

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY: Transportation & Traffic Management	CODE NUMBER: AC-11-17
TITLE: Lee County Buffer Policy for Residential Properties Adjacent to Roadways	ADOPTED: 10/23/07
	AMENDED:
	ORIGINATING DEPARTMENT: Department of Transportation

PURPOSE/SCOPE:

To implement a buffer policy for new roadway projects for residential properties along new roads on new alignments under specific conditions.

POLICY/PROCEDURE:

- 1.0 Buffer policy will be implemented for new roads on new alignments only that begin design / construction after October 1, 2005. The policy will not affect widening projects and no retrofitting of existing roadways.
- 2.0 Upon approval of the Board of County Commissioners (BoCC) the county may pay for the design and the installation of a sight buffer for new arterial roadways adjacent to residential property which meet the conditions in paragraph 4 below.
- 3.0 Funding for the buffer will be determined in conjunction with BoCC approval and will initially be limited to \$100.00 per lineal foot. Costs greater than this amount will be shared equally between the county and the abutting property owner(s).
- 4.0 Only the following residential properties shall meet the buffer policy requirements:
 - (a) Any residential dwellings existing prior to the project's public information meeting.
 - (b) Any vacant lots that are in the same community.
 - (c) Any property that Lee County DOT has not acquired property from for a roadway project.
 - (d) That have some portion of a dwelling (or in the case of a vacant lot, have a buildable area) within 150' of the edge of a new travel lane(s).
 - (e) Where buffer will extend to a point where it is 150' from the nearest corner of the affected single family lot or dwelling.
 - (f) Where an owner agrees to deed any access rights to the road to the County.
 - (g) This policy will exclude agricultural, churches, schools, parks, cemeteries, golf courses, or any other property type or use.
- 5.0 Buffer type to be selected from feasible options as determined by Lee County Department of Transportation as follows:
 - (a) By majority of the community being directly affected. Majority shall mean the highest number of ballots received from certified mailings to those directly affected.
 - (b) Buffer type may mean either landscaping, a berm, (if a right-of-way is available), or a wall.
 - (c) The berm or wall will try to provide 6' of vertical screening between the new roadway and the adjacent property.
 - (d) The buffer walls will be located on the county right-of-way if room is available or on an easement conveyed by the property owner(s).