, and natural resources; minimize the cost of services; and prevent development patterns where large tracts of land are bypassed in favor of development more distant from services and existing communities.

POLICY 2.1.1: Discourage land use practices and LDC standards that promote urban sprawl.
(New Policy) (Previously 2.3.4)

POLICY ~~2.1.1~~ 2.1.2: Encourage higher density residential and greater intensity commercial, industrial, and public development within the designated Urban ~~Areas~~ Land Use Categories on the Land Use Map by:

- a. Encouraging projects to utilize incentive density—particularly in mixed-use areas;
- b. Encouraging projects that request greater than base density; and
- c. Requiring projects that request densities lower than base density to justify the reason;

(Edited Policy 2.1.1)

POLICY ~~2.1.2~~ 2.1.3: Support infill and redevelopment in Urban ~~Areas~~ Land Use Categories by encouraging the use of higher densities and intensities to offset higher per acre land costs of infill development. Infill and redevelopment may include new construction, reuse, or rehabilitation of uses within developed areas. (New Policy)

POLICY 2.1.4: Promote the development, redevelopment, and infill of Urban Land Use Categories by:

- a. Incentive density;
- b. Reduced parking requirements;
- c. Regulating plans adopted in Chapter 32;
- d. Enhanced accessibility and improvements to mass transit; and
- e. Urban level infrastructure services and capital improvements.

POLICY 2.1.5: Support the development of diverse residential areas and housing styles by establishing LDC standards that enable accessory dwelling units to be placed in an array of neighborhoods and residential communities, as appropriate.

POLICY 2.1.7: Discourage conversion of Non-Urban Areas to any land use with increased densities and intensities as specified within the Communities Element.

POLICY 2.1.8: Except for areas identified as needed for airport expansion, discourage Land Use Map Amendments to the DR/GR areas south of SR 82 and east of I-75 that increase the current allowable density or intensity. It is the county's policy not to approve further urban designations in the DR/GR for the same reasons that supported its 1990 decision to establish the category. (Previously part of Policy 2.3.6)

POLICY ~~2.1.3~~ 2.1.9: The following uses may be considered in all land use categories: churches and schools (except in the Conservation Lands Categories, Wetlands, and Airport Noise Zones), public uses and buildings, public utilities, ~~and~~ resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and ~~sites for~~ compatible public facilities when consistent with the goals, objectives, policies, and applicable zoning and development regulations. (Edited from Policy 2.1.3)

POLICY ~~2.1.4~~ 2.1.10: ~~Ensure that~~ Coordinate with the Lee County School District to promote public school locations that are proximate to urban residential areas and are consistent with county growth policies. (Edited Objective 2.10)

POLICY ~~2.1.5~~ 2.1.11: Assisted living facilities, as defined under Chapter 58A-5 F.A.C. will be deemed a residential use and limited to locations and densities appropriate for residences. (Modified Policy 2.1.4)

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to Urban Areas where adequate public facilities exist or are planned and that create compact and contiguous development patterns. (Edited Objective 2.2)

POLICY 2.2.1: Evaluate rezonings and DRI proposals in light of the availability and proximity ~~of the~~ of adequate public facilities, including: central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, multi-modal transportation network; and other public facilities; compatibility with surrounding land uses; and ~~any~~ other relevant facts affecting the public health, safety, and welfare. (Edited Policy 2.2.1)

POLICY 2.2.2: Map 1 of the Land Use Map series indicates the uses and density ranges that may ultimately be permitted on a given parcel. The ~~future~~ land use designation of a parcel is not a guarantee that the densities or uses are immediately appropriate. The ~~future~~ land use map provides for the county's growth through 2035. During the rezoning process the Board of County Commissioners (Board) must balance the overall standards and policies of this plan with these additional considerations:

- a. Whether the proposed development in a Non-Urban Area is remote from existing development, or if ~~there are not~~ adequate public facilities would not be available to serve the proposed development, approval should be delayed to encourage compact and efficient growth patterns; and
- b. Whether a proposal in a Non-Urban Area would result in unreasonable development expectations that may not be achievable because of the acreage limitations in the Acreage Allocation Table (see Map ## and Table ##).

(Modified Policy 2.2.2)

POLICY 2.2.3: When a Non-Urban Land Use Area within the county is approaching the capacity of the necessary facilities ~~as described above~~, requested rezonings to increase densities and intensities may be deferred or denied to give preference to existing vacant lots and other valid development approvals, provided that a constitutionally mandated reasonable use of land would still be permitted. (Existing 2.2.3)

POLICY 2.2.4: Consistent with the Capital Improvements Element, give the highest priority to planning, programming, and construction of urban services and facilities in the developed areas where facilities are currently inadequate. Give the next priority to service expansions in developed areas, followed by further expansion into other portions of the Urban Areas. Identify and protect sufficient land for utility facilities necessary to support the proposed levels of development. Detailed infrastructure planning priorities are contained in the Capital Improvements Element. (Edited Objective 2.3)

POLICY 2.2.5: The cost of services and facilities that benefit new development will be borne primarily by those who benefit. Funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and capital construction, operation, and maintenance funds. (Edited Policy 2.3.2)

POLICY 2.2.6: The Planning District Map and Acreage Allocation Table (see Map XX and Table XXX depicts the proposed distribution, extent, and location of generalized land uses for the year 2035. Acreage totals are provided for land in each Planning District in unincorporated Lee County and used to reconcile the carrying capacity of the map with the adopted population projection for the time horizon of the this plan. The County will maintain an updated, parcel based database of existing land use for each Planning District. (Modified from Policy 1.7.6)

POLICY 2.2.7: In urban areas, where infrastructure is anticipated to accommodate future development and redevelopment, the acreage totals in table XX will only be used as a planning tool to guide necessary infrastructure improvements. (New Policy)

POLICY 2.2.8: In non-urban areas, where minimal public infrastructure is anticipated, project reviews for development orders must include a review of the capacity, in acres, that will be consumed by build out of the development order. No development order will be issued for residential, commercial or industrial uses, if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(XX), Acreage Allocation Table. For limerock mining in the Southeast Lee County Planning District see special requirements in Policy 33.1.4 regarding industrial acreages in Table XX).

POLICY 2.2.9: At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning District Map and the Acreage Allocation Table system, including but not limited to, a calculation of the estimated carrying capacity of the Land Use Map, the appropriateness of land use distribution, problems with administrative implementations, and areas where the Planning District Map and the Acreage Allocation Table system might be improved.

~~**OBJECTIVE 2.3: LAND USE MAP AMENDMENTS.** Regularly examine the Land Use Map in light of new information and changed conditions. (Unless otherwise noted, this objective and policy set is being relocated to the Procedures and Administration Chapter.)~~

~~**POLICY 2.3.1:** Accept applications from private landowners or non profit community organizations to modify the boundaries shown on the Land Use Map. Adopt procedures, fees, and timetables for this procedure by administrative code. (Edited from Policy 2.4.1)~~

~~**POLICY 2.3.2:** Proposed amendments must address:~~

- ~~a. Availability of public facilities and services;~~
- ~~b. Projected permanent and seasonal population of the area;~~
- ~~c. Amount of land required to accommodate anticipated growth, including employment opportunities;~~
- ~~d. Suitability of the proposed land use map designation considering the character of the land, soils, topography, natural resources, and historic resources; and~~
- ~~e. Compatibility of uses in proximity to the proposed amendment.~~

~~(New Policy)~~

~~**POLICY 2.3.3:** No land use map amendments that increase density may be made to the Non-Urban Areas unless:~~

- ~~a. The density is acquired through transfer of development rights;~~
- ~~b. The project is determined to provide a greater public benefit (e.g. conservation of land, contribution to necessary public infrastructure, or other public need);~~
- ~~c. The project is located in area identified for greater density (e.g.: one of the areas identified in Chapter 32 of the Land Development Code; or~~
- ~~d. Three members of the Board make a finding of overriding public necessity. (New Policy)~~

~~(This policy has been moved to Objective 2.1)~~

~~**POLICY 2.3.4:** Discourage amendments to the Lee Plan that promote urban sprawl. (New Policy) (This policy has been moved to Objective 2.1)~~

~~**POLICY 2.3.5:** All proposed changes to the Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in the Conservation and Coastal Management Element; and all land in the DR/GR land use category) will be subject to a special review. Analyze the proposed land uses to determine the short term and long term availability of irrigation and domestic water sources. Assess whether the proposed land uses will cause significant impacts to on present or future water resources. The Board must make a formal finding that no significant impacts on present or future water resources will result from the change. (Edited Policy 2.4.2)~~

~~**POLICY 2.3.6:** Except for areas identified as needed for airport expansion, discourage Land Use Map Amendments to the DR/GR areas south of SR 82 east of I-75 that increase the current allowable density or intensity. It is the county's policy not to approve further urban designations in the DR/GR for the same reasons that supported its 1990 decision to establish the category. In addition to satisfying the requirements in 163 Part II Florida Statutes, the Strategic Regional Policy Plan, the State Comprehensive Plan, and the Lee Plan, applicants seeking such an amendment must also:~~

- ~~a. Analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources;~~
- ~~b. Identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of permitting;~~
- ~~c. Present data and analysis that the proposed land uses will not cause significant harm to present and future public water resources; and,~~
- ~~d. Supply data and analysis specifically addressing the urban sprawl criteria listed in Florida Statutes.~~

~~During the transmittal and adoption process, the Board must review the application for all these analytical requirements and make a finding that the amendment complies with all of them. (Modified Policy 2.4.3) (The first two sentences of this policy have been moved to Objective 2.1)~~

OBJECTIVE 2.34: DENSITY AND INTENSITY TRANSFER OF DEVELOPMENT RIGHTS. Support the development of distinct urban and suburban places by establishing and implementing innovative programs that allow the transfer of development rights ~~density and intensity~~ to targeted areas. (New Objective)

POLICY 2.34.1: Promote increased density in the more intense urban land use categories that allow incentive density by maintaining and establishing procedures that enable ~~the use of higher and incentive densities~~ transfer of development rights. (New Policy)

POLICY 2.3.2: Maintain and implement land development standards, county administrative code, and Lee Plan policies that establish appropriate locations for sending and receiving areas.

~~POLICY 2.4.2: Maintain existing and establish new programs that create opportunities to:~~

- ~~a.—Transfer from designated sending areas to designated receiving areas;~~
 - ~~b.—Promote or provide affordable housing; and~~
 - ~~c.—Provide enhanced urban infrastructure such as; enhanced transit, pedestrian, bicycle, or other mobility alternatives; provision of civic or public spaces; or, other urban amenities;~~
- ~~(New Policy)~~

~~POLICY 2.4.3: Viable candidates for receiving sited for increased density and intensity include:~~

- ~~a.—Areas in the Mixed Use Overlay;~~
 - ~~b.—Urban Core, Urban Places, and Urban Neighborhoods, and Suburban Six; and,~~
 - ~~c.—Designated Mixed Use Compact Communities;~~
 - ~~d.—Incorporated areas where there are interlocal agreements between the city and county.~~
- ~~(New Policy)~~

~~POLICY 2.4.4: Viable candidates for sending sites include:~~

- ~~a.—Lands that maintain a rural or environmental character such as providing links to the regional open space system, listed species habitat, flow ways, or groundwater recharge.~~
 - ~~b.—Non conforming lots and other lots with rights to develop residential unit(s) that are not suited for development.~~
- ~~(New Policy)~~

~~POLICY 2.4.5: Programs created under this objective will be incorporated into the LDC and Administrative Code.~~

- ~~a.—Innovative techniques to assure successful programs will utilize incentives for both the sending and receiving sites.~~
 - ~~b.—Appropriate density and intensity multipliers will be evaluated and established for sending sites. Streamlined approval processes will be evaluated and established for receiving sites.~~
 - ~~c.—Areas that are proposed for, or that request, reduction of allowable density through land use map amendments will be compensated with additional density over and above the proposed reduction of density.~~
- ~~(New Policy)~~

POLICY 2.3.44.6: Facilitate the transfer of development rights from property owners with sending sites to property owners with receiving sites through a publicly administered TDR bank program. (New Policy)

POLICY 2.3.54.7: Allow TDR credits to be redeemed in incorporated municipalities where suitable interlocal agreements specify the terms of potential transfers. Interlocal agreements could also provide for reciprocity with municipalities that have a substantially equivalent TDR programs. (New Policy)

GOAL 3: DEVELOPMENT STANDARDS. Establish land use practices and standards that guide the review of future development projects and direct the development of residential, commercial, industrial, agricultural, marine-oriented, and natural resource extraction areas. (New goal)

OBJECTIVE 3.1 REVIEW STANDARDS. Ensure appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and that those standards are met prior to issuance of a county development order. (Edited Goal 11)

POLICY 3.1.1: Evaluate development designs to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements. (Former Policy 4.1.1)

POLICY 3.1.2: ~~Evaluate development designs will be evaluated~~ Evaluate development designs for complete streets. This evaluation will consider the safe, convenient, and to ensure that the internal street system is designed for the efficient flow of vehicles and pedestrians, while considering accessibility without having a disruptive effect on the activities and functions contained within or adjacent to the development. (Former Policy 4.1.2)

POLICY 3.1.3: Incorporate Crime Prevention through Environmental Design (CPTED) guidelines to the maximum extent possible. (Modified Policy 4.3.3(l))

POLICY 3.1.4: Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Former Policy 2.4.4)

POLICY 3.1.5: Potable Water Standards.

- a. New residential development exceeding 2.5 dwelling units per gross acre, and new single commercial or industrial development exceeding 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a “community” water system as defined by Florida Statutes);
- b. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility;
- c. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
- d. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services required by Florida Statutes;
- e. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map ##), and the utility cannot provide the service or can provide the service except at a clearly unreasonable cost to the developer, the

developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area to provide the service; and

- f. If a development lies outside a utility service area, the developer may:
 - 1. Request that the service area of an adjacent water utility be extended to incorporate the property;
 - 2. Establish a community water system for the development; or
 - 3. Develop at an intensity that does not require a community water system.

(Edited Standard 11.1)

POLICY 3.1.6: Sanitary Sewer Standards.

- a. New residential development exceeding 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development generating more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system;
- b. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development;
- c. If there is not sufficient capacity or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service;
- d. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and the utility cannot provide the service, or can provide the service but at a clearly unreasonable cost to the developer, the developer may establish, on a temporary basis, a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility so that another utility may be invited to provide the service; and
- e. If a development lies outside a service area, the developer may:
 - 1. Request that the service area of an adjacent sewer utility be expanded to incorporate the property;
 - 2. Establish a self-provided sanitary sewer system for the development;
 - 3. Develop at an intensity that does not require sanitary sewer service; or
 - 4. If no more than 5000 gallons of effluent per day per parcel is produced, the development may utilize an individual sewage disposal system in accordance with Florida Statute, contingent on approval by all relevant authorities.

(Edited Standard 11.2)

POLICY 3.1.7: Multimodal Transportation Standards.

- a. A multimodal transportation impact statement must be submitted to and accepted by the county for the following development applications:

1. Comprehensive Plan Amendment;
 2. Developments of Regional Impact (DRIs);
 3. Planned Developments (as specified in the Zoning Regulations); and
 4. Developments requiring a county development order, as specified in the LDC.
- b. The form, content, and level of detail required in the multimodal transportation impact statement will be established by Lee County by ordinance, administrative code, or other regulations. Lee County will establish criteria or thresholds to determine the scope of the multimodal transportation impact statement required:
1. In urban land use categories, the multimodal transportation impact statement will provide information regarding project impacts to multimodal facilities, safety and accessibility to the adjacent multimodal transportation infrastructure.
 2. In all other land use categories ~~if the development does not meet the established thresholds,~~ the multimodal transportation impact statement will provide information regarding multimodal traffic generation and impacts at the development's access points to the adjacent street system and ~~if the development meets or exceeds the established thresholds, the multimodal transportation impact statement will~~ provide a comprehensive assessment of the development's impacts on the surrounding multimodal transportation infrastructure.

(Edited Standard 11.3)

POLICY 3.1.8: Environmental Review Factors. Where exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), require developers and/or applicants to prepare an environmental assessment examining the existing conditions, addressing the environmental problems, and proposing ~~proposes~~ means and mechanisms to protect, conserve, or preserve the environmental and natural resources. (Edited Standard 11.4)

OBJECTIVE 3.2: RESIDENTIAL STANDARDS AND PRACTICES. Support development of attractive and safe neighborhoods with a variety of price ranges and housing types to accommodate the population needs of the county. (New Objective)

POLICY 3.2.1: Ensure residential land uses support the urban, suburban, rural, or mixed-use context of the surrounding developments by implementing the following standards:

- a. Locate high-density urban and suburban residential developments near mixed-use centers; employment and commercial districts; parks and schools; and multi-modal transportation facilities;
- b. Provide a variety of multi-modal interconnections to adjoin developments and the local transportation system through various pedestrian, bicycle, transit, and auto opportunities;
- c. Ensure residential communities provide for open spaces and community facilities that are easily accessible via pedestrian and bicycle connections, and provide for the functional needs of the community (e.g.: urban courtyards, parks, and central public spaces; passive landscaping, buffering, and open spaces; and active playgrounds and recreation areas);

- d. Encourage interconnections within and between developments—particularly those located within Urban Areas;
- e. Require residential developments meeting Development of County Impact (DCI) thresholds to develop as planned residential developments; and
- f. Restrict residential development from areas with physical constraints or hazards (e.g.: flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; Airport Noise Zone B; industrial land use categories; or other characteristics that may endanger the residential community).

(Modified to address issues from Policies 5.1.1 and 5.1.2)

POLICY 3.2.2: Protect existing and future residential areas from encroachment of uses potentially destructive to the character and integrity of the residential environment.

- a. Within Suburban and Rural Land Use Categories requests for conventional rezonings will be denied in the event that measures to ensure compatibility provided in LDC are not adequate to address potentially incompatible uses in a satisfactory manner.
- b. Within Suburban and Rural Land Use Categories ~~planned developments or special exceptions~~, if ~~generally applicable land development code~~ regulations are found to be inadequate ~~to address incompatible uses, planned developments or special exceptions~~ must include conditions to minimize or eliminate the potential impacts. Where no adequate or enforceable conditions can be devised, the application will be denied altogether.
- c. Within the three Urban Land Use Categories varied land uses are expected to be located in close proximity to one another. Compatibility will be addressed through zoning conditions and development design.
- d. Within Suburban and Rural Land Use Categories requests for conventional rezonings will be denied in the event that measures to ensure compatibility provided in LDC are inadequate to address potentially incompatible uses in a satisfactory manner.

(Modified Policy 5.1.5)

POLICY 3.2.3: Where land under single ownership is divided into two or more land use categories the allowable density will be the sum of the densities for each land use category for each portion of the land. Resulting density may be allocated across the entire property provided that planned development zoning ~~that protects environmentally sensitive lands on the property~~ is utilized.

- ~~a. No density is allocated to lands designated as Non Urban or Environmentally Critical; and~~
- ~~b. The Planned Development protects environmentally sensitive lands on the property.~~

(Edited Policy 5.1.10)

OBJECTIVE 3.3: EXISTING MULTI-FAMILY RESIDENTIAL REDEVELOPMENT: Incentivize and promote cost effective and timely redevelopment of multi-family developments approved and developed prior to the adoption of the 1984 Lee Plan. (Edited Objective 5.2)

POLICY 3.3.1: Permit over-density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), to redevelop at existing density. Over-density multi-family redevelopments will be considered on a

case by case basis to determine the approval process to be followed to achieve redevelopment. (Edited Policy 5.2.1)

POLICY 3.3.2: Require the planned development zoning process to be utilized when rezoning is required in order to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Edited 5.2.2)

POLICY 3.3.3: Document existing conditions as part of a redevelopment plan including:

- a. Number of dwelling units;
- b. Floor area;
- c. Water management systems and outfalls; and
- d. Impervious area on the subject property.

The documentation must be provided at a pre-application meeting and include two site plans: one depicting existing development and another depicting the proposed plan of redevelopment. (Modified 5.2.3)

POLICY 3.3.4: Require the site design of the proposed development to be compatible with surrounding land uses. (Edited 5.2.4)

POLICY 3.3.5: Require wet retention and dry retention areas to be planted with native trees and herbaceous plant species. (Edited 5.2.5)

POLICY 3.3.6: Ensure redevelopment projects located within the Coastal High Hazard Area incorporate the following features:

- a. Sufficient elevation to address a storm surge from a land falling category 5 hurricane;
- b. Constructed to withstand winds of 200 mph in accordance with the Florida Building Code;
- c. Impact protection for exterior openings in accordance with the Florida Building Code;
- d. Emergency power and potable water supplies for up to five days;
- e. Ventilation, sanitary facilities, and first aid medical equipment; and,
- f. Designed to minimize light pollution, sky glow and light trespass beyond the property lines using light management techniques to reduce the impact on wildlife such as sea turtles and migrating birds. Techniques may include:
 1. Utilizing fully shielded, full cut off luminaries; down style canisters with interior baffles on the balconies; pole lights less than 15 feet in height; bollard type fixtures with louvers; and other techniques acceptable to the Division of Environmental Sciences;
 2. Up-lighting is prohibited. Mercury vapor and metal halide lamps are also prohibited; and
 3. Glass windows and doors must be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less.

(Edited Policy 5.2.6)

OBJECTIVE 3.4 COMMERCIAL STANDARDS AND PRACTICES. Provide for the county's commercial needs through development standards and planning practices that direct the design, location, and makeup of mixed-use and commercial centers. (New objective)

POLICY 3.4.1: Ensure commercial development supports the surrounding development and provides for the economic and commercial needs of the people who live, work, and visit the area through the following practices:

- a. Prioritize and incentivize redevelopment and infill in areas where existing commercial development exists;
- ~~b. Permit when properly zoned within the Urban Areas;~~
- c. Expand multi-modal transportation options through the development areas and protect the traffic-carrying capacity of arterial roads between the commercial and mixed-use centers;
- d. Provide appropriate public space, civic areas, landscaping, open space, and buffering.
- e. Incorporate architectural features that enhance the appearance of structures, screen parking areas, and blend with the character of existing or planned surrounding land uses.
- f. Allow limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) in non-urban areas.

(Redrafted to address issues in Policies 6.1.6, 6.1.7, 6.1.8)

POLICY 3.4.2: Ensure commercial developments are designed consistent with the context of the surrounding area and support the needs of the surrounding area by reviewing applications for commercial developments according to the following issues:

- a. Adjacent land uses and surrounding neighborhoods (rezoning);
- b. Proximity to other similar uses (rezoning); and
- c. Connectivity and access to multi-modal transportation (rezoning and development orders);
- d. Adequate levels of services and facilities (rezoning and development orders);
- e. Landscaping and detailed site planning (development orders);
- f. Environmental features (rezoning and development orders); and
- g. Development transitions, facility screening, and landscape buffering (planned development rezoning and development orders).

(Redrafted to address issues from Policies 6.1.1, 6.1.6)

POLICY 3.4.3: Require commercial planned developments to incorporate the following features:

- a. Visual harmony and landscaping;
- b. Interconnectivity to reduce dependence on the automobile;
- c. Promotion of pedestrian movement within the development and to adjacent developments;
- d. Joint parking, access, and loading facilities;
- e. Avoidance of negative impacts and support of surrounding land uses, development forms, and travel circulation;
- f. Protection of natural resources; and
- g. Provision of necessary services and facilities.

(Revised Policy 6.1.3)

POLICY 3.4.4: ~~Prohibit~~ Discourage commercial developments from opening new areas to premature, scattered, or strip development. Encourage commercial development in infill, redevelopment, and previously established development locations. (Revised Policy 6.1.7)

~~**POLICY 3.4.5:** Define locations and standards for the size, location, and access of commercial retail facilities in the LDC. (Addressed Policy 6.1.2)~~

POLICY 3.4.6 3.4.5: Commercial development approved or existing on one corner of an intersection does not mean all corners are appropriate for commercial or mixed use development. Further, the existence of commercial development on an arterial or collector road does not dictate that all frontages must be used in a similar manner. (Modified Policy 6.1.10)

POLICY 3.4.7 3.4.6: Permit limited commercial uses, agriculturally related services, and other needs of the rural area in non-urban areas as follows:

- a. Location: The retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions:
 1. At the intersection of an arterial and collector or two arterials with direct access to both intersecting roads. Direct access may be achieved with an internal access road to either intersecting road. On islands with intersecting network of collectors and arterials, commercial development may be located at or near the intersection of local and collector, or local and arterial, or collector and collector roads; and
 2. Consistent with the Communities Element;
- b. Site Area: Two acres or less; and
- c. Range of Gross Floor Area: Less than 30,000 square feet.

(Modified Policy 6.1.2:1)

OBJECTIVE 3.5: INDUSTRIAL STANDARDS AND PRACTICES. Provide for the economic needs of the county through land use standards that direct the planning and design of industrial ~~and economic~~ land uses in appropriate locations. (New objective)

POLICY 3.5.1: Provide for the land use and transportation needs of industrial ~~and economic~~ land uses through locations that provide for the special needs of such uses, such as:

- a. Commuter access from home-to-work trips;
- b. Intermodal access by truck, air, deep water, and rail; air and water quality considerations;
- c. Proximity to supportive and related land uses and utilities;
- d. Topography;
- e. Choice and flexibility in site selection;
- f. Greenbelt and other amenities; and
- g. Compatibility with neighboring uses.

(Edited Policy 7.1.3)

POLICY 3.5.2: Permit agriculturally-related industrial uses directly serving the rural and agricultural community in the Rural, Rural Communities Preserve, Open Lands, DR/GR Land Use Categories provided there is adequate fire protection, transportation, and wastewater treatment and water supply, and provided the uses have ~~no~~ minimal adverse effect on surrounding land uses and natural resources. These determinations will be made during the rezoning process. (Edited Policy 7.1.7)

POLICY 3.5.3: Land located ~~outside of the Industrial/Research Development, Tradeport, and Interstate Interchange Land Use Categories but~~ within ~~the designated~~ Urban Land Uses Categories may be developed for light industrial purposes when adequate services and facilities are available; and the use will not adversely impact surrounding land uses; and natural resources are protected; if one of the following conditions is met:

- a. The parcel ~~is located in the Urban Core, Urban Places, or Urban Neighborhood land use categories,~~ was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands);
or
- b. The parcel ~~is located in the Urban Core, Urban Places, Urban Neighborhood, General Interchange, Employment Interchange land use categories, and is rezoned~~ as a Planned Development.

(Modified Policy 7.1.6)

POLICY 3.5.4: Support development of industrial areas in appropriate urban and suburban land use categories by reviewing and evaluating proposed industrial development according to the following conditions during the zoning and development order process:

- a. Permit the timing and location of industrial development with the availability and adequacy of services and facilities;
- b. Air emissions;
- c. Impact and effect on environmental and natural resources;
- d. Effect on surrounding land use;
- e. Impacts on water quality and water needs;
- f. Drainage system ;
- g. Employment characteristics;
- h. Fire and safety;
- i. Noise and odor;
- j. Buffering and screening;
- k. Industrial traffic is directed away from local residential streets;
- l. Impacts on transportation facilities and access points;
- m. Access to rail, major thoroughfares, air, and, if applicable, water;
- n. Utility needs; and
- o. Sewage collection and treatment.

(Redrafted to address issues from Policies 7.1.1, 7.1.4, and 7.1.5)

POLICY 3.5.5: Industrial planned developments should be designed to arrange uses as an integrated and cohesive unit in order to:

- a. Promote compatibility and screening;
- b. Reduce dependence on the automobile;
- c. Promote pedestrian movement within the development;
- d. Utilize joint parking, access and loading facilities;
- e. avoid negative impacts on surrounding land uses and traffic circulation;
- f. Protect natural resources; and

g. Provide facilities and services when inadequate to serve the proposed use.
(Formerly Policy 7.1.2)

POLICY 3.5.6: Require industrial uses to be buffered and screened from adjacent existing or proposed residential areas to prevent visual blight and noise pollution. (Formerly Policy 7.1.8)

POLICY 3.5.7: Provide for the safety and health of the county's residents and natural resources by prohibiting bulk storage or production of toxic, explosive, or hazardous materials near residential areas and prohibiting the storage of these materials in areas that have the potential to contaminate ground or surface water. (Policy addresses issues from Policy 7.1.1 (3))

OBJECTIVE 3.6: AGRICULTURAL STANDARDS AND PRACTICES. Support a diverse and robust agricultural economy by protecting rural agricultural lands from the encroachment of incompatible land uses and ~~discouraging the introduction or expansion of agricultural uses in the Urban Areas~~ supporting appropriately located urban agriculture practices.

POLICY 3.6.1: Identify rural agriculture lands on the land use map and establish policies and practices that support a diverse agricultural economy including:

- a. Utilize an Agricultural Overlay to identify, inventory, and promote agricultural uses;
- b. Evaluate applications for conversion of agricultural land uses in Non-Urban areas to other land uses;
- c. Encourage agricultural operations to meet water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District;
- d. Promote energy, water, and soil conservation management practices; and
- e. Continue to update and analyze agricultural land use data.

(Redrafted to address issues from Objective 9.1, Policies 9.1.2, 9.1.3, and 9.1.5)

POLICY 3.6.2: Protect agricultural activities on lands within the agricultural overlay (see Map X) from the impacts of new natural resource extraction operations, recreational uses, and residential development. In future limerock mining areas (see Map X), agricultural activities may be limited to the interim period prior to mining or may coexist with adjoining mining activities and mining pits. (Formerly Policy 9.1.4)

POLICY 3.6.3: Establish and implement incentives to encourage the continuation of existing agricultural operations and improvements to existing agricultural operations as needed to store and treat water and improve ecological values. Investigate the feasibility of a Transfer of Development Rights (TDR) bank for agricultural property. (Edited Policy 9.1.6)

POLICY 3.6.4: Existing agricultural lands within the DR/GR land use category provide important surface and subsurface connections for water and wildlife resources. Support the integration of agriculture as part of a coordinated effort of county and regional agencies to manage water resources. (Edited Policy 9.1.7)

POLICY 3.6.5: Discourage agricultural uses proximate to incompatible urban uses and to promote the efficient use of existing and programmed urban infrastructure. ~~Direct new agricultural uses away from urban areas.~~ (Edited Objective 9.2)

POLICY 3.6.6: Rezoning of land to agricultural zoning districts is prohibited in the Urban Land Use Categories: Urban Core, Urban Places, and Urban Neighborhoods. (Modified Policy 9.2.1)

~~**POLICY 3.6.7:** Allow rezoning proposals of parcels of five acres or more to an agricultural zoning district within Suburban Categories to be reviewed on a case by case basis. Base recommendations on:~~

- ~~a. Current and future availability of urban infrastructure;~~
- ~~b. Compatibility with existing and future land uses;~~
- ~~c. Acreage of rezoning request; and~~
- ~~d. Consideration of applicable community plans.~~

POLICY 3.6.7: Lands located within the Suburban Land Use Categories that are 5 acres or larger may request rezoning to an agricultural zoning district. These requests will be reviewed on a case by case basis. Approval will be based on:

- a. Current and future availability of urban infrastructure;
- b. Compatibility of the existing and future land uses;
- c. Acreage of rezoning request
- d. Cumulative effect on county tax base;
- e. Evaluation of how environmental features, including but not limited to flowways, protected species, and habitat, will be protected or mitigated; and
- f. Suburban 2 and Suburban 6 designated properties may only be considered if they are within the Greater Pine Island or Caloosahatchee Shores Community Planning Areas.

(Modified Policy 9.2.1)

POLICY 3.6.8: Planned development rezonings in urban areas must not establish new, or expand existing, agricultural uses. Bona fide agricultural uses existing at the time of rezoning may continue until development commences. Existing agricultural uses may not expand beyond the boundaries existing at the time of rezoning. Existing agricultural uses within any tract or phase must be discontinued upon local development order approval including that tract or phase. (Edited Policy 9.2.2)

OBJECTIVE 3.7: MARINE-ORIENTED STANDARDS AND PRACTICES. Designate prime locations for marine-oriented land uses and protect those locations from incompatible or pre-emptive land uses. (Previously Goal 8)

POLICY 3.7.1: Encourage existing marinas, fish houses, and port facilities located within water-dependent overlay zones on the Future Land Use Map to commercial and industrial marine zoning categories to protect the right to rebuild and expand and to prevent conversion to non-water-dependent uses without a public hearing (See Map ##). (Edited Objective 8.1)

POLICY 3.7.2: Development approvals for marine-oriented land uses must ~~also~~ comply with requirements set forth in the Coastal and Conservation Management, Objective: Marine Facilities Siting Criteria, and Objective: Marina Design Criteria. (Edited Objective 8.2)

OBJECTIVE 3.8: NATURAL RESOURCE EXTRACTION STANDARDS AND PRACTICES. Protect areas containing identified natural resources from incompatible urban development, while ensuring that natural resource extraction operations minimize or eliminate adverse effects on surrounding land uses and other natural resources. (Edited Goal 10)

POLICY 3.8.1: Designate through the rezoning process, sufficient lands suitable for providing fill material, limerock, and other commercially valuable natural resources to meet the county's needs and to export to other communities, while providing adequate protection for other natural resources. (Formerly Objective 10.1)

POLICY 3.8.2: The sale of overburden from approved limerock mines is encouraged because converting overburden into fill material avoids additional mining at other locations. However, shallow mines that produce primarily fill dirt should be sited as close as possible to locations of high demand to minimize the distance fill material must be trucked to likely destinations. (Formerly Policy 10.1.1)

POLICY 3.8.3: The future uses of any new or existing natural resource extraction operations must be evaluated at the time the property undergoes planned development zoning review. Site plans should be designed to incorporate proposed future uses, including open space, and to ensure the protection of surface and ground water resources, wildlife, and native plant communities. (Formerly Policy 10.1.2)

POLICY 3.8.4: Reclamation is intended to replace or offset ecological benefits lost during extraction, including the creation of conditions that will support a healthy water body to the extent practicable. Applications for natural resource extraction permits for new or expanding sites, or for future use of such sites, must include a reclamation plan that provides assurance of implementation. Reclamation plans must address the reclamation and sustainable management of existing and future mining pits, preserves, and buffer areas related to the mining operation. Reclamation plans in Future Limerock Mining areas (see Map 14) must include littoral shelves suitable for native wetland plants, re-vegetation of disturbed land, allowance for wildlife movement, and minimization of long-term effects on surrounding surface and groundwater levels. Reclamation plans for mines providing primarily fill material should provide more extensive littoral shelves and describe how shorelines will be configured and managed and how disturbed uplands will be restored or converted to other acceptable land uses. Reclamation plans in or near important surface and groundwater resource areas must be designed to minimize the possibility of contamination of the surface and groundwater during mining and after completion of the reclamation. (Formerly Policy 10.1.3)

POLICY 3.8.5: Limerock mining may be permitted only in accordance with goals, objective, and policies for Southeast Lee County, contained in the Communities Element. Other natural

resource extraction activities such as fill dirt operations and ancillary industrial uses may be permitted as follows:

- a. In areas indicated on the Land Use Map as Rural, Open Lands, and DR/GR, provided there is adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further there are no significant adverse effects such as dust and noise on surrounding land uses and natural resources. In the DR/GR Density Reduction/Groundwater Resource category, fill dirt operations are further restricted in accordance with other policies in the Lee Plan.
- b. In order to reduce transport costs and minimize wear on the county's roadways, the extraction and transport of fill material may also be permitted as an interim use in the Urban Areas provided that the above requirements are met; however, special restrictions may also be applied to protect other land uses. These determinations will be made during the rezoning process. Ancillary crushing of limerock strata embedded within fill material may be permitted for use on-site. (Edited Policy 10.1.4)

POLICY 3.8.6: Lee County will support efforts by government, community leaders, and the extractive industry owners and businesses to incorporate reclaimed mining pits into a comprehensive and coordinated effort of governmental agencies to enhance wildlife habitat values, minimize or repair the long-term impacts to adjoining natural systems, provide for human recreation, education, and other appropriate uses, and/or strengthen community environmental benefits. (Formerly Policy 10.1.5)

POLICY 3.8.7: Coordinate mining activities, including evaluation, monitoring, reclamation, and redevelopment, with water supply planning, surface and groundwater management activities, wetland protection, wildlife conservation, and future residential activities. Consider the cumulative and watershed-wide impacts of mining activities, in addition to the direct impacts of each individual mine. (Previously Objective 10.2)

POLICY 3.8.8: Natural resource extraction operations must provide a monitoring system to measure surface and groundwater levels and quality to assess any degradation of surface and groundwater resources. Particular attention will be given to potential travel time to wellfields and residential wells. Mining applications are strongly encouraged to include a minimum of three years baseline monitoring and assessments of the likely change in flow, timing of travel, and direction of surface and groundwater systems on-site and in the impacted area. (Formerly Policy 10.2.1)

POLICY 3.8.9: Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment must include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, depletion of water quantity, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. Assessments must also include:

- a. Potential impacts on the aquatic ecology and water quality of mining pits that will result from mining pit design.

- b. Likely post-mining impacts such as runoff or surface and groundwater flow on land uses surrounding the site.
- c. Consideration of the primary and secondary impacts at the local and watershed levels. (Formerly Policy 10.2.2)

POLICY 3.8.10: The depth of mining for a proposed excavation will be limited as necessary to prevent any breach of an aquaclude or confining layer. (Formerly Policy 10.2.3)

POLICY 3.8.11: Other limitations on mining pit size, setbacks, and depths will be determined on a case-by-case basis depending on existing neighboring uses, specific hydrogeologic conditions, wetlands and watershed protection, wildlife conservation, and transportation routes including anticipated traffic to and from the mine. (Formerly Policy 10.2.4)

POLICY 3.8.12: Areas that are designated as preserve areas (e.g., buffers, indigenous preservation, and reclaimed littoral shelves) during the mining rezoning process must be protected by the execution of perpetual conservation easements so that these areas will be maintained during mine operation and in perpetuity regardless of future land uses. A timetable for all environmental remediation including the construction of buffers and reclamation of littoral shelves must be included as part of the mine rezoning application. Lee County must be named in the easement as a grantee with the power and authority, but not obligation, to enforce the terms of the easement. An entity, other than Lee County, must be identified and obligated to maintain the easement in perpetuity. However, Lee County may agree to be primarily responsible for maintenance. (Edited Policy 10.2.5)

POLICY 3.8.13: The LDC will establish the contents and frequency of monitoring reports from authorized mines. These reports may include surface and groundwater monitoring of water quality and quantity, the areas under active mining, the depths being mined, the quantity and type of mined materials, estimated reserves left for mining, and the annual volume, direction, and destination of the material being transported. Reporting will include the active mining and processing area; the areas where reclamation has been completed; and the areas where invasive exotic removal is underway or completed. (Edited Policy 10.2.6)

POLICY 3.8.14: Zoning or development order approvals may require that significant adverse impacts identified during mining or post-mining will be subject to adaptive resource management acceptable to Division of Natural Resources whereby corrective measures can be guaranteed through conditions on the next phase's approval. (Edited Policy 10.2.7)

POLICY 3.8.15: Determine and maintain a balance between the County's petroleum resources and the health, safety and welfare of the residents ~~of its Urban Areas~~. (Formerly Objective 10.3)

GOAL 4: MIXED USE DEVELOPMENT: Encourage the development of compact mixed-use places that: feature a greater housing variety and density; reduced distances between housing, workplaces, retail businesses, and other destinations; strengthen neighborhood character; and, promote pedestrian and bicycle-friendly environments. (New goal)

OBJECTIVE 4.1: MIXED USE: Maintain criteria to evaluate appropriate locations for mixed use development. (New objective)

POLICY 4.1.1: ~~Mixed use development is encouraged in locations~~ The County will maintain an overlay in the future land use map series identifying locations desirable for mixed use that are located in close proximate to: public transit routes; rail corridors; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Appropriate locations will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance (preference will be given to locations serviced by multiple transit routes). An analysis showing the number of existing and potential residential units within the immediate and extended pedestrian shed (measured through connections and delineating pedestrian barriers) will be considered in identifying appropriate locations. (Edited Policy 4.2.1)

POLICY 4.1.2: ~~Encourage~~ Mixed use developments are encouraged in urban categories on sites that have existing connectivity to adjacent neighborhoods, qualify as a grayfield or brownfield sites, or are candidates for Transit Oriented Development. However, properties lacking potential interconnections to adjacent properties will not be considered as preferred locations for the Mixed-Use Overlay. (Edited Policy 4.2.5)

POLICY 4.1.3: Properties within urban land use categories that rezone to the Compact Planned Development (CCPD) or the Mixed Use Planned Development (MPD) that meet the design criteria in objective 4.4 are encouraged to utilize incentive density. (New policy)

OBJECTIVE 4.2: MIXED-USE OVERLAY: Support the development of mixed use areas by targeting areas that are considered highly appropriate for mixed use development in the Future Land Use Map Series with a Mixed-Use Overlay. Designate areas on the Future Land Use Map areas for Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns. (Modified Objective 4.2)

POLICY 4.2.1: Properties within the Mixed-Use Overlay rezoned to the Compact Planned Development (CCPD) or the Mixed Use Planned Development (MPD) that are determined to meet the design criteria in Objective 4.4 qualify for incentive density. (New policy)

POLICY 4.2.2: The Mixed-Use Overlay will not intrude into established single family neighborhoods. Connections to existing residential neighborhoods will be provided upon the residential neighborhood's desire and not precluded by the mixed use development's design. (Existing policy 4.2.2)

POLICY 4.2.3: Any Planned Development project adhering to the Mixed-Use Overlay standards, at the discretion of the Board of County Commissioners, may extend beyond the Mixed-Use Overlay ~~zone~~ up to one quarter mile and still receive the incentives offered by the Mixed-Use Overlay. (Edited Policy 4.2.3)

POLICY 4.2.4: The Mixed-Use Overlay may include areas within the Coastal High Hazard Area when unique public benefits exist. Such benefits may include providing workforce housing options for employees of businesses located on barrier islands when transit is provided between the workforce housing and the employment areas. (Existing policy 4.2.4)

POLICY 4.2.5: Developments within the Mixed-Use Overlay conforming to Chapter 32 - Compact Communities of the Land Development Code, will be deemed as meeting the principles listed in ~~this~~ Objective 4.4. (Edited Policy 4.3.1)

~~**POLICY 4.2.7:** Development located in the Mixed-Use Overlay applying Chapter 32 – Compact Communities of the Lee County Land Development Code will not be subject to the site location standards listed in Policy 6.1.2 and 6.1.2.7. (Deleted)~~

POLICY 4.2.5: Development, redevelopment, and infill rezonings located within the Mixed-Use Overlay that utilize the Compact Planned Development (CCPD), or the Mixed Use Planned Development (MPD) zoning categories and ~~that~~ incorporate ~~the following~~ Mixed-Use Design, New Urbanism, Traditional Neighborhood Development (TND), and Transit Oriented Development (TOD) criteria from Objective 4.4 may calculate residential density based on the total project acreage. ~~will be allowed to use the non-residential areas, such as of commercial, office, light industrial, natural water bodies and other non-residential uses in their density calculations. These areas will be compact, multi-purpose, mixed use centers which integrate commercial development with residential, civic, and open space within the same neighborhood and buildings.~~ (Modified Objective 4.3)

POLICY 4.2.6: Properties in ~~a~~ the Mixed-Use Overlay ~~Zone or a Mixed-Use Community~~, not within the Coastal High Hazard Area, will be considered as preferred receiving areas for Transferable Development Rights (TDRs) and will allow these TDRs to serve as a method for obtaining allowable ~~bonus-incentive~~ densities. (Edited Policy 4.3.8)

POLICY 4.2.7: Lee County may consider the implementation of other appropriate incentives within the Mixed-Use Overlay through amendments to the Land Development Code that provide for administrative approvals and reducing or eliminating development requirements. (New Policy)

POLICY 4.2.8: Lee County will support deviations from indigenous open space for mixed use developments within the Mixed-Use Overlay, when appropriate site design and off-site mitigation is provided. (New Policy)

POLICY 4.2.9: Encourage transit-oriented development (TOD) around future transit stations around the existing rail corridor. Potential stations in unincorporated Lee County are identified on the mixed-use overlay on the Land Use Map at these locations: Danley Drive, Crystal Drive, Daniels Parkway, Gladiolus/Six Mile Cypress Parkway, Corkscrew Road, and Coconut Road.

POLICY 4.2.10: Support the development of TOD as provided in the *Florida TOD Guidebook*, published by Florida DOT in December 2012.

OBJECTIVE 4.3: MIXED-USE COMMUNITIES: Lee County will identify and assist with the planning of targeted Mixed-Use Communities within the Mixed-Use Overlay. (New Objective)

POLICY 4.3.1: Mixed-Use Communities, as identified on Map ##, will have the highest priority to be developed as compact mixed use areas. (New Policy)

POLICY 4.3.2: In order to facilitate Mixed-Use Communities, the Board of County Commissioners have adopted optional overlays into the Land Development Code. These overlays include conceptual and detailed regulating plans. Development in accordance with these plans will be allowed through the local development order process. (New Policy)

POLICY 4.3.3: Lee County will give high-priority to capital improvements within Mixed-Use Communities with an adopted regulating plan that help to facilitate mixed use designs. (New Policy)

POLICY 4.3.4: ~~Promote the development~~ Consider the use of innovative alternative financing and planning tools for Mixed-Use ~~centers~~ Communities in targeted locations that have established regulating plans such as community redevelopment agency (CRA), municipal service benefit unit (MSBU); municipal service taxing unit (MSTU), tax increment financing (TIF), community development district (CDD), historic preservation trust funds, grants, tax increment financing, and other programs to help spur and finance the development of mixed-use communities. (New Policy)

POLICY 4.3.5: Staff will work with communities, specifically during the community planning process, to explain the benefits and address concerns related to mixed use/higher density developments to build the consensus needed to identify appropriate locations for Mixed-Use Communities ~~the Mixed-Use Overlay~~. (Edited Policy 4.2.6)

POLICY 4.3.6: Lee County may consider the implementation of other appropriate incentives within Mixed-Use Communities through amendments to the Land Development Code that provide for administrative approvals and reducing or eliminating development requirements. (New Policy)

OBJECTIVE 4.4: MIXED-USE DESIGN. Facilitate the development of mixed-use places that feature a greater housing variety and density; reduced distances between housing; workplaces, retail businesses, and other destinations; more compact development; stronger neighborhood character; and pedestrian and bicycle-friendly environments in targeted locations. (New Objective)

POLICY 4.4.1: Mixed Uses: A balanced mixture of uses will be provided to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes.

- a. Mixed uses will be encouraged within individual buildings (e.g. residential above retail or office space).
- b. Mixed use ~~Overlay~~ areas will provide civic uses, such as green spaces or community centers.
- c. Mixed uses will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable criteria including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style.
- d. Primary and secondary uses will be determined based upon the needs of the community, character of the surrounding area, and characteristics of the transportation network.

(Edited Policy 4.3.2)

POLICY 4.4.2: Site and Building Design: Integrate commercial, residential, civic, and open spaces to create multipurpose developments that feature unique style and ambiance through design, encouraging civic involvement and events to promote community interaction.

- a. Provisions for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block size.
- b. Well defined centers and edges with public or civic space creating an element around which other development is located.
- c. Development plans will create focal points of signature buildings, civic spaces, natural amenities, and other prominent features through placement or street layout.
- d. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm.
- ~~e. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses.~~
- e. The designs will include a pedestrian circulation system to connect the nonresidential uses with residential uses and areas.
- f. Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space.
- g. Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares.
- h. Lee County will develop and maintain ~~The~~ street cross sections that ~~system~~ will equally serve automobile and non-automobile modes of transportation. Development will provide pedestrian and bicycle- friendly access, and will ~~provide~~ accommodate transit facilities to the development and the surrounding community.
- i. Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:
 - 1. Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings.

2. Limited number and size of signs.
 3. Landscaping and use of pocket parks and courtyards adequate to soften large building masses.
- ~~j. An “A/B” street grid system may be utilized where “A” streets meet all pedestrian oriented standards and create a continuous uninterrupted pedestrian friendly streetscape, while “B” streets may include a limited amount of properly designed non pedestrian oriented uses.~~
- ~~k. Crime Prevention Through Environmental Design (CPTED) guidelines will be incorporated to the maximum extent possible.~~

(Edited Policy 4.3.3)

POLICY 4.4.3: Parking: Parking areas will be designed to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:

- a. On-street parking with landscaping and design features, such as corner and mid-street bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted.
- b. Parking lot locations will not separate pedestrian areas including sidewalks, squares, and plazas from the front of buildings containing the primary entrance.
- c. Temporary parking lots will be encouraged to be screened from streets, ~~sidewalks, and open spaces, by buildings, public spaces, and other design features~~ and will be designed to maintain or enhance the street edge.
- d. Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment.
- e. Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged. Reduced ratios of required parking for non-residential uses will be provided in the land development regulations.

(Edited Policy 4.3.4)

POLICY 4.4.4: Automobile Access: Automobile facilities will be designed to provide safe access to the development.

- a. Internal traffic circulation system design will include:
 1. Traffic calming techniques to maintain safe multi-modal transportation;
 2. An interconnected street grid system extended to adjacent sites at the least intrusive locations with stub outs for future connections where possible;
 3. Maximum use of common access drives;
 4. A system of alleyways for service vehicles and access to parking; and
 5. Convenient access to transit facilities;
- ~~b. Points of ingress to and egress from arterial roads carrying through traffic will be located at the allowed intersection spacing and connect to the internal traffic circulation system.~~
- b. A connector street system will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features;

- c. Automobile-oriented uses will have a limited number of driveways, and drive-in or driveup windows will be located to avoid conflict with pedestrian and bicycle traffic; and
- d. Block sizes will be small enough to create an easily dispersed traffic flow.

(Edited Policy 4.3.5)

POLICY 4.4.5: Community Green Space: Public space and landscaping will be provided that includes.

- a. Public areas will provide adequate urban landscaping that includes street trees, planted areas, and street furniture.
- b. Required surface and storm water management facilities will be designed as an integral physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas.
- c. Paved areas (including parking) will require overhead shading from tree canopy or building features based on factors such as scale of development and performance standards.

(Former Policy 4.3.6)

POLICY 4.4.6: Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.

- a. Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided.
- b. Connections to adjacent residential neighborhoods will not be precluded by the mixed use development's design.
- c. Buffering of uses internal to a mixed uses development are not required.
- d. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

(Former Policy 4.3.7)

~~**POLICY 4.3.9:** The owner or agent for a rezoning request utilizing the Mixed Use Overlay must conduct one publicly noticed informational session, before sufficiency, where the agent will, at a minimum, present an overview of the project's consistency with this objective. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.~~ (Deleted policy)