

CPA2026-00005 – North Olga Community Plan Changes

GOAL 29: NORTH OLGA COMMUNITY PLAN	
Goal / Objective / Policy	Change Notes
GOAL 29: NORTH OLGA COMMUNITY PLAN. Promote and support the unique rural character, heritage, economy, quality of life, and natural resources in the North Olga Community Plan area.	Goal 29 addresses general character of North Olga. The Goal is not required by State Statutes but will continue to be implemented through the existing future land use categories and the Future Land Use Map. There are no changes proposed to the existing future land use categories or Future Land Use Map.
OBJECTIVE 29.1: COMMUNITY CHARACTER. 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 the rural character and aesthetic appearance of the North Olga Community Plan area, while supporting the continued viability of commercial agricultural businesses.	Objective 29.1 is ambiguous and does not recognize existing development approvals or Future Suburban areas that are located along SR 31, south of Babcock.
POLICY 29.1.1: Protect the community's rural aesthetic qualities, preserve the natural and historic resources, and support a diverse rural economy by promoting compact or clustered development areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses.	Policy 29.1.1 is ambiguous. Support for commercial agriculture is being relocated to Policy 9.1.6 Duplicate of (relocated policy): <u>POLICY 9.1.6: Support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining agricultural uses. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming.</u>
POLICY 29.1.2: The North Olga Community will work in conjunction with Lee County, public agencies, land owners, and community service providers to examine the need for a rural mixed use village center that provides for public meeting space, institutional uses, recreational opportunities and local goods and services.	Policy 29.1.2 is ambiguous. Is Babcock the "rural mixed-use village center" or does the community desire another one?
POLICY 29.1.3: Maintain enhanced design, landscaping, signage, and architectural standards to promote the rural character of the North Olga Community Plan area.	Land development codes specific to North Olga are being removed as directed by the BoCC. Architectural standards are provided in Chapter 10.

POLICY 29.1.4: Deviations or variances relating to landscaping, signage guidelines, or compliance with applicable architectural standards within the North Olga Community Plan area may not be granted, unless the request meets the approval criteria for variances set forth in the LDC, Chapter 34.	It is not appropriate to apply different standards and protections in different areas of the County. The Land Development Code provides criteria for both deviations and variances and they have differing purposes.
OBJECTIVE 29.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands.	Objective 29.2 is ambiguous and does not provide any specific requirements. Development proposals are evaluated for consistency with the Lee Plan and the LDC, which includes regulations pertaining to clustering, open space preservation, natural waterway protection, compatibility with agricultural uses, and environmental and natural resource protection.
POLICY 29.2.1: Proposed planned developments will be encouraged to provide a mix of unit types and flexible lot sizes to allow for clustering, affordability, preservation of open space, natural assets, and diversity of choice within the community.	Duplicate of: OBJECTIVE 135.1: HOUSING AVAILABILITY. To ensure the types, costs, and locations of housing are provided to meet the needs of the County's population by working with private and public housing providers.
POLICY 29.2.2: Proposed residential development adjacent to an existing large lot residential area or commercial agriculture business will provide appropriate separation, such as a minimum lot size of one unit per acre for lots abutting the perimeter of property line(s). For the purposes of this policy, large lot residential uses are defined as those residential uses with lot sizes equal to or greater than one acre.	Policy 5.1.5 addresses compatibility and allows for site specific designs in order to ensure compactivity. Duplicate of: 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 the LDC, Chapter 10, 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 LDC will continue to require appropriate buffers for new developments.
POLICY 29.2.3: Encourage proposed planned developments to provide community gardens to allow for social, recreational and education activities for the residents of the planned development.	This policy is redundant. Support for community gardens has been relocated to new Policy 9.1.7. Duplicate of (relocated Objective 29.5): <u>POLICY 9.1.7: Support compatible urban agriculture and the use of public and private lands for community gardens.</u>

OBJECTIVE 29.3: COMMERCIAL LAND USES.

Existing and future County regulations, land use interpretations, policies, zoning approvals, and administrative actions should promote the rural character of the North Olga Community Plan area and allow for non-residential land uses that serve and support the rural community, including uses permitted by Objective 29.9. Regulations will support a unified and attractive rural-oriented design theme in terms of landscaping architecture, lighting and signage.

This objective is unnecessary. Allowable uses are determined by existing future land use categories, which are not proposed to change. Commercial uses in Future Non-Urban Areas are further controlled by Policy 6.1.2.

Duplicate of:

POLICY 6.1.2: Commercial development in non-urban future land use categories is limited to Minor Commercial, unless the Lee Plan specifically provides otherwise. Minor Commercial development may include limited commercial uses serving rural areas and agricultural needs, and commercial marinas. Minor Commercial development must be located so that the retail use, including buildings and outdoor sales area, is located at the intersection (within 330 feet of the adjoining rights-of-way of the intersecting roads) of arterial and collector roads or two collector roads with direct access to both intersecting roads. Direct access may be achieved with an internal access road to either intersecting road. On islands, without an intersecting network of collector and arterial roads, commercial development may be located at the intersection of local and collector, or local and arterial, or collector and collector roads.

POLICY 29.3.1: Continue to support the long-term viability of commercial agriculture industry through the development and implementation of incentives and tools including, but not limited to: TDR programs; farmland trusts; agricultural easements; and development practices that promote compact development patterns and the preservation of productive agricultural lands. For the purposes of this policy, commercial agriculture is defined as the production of crops and livestock for sale, specifically for widespread distribution to wholesalers and /or retail outlets.

Duplicate of:

POLICY 9.1.3: Protect bonafide agricultural activities in Future Non-Urban Areas from the impacts of new natural resource extraction operations, recreational uses, and residential developments.

POLICY 9.1.6: Support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining agricultural uses. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming.

POLICY 29.3.2: Support ancillary commercial throughout the Rural designated areas that promote the rural and agricultural character of the community, if appropriate zoning approval is granted. For the purposes of this policy, ancillary commercial uses are defined as non-residential uses that support the local, rural-based economy.	Duplicate of: POLICY 6.1.2: Commercial development in non-urban future land use categories is limited to Minor Commercial, unless the Lee Plan specifically provides otherwise. Minor Commercial development may include limited commercial uses serving rural areas and agricultural needs, and commercial marinas. Minor Commercial development must be located so that the retail use, including buildings and outdoor sales area, is located at the intersection (within 330 feet of the adjoining rights-of-way of the intersecting roads) of arterial and collector roads or two collector roads with direct access to both intersecting roads. Direct access may be achieved with an internal access road to either intersecting road. On islands, without an intersecting network of collector and arterial roads, commercial development may be located at the intersection of local and collector, or local and arterial, or collector and collector roads.
POLICY 29.3.3: In order to maintain the rural and aesthetic value of the community, proposed new commercial development will utilize a consistent landscaping and architectural style for all buildings within proposed commercial developments, and will comply with the applicable design standards within the LDC, Chapter 33, as part of the development review process.	Requires a consistent landscape and architectural style for all commercial developments. Duplicate of: OBJECTIVE 6.1: <u>Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.</u> POLICY 6.1.5: Maintain land development regulations that require commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements. POLICY 6.1.6: Maintain land development regulations that require commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards.
POLICY 29.3.4: Opportunities for non-residential and mixed use development that are compatible with the rural and agricultural character of the community may be permitted through the planned development rezoning process within the New Community future land use category in accordance with Objective 29.9.	Policy is ambiguous and provides no standards specific to North Olga. Lee County DCD permits structures, not opportunities. Relevant regulatory requirements related to development within the North Olga New Community are proposed to be incorporated into the Land Development Code.

OBJECTIVE 29.4: TRANSPORTATION. Road improvements within the North Olga community considered by the County will promote the community’s goal to maintain its rural character and provide for safe access, and appropriate transportation resources including roadways and pedestrian, bike, and equestrian trails and pathways.	Duplicate of: OBJECTIVE 39.2: TRANSPORTATION AND LAND USE PLANNING. Develop and maintain transportation planning tools and strategies to coordinate land use development with planned transportation facilities appropriate to future urban areas, future suburban areas, or future non-urban areas, as defined. Include road designs and street modifications to accommodate significant truck traffic on freight corridors identified in the MPO Freight Mobility Study and for transit, bicycle, and pedestrian facilities where indicated on the Transportation Map Series and Map 4-E, the Lee County Greenways Master Plan. OBJECTIVE 39.7: COMMUNITY IMPACTS. New and expanded transportation facilities will be aligned and designed to protect existing development except where no feasible alternative exists.
POLICY 29.4.1: Future improvements to North River Road or other public roadways within the North Olga community should be pursued only after careful analysis of safety, need, community and environmental impact. Public roadways improvements should incorporate rural design treatments. Public participation in planning and design processes for these road improvements should provide opportunities for involvement of the North Olga community.	Duplicate of: OBJECTIVE 39.2: TRANSPORTATION AND LAND USE PLANNING. Develop and maintain transportation planning tools and strategies to coordinate land use development with planned transportation facilities appropriate to future urban areas, future suburban areas, or future non-urban areas, as defined. Include road designs and street modifications to accommodate significant truck traffic on freight corridors identified in the MPO Freight Mobility Study and for transit, bicycle, and pedestrian facilities where indicated on the Transportation Map Series and Map 4-E, the Lee County Greenways Master Plan.
POLICY 29.4.2: Work with the North Olga community to allow for the use of roadways in a manner that supports local commercial agriculture businesses and their continued viability.	Duplicate of: OBJECTIVE 39.2: TRANSPORTATION AND LAND USE PLANNING. Develop and maintain transportation planning tools and strategies to coordinate land use development with planned transportation facilities appropriate to future urban areas, future suburban areas, or future non-urban areas, as defined. Include road designs and street modifications to accommodate significant truck traffic on freight corridors identified in the MPO Freight Mobility Study and for transit, bicycle, and pedestrian facilities where indicated on the Transportation Map Series and Map 4-E, the Lee County Greenways Master Plan. OBJECTIVE 39.7: COMMUNITY IMPACTS. New and expanded transportation facilities will be aligned and designed to protect existing development except where no feasible alternative exists.

POLICY 29.4.3: Work with the North Olga community to evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road through the community.	Duplicate of: OBJECTIVE 39.6: BICYCLE/PEDESTRIAN NETWORK. When conducting all transportation planning and engineering studies, consider the convenience, safety and accessibility of bicyclists and pedestrians of all ages. POLICY 39.6.1: The County will develop a safe and interconnected bicycle/pedestrian network, giving priority to facilities depicted on the Lee County Walkways & Bikeways Plan (Map 3-D), the Lee County Greenways Master Plan (Map 4-E), and the MPO BPMP Plan. POLICY 39.6.2: Incorporate bicycle/pedestrian facilities with the public or private funding and construction of improvements.
OBJECTIVE 29.5: AGRICULTURE. Support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining the agricultural heritage of the North Olga Community Plan area. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming.	Relocated to: POLICY 9.1.6: <u>Support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining agricultural uses. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming.</u>
POLICY 29.5.1: Support the use of public and private lands for community gardens.	Relocated to: POLICY 9.1.7: <u>Support compatible urban agriculture and the use of public and private lands for community gardens.</u>
POLICY 29.5.2: Evaluate future development proposals, not including lot splits, for compatibility with adjacent, existing small- and large-scale farming operations, including buffers, setbacks, and site design standards to ensure that those activities do not unduly impact the viability of the community's agricultural businesses.	Duplicate of: GOAL 9: AGRICULTURAL LAND USES. To protect existing and potential agricultural lands from the encroachment of incompatible land uses and to discourage the introduction or expansion of agricultural uses in the future urban areas. Protection of established agricultural uses are also established in the Florida Right to Farm Act (F.S. 823.14).
OBJECTIVE 29.6: OPEN SPACE, RECREATION AND COMMUNITY FACILITIES. Facilitate public access to and the enjoyment of scenic, historic, recreational, and natural resources in the North Olga community.	Duplicate of: GOAL 76: DISTRIBUTION OF FACILITIES. To provide, maintain and preserve a diverse park, recreational, and open space system which provides equitable access and distribution to all residents of unincorporated Lee County regardless of interest, age, sex, income, race, handicap, or location of residency within unincorporated Lee County. POLICY 76.1.1: Based on community needs and interests, the County will equitably distribute community park facilities within impact fee districts in unincorporated Lee County.

POLICY 29.6.1: Incorporate key linkages within the North Olga community into the Greenways Master Plan, such as connection between the North River Road Greenway and the Franklin Locks. These linkages will serve the purpose of providing a meaningful trail network, which will include connections to public recreational areas and minimize disturbances to wildlife habitats and natural systems.	Duplicate of: POLICY 77.3.6: Coordinate trails and greenway planning and construction efforts with private landowners to identify, protect, develop, and manage linear open space connectors for recreation and conservation greenway corridors and encourage private landowners to dedicate greenway facilities for public recreational use through incentives and impact fee credits.
POLICY 29.6.2: Work with private landowners to identify opportunities to maintain and enhance public access to the Caloosahatchee River.	Duplicate of: OBJECTIVE 82.1: Support multiple forms of water access for the public and acquire additional property to be used as public water access, when economically feasible. POLICY 82.1.2: Design programs that encourage and incentivize developments to provide water access (physical, visual or interpretive) for the public. OBJECTIVE 87.2: PUBLIC/PRIVATE COORDINATION. Lee County will coordinate with other public agencies and with private organizations, corporations, and individuals to use all available and potential resources to meet recreation demands.
POLICY 29.6.3: Proposed planned developments adjacent to the Caloosahatchee River will be encouraged to provide public access to the river.	Duplicate of: POLICY 82.1.2: Design programs that encourage and incentivize developments to provide water access (physical, visual or interpretive) for the public. OBJECTIVE 87.2: PUBLIC/PRIVATE COORDINATION. Lee County will coordinate with other public agencies and with private organizations, corporations, and individuals to use all available and potential resources to meet recreation demands.
POLICY 29.6.4: Identify and expand water-based recreational opportunities, including but not limited to canoe/kayak launch areas, boardwalks, fishing platforms and waterside parks.	Duplicate of: POLICY 82.1.1: Continue to pursue grants and other initiatives as funding sources for additional water access for the public. POLICY 82.2.3: Identify areas suitable for publicly-maintained facilities that support recreational uses and activities, such as vessel launch areas, boardwalks, paths, fishing platforms, and waterside parks.
POLICY 29.6.5: Evaluate the need for community facilities within North Olga to provide public meeting space. This evaluation will include the identification of funding sources and the facility's appropriate location and scale.	County evaluates the distribution of facilities based on guidelines outlined in Goal 76. Removal of Policy 29.6.5 will not prohibit the placement of community facilities in North Olga.

POLICY 29.6.6: Support the development of nature and agriculturally-based tourism where appropriate throughout the community. Opportunities for nature and agriculturally-based tourism include but are not limited to bird watching, equestrian facilities, kayaking/canoeing, and bed and breakfast establishments.

Duplicate of:

GOAL 76: DISTRIBUTION OF FACILITIES. To provide, maintain and preserve a diverse park, recreational, and open space system which provides equitable access and distribution to all residents of unincorporated Lee County regardless of interest, age, sex, income, race, handicap, or location of residency within unincorporated Lee County.

POLICY 9.1.6: Support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining agricultural uses. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming.

POLICY 161.1.5: Encourage the preservation of sensitive natural resources, including beaches, wetlands, estuaries, historic resources, and other unique natural resources through public acquisition and/or regulatory protection to support the development of ecotourism in Lee County.

OBJECTIVE 29.7: CONSERVATION. Preserve, protect, and, where possible, enhance the physical integrity, rural character, ecological values, and natural beauty of the North Olga Community Plan area, focusing upon the Caloosahatchee River, native vegetation, wildlife resources, and areas designated for long-term conservation.

Duplicate of:

OBJECTIVE 123.1: RESOURCE MANAGEMENT PLAN. Continue to implement resource management policies and regulations that ensure the long-term protection and enhancement of the natural upland and wetland habitats by retaining the interconnectedness and functionality of the hydroecological systems in order to progress towards a more ecologically productive and sustainable environment.

OBJECTIVE 123.2: PLANT COMMUNITIES. Maintain and enhance the biodiversity of the natural plant communities within Lee County to create a more resilient and sustainable ecosystem.

OBJECTIVE 123.3: WILDLIFE. Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system.

OBJECTIVE 123.4: ENDANGERED AND THREATENED SPECIES IN GENERAL. Protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers and distributions of listed species.

POLICY 29.7.1: Balance public access to the Caloosahatchee River with protection and rehabilitation efforts, in order to preserve the river's natural features and function.

Duplicate of:

POLICY 82.2.3: Identify areas suitable for publicly-maintained facilities that support recreational uses and activities, such as vessel launch areas, boardwalks, paths, fishing platforms, and waterside parks.

POLICY 101.1.2: Protect and conserve the following environmentally sensitive coastal areas: wetlands, estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, and marine grass beds.

POLICY 123.1.2: Maintain the Conservation 20/20 lands acquisition program, which will consist of the following elements:

c. A Land Stewardship Plan (LSP) will be created for each Conservation 20/20 property, providing information relating to the long term maintenance and enhancement of acquired properties. The LSP will determine the use of the acquired properties and will address necessary people management (e.g., fences and signage to prevent incompatible uses such as off road vehicle use and hunting); surface water management and restoration; ecosystems restoration; litter control; fire management; invasive exotic plant and animal control; and, where appropriate, compatible recreational use facilities. The plan will also address maintenance funding. Creation of the LSP will provide opportunity for public input.

POLICY 29.7.2: Encourage future development to maintain on-site native vegetation communities.

Duplicate of:

POLICY 77.3.1: Any new development with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. Any new development with existing native trees without associated native groundcover or understory is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged.

POLICY 77.3.4: The County encourages new developments to incorporate large, contiguous open space areas in the development design.

POLICY 123.2.15: Protect Rare and Unique upland habitats from development impacts, to the maximum extent possible, through conservation and/or site design.

POLICY 29.7.3: Proposed planned developments will consider the incorporation of "Firewise" principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface.

Relocated to:

POLICY 5.1.11: Proposed planned developments will consider the incorporation of "Firewise" principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface.

OBJECTIVE 29.8: WATER DEPENDENT OVERLAY. Protect marine-oriented land uses within the North Olga Community Plan area from incompatible or pre-emptive land uses. The Water Dependent Overlay within the community applies to the Owl Creek Boat Works as depicted on Lee Plan Map 1-H.	Owl Creek Boatworks will remain on the Water Dependent Overlay. Duplicate of: GOAL 128: SHORELINE MANAGEMENT. To encourage the maintenance and development of water-dependent shoreline uses and to avoid their displacement by non-water-dependent uses. OBJECTIVE 128.2: INDUSTRIAL WATER-DEPENDENT USES. The County will continue to monitor and implement its program to enhance and protect industrial water-dependent uses.
POLICY 29.8.1: Prior to the redevelopment of the Owl Creek Boat Works facility, the owner will be required to conduct a cultural resource assessment of the property to determine the existence of historical structures, archaeological resources and other cultural resources.	Duplicative of requirements for all properties located within Archaeological Sensitivity Zones. Duplicate of: GOAL 141: IDENTIFICATION AND EVALUATION. To provide for the identification and evaluation of the historic resources of Lee County.
OBJECTIVE 29.9: NEW COMMUNITY. Land designated as New Community on the Future Land Use Map within the North Olga Community Plan area will be developed as a unified planned development in order to achieve conservation and enhancement of important environmental resources; initiate area wide surface water management; prevent sprawling land use patterns; create critical hydrological and wildlife corridors and connections; and protect rural character of the surrounding community.	Relocated to: POLICY 1.1.15: The <u>New Community</u> future land use category are areas of land that can be planned and developed as a cohesive unit to better achieve the conservation of important environmental resources and initiate area-wide surface water management. New Community land must be located such that the area is capable of being developed with a balance of residential and non-residential uses and that major impacts of the development are internalized and/or alleviated by existing infrastructure or will be funded privately. New Community areas will be developed as freestanding economic units and will not impose negative fiscal impacts on the County (other than those associated with the delay in placing property improvements on the tax rolls). The residential density is one unit per 1.9 gross acres (1 du/1.9 acres) except within the Gateway/Airport Planning District, where a residential density of up to six dwelling units per gross acre (6 du/acre) may be permitted. Development within the New Community future land use category must have at least the following characteristics: 1. The land will be developed <u>using the Planned Development process</u>; 2. The land can be served with all necessary facilities and services at no expense to the County. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;

POLICY 29.9.1: Residential densities for land within the New Community future land use category may be permitted up to a maximum of 1 du/1.9 acres. In no case shall the unit count in the New Community future land use category in North Olga exceed 2,078 dwelling units.

POLICY 29.9.2: Non-residential intensities for lands within the New Community future land use category will be limited to a maximum permitted Floor Area Ratio (FAR) of 0.15. The FAR will be based upon the gross acreage dedicated to non-residential uses within the overall planned development boundary, including all uplands, wetlands, open space, rights-of-way, recreation areas, and/or lake. In no case shall the total commercial square footage in the New Community future land use category in North Olga exceed 1,170,000 square feet, in addition to 250 hotel rooms.

3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;

4. The land must be developed in such a manner as to protect environmentally sensitive areas;

5. The land must be developed as a free-standing community offering a complete range of land uses (e.g. a full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law enforcement offices, public recreational areas, health care facilities, and community commercial areas). The mix of land uses will be evaluated through buildout of the New Community to ensure developments include both residential and non-residential uses;

6. Off-site impacts must be mitigated;

7. On-site levels of service must meet the County-wide standards contained in this plan;

8. The land area must exceed a minimum of 2,000 acres to ensure an appropriate balance of land uses; and

9. Non-residential intensities for lands within the New Community future land use category will be limited to a maximum permitted Floor Area Ratio (FAR) of 0.15. The FAR will be based upon the gross acreage dedicated to non-residential uses within the overall planned development boundary, including all uplands, wetlands, open space, rights-of-way, recreation areas, and/or lake. In no case shall the total commercial square footage in the New Community future land use category identified on Map 1-D exceed 1,170,000 square feet, in addition to 250 hotel rooms.

POLICY 29.9.3: Prior to development, a planned development rezoning must be approved, and include conditions and requirements that demonstrate the following:

a. Environmental Enhancements.

1. A minimum of 60% open space, inclusive of onsite preserve, to accommodate the following:

- i. Water quality enhancement areas, including but not limited to natural systems-based stormwater management facilities, filter marshes, and wetland buffers to reduce the rate of run-off and associated nutrient loads;
- ii. Existing regional flow-ways;
- iii. Preservation of 90% of the onsite wetlands;
- iv. Critical wildlife connection(s) to adjacent conservation areas through on-site preserve areas;
- v. Roadway setbacks and perimeter buffers; and
- vi. Passive recreational and civic areas that comply with the definition of open space, as set forth in the LDC.

2. Open space areas must be platted in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. A Community Development District (CDD), Independent Special District (ISD), or a master property owners association must be created to accept responsibility for perpetually maintaining the open space areas identified in the planned development.

3. Record a conservation easement for a minimum of 50% of the planned development benefiting a public agency acceptable to Lee County, or Lee County itself, and dedicated to an appropriate maintenance entity. Land subject to conservation easement(s) can be used for on-site mitigation and will be recorded as development orders are issued. The timing of conservation easement(s) and restoration may be phased so long as the area dedicated to conservation easement is equal to or greater than the area of land approved for development on a cumulative basis.

Relocated to:

LDC Sec. 34-1145. Applicability and scope.

(a) The provisions of this subdivision apply to all property within the New Community future land use category within the Northeast Lee County Planning District.

(b) Variances or deviations may not be granted from the open space, wetland preservation, conservation easement, or additional water quality treatment requirements of Sections 34-1147, 34-1148(a) through (c), and 34-1150(a)(1).

LDC Sec. 34-1146. Planned development

required. Property within the Northeast Lee County New Community may only be developed as a unified planned development.

LDC Sec. 34-1147. Open space and conservation.

(a) Open space. A minimum of 60 percent of the planned development, inclusive of on-site preservation areas, must be provided as open space, as defined in this Code.

(b) Wetland preservation. A minimum of 90 percent of the wetlands within the planned development must be preserved.

(c) Conservation easements.

(1) Establishment and maintenance. Conservation easements benefitting a public agency acceptable to Lee County, or to Lee County itself, and dedicated to an appropriate maintenance entity must be recorded over a minimum of 50 percent of the planned development.

(2) Use for on-site mitigation. Conservation easements required by this section may be used for on-site mitigation required by this Code.

(3) Phasing permitted. Conservation easements may be recorded in phases concurrent with development order approvals. Phased conservation easements must meet the minimum requirements of subsections (c)(1) and (c)(4).

(4) Phasing requirements. The cumulative area subject to recorded conservation easements concurrent with development order approvals must be equal to or greater than the cumulative area approved for development.

(d) Ownership and maintenance. Required open space must be located in separate tracts outside of privately owned lots and dedicated to a community development district, independent special district, master property owners' association, or other entity approved by the Lee County for perpetual maintenance.

LDC Sec. 34-1148. Environmental

protection. Development within the Northeast Lee County New Community must:

(a) Establish or maintain wildlife connections between on-site preserve areas and adjacent conservation areas;

(b) Provide wildlife crossings necessary to maintain connections between habitat areas;

(c) Concentrate development primarily within areas previously impacted by agricultural uses or other development activities.

(d) Incorporate Florida Friendly Landscaping with the low irrigation requirements in common open space areas.

(e) Include a binding commitment to implement an environmental education program for homeowners, businesses and visitors to describe the local ecology, including but not limited to wildlife, plant communities, and native habitats, in addition to the design standards, restoration projects, and management programs/plans, incorporated into the development to address environmental protection.

LDC Sec. 34-1149. Surface water management and water quality.

(a) System requirements. The surface water management system must:

(1) Provide at least 50 percent more water quality treatment than required by the South Florida Water Management District for on-site stormwater management basins;

(2) Protect or restore existing regional flowways;

(3) Protect groundwater levels and wetland hydroperiods within preserve areas, as required by applicable permits; and

(4) Include site-specific measures to reduce discharge rates.

(b) Required plans. The applicant must submit the following for County review and approval as part of the planned development or development order process, as applicable:

(1) A water quality monitoring plan that demonstrates that water leaving the development meets current state and federal water quality standards. Monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the SFWMD. Monitoring may be eliminated after 5 years if the water quality standards are met.

(2) A lake management plan addressing fertilizer and pesticide use, erosion control, bank stabilization, lake maintenance, and management of lakes exceeding 12 feet below lake surface (BLS).

(3) A site-specific ecological and hydrological plan addressing excavation, grading, exotic vegetation removal, supplemental planting, and success criteria. (4) Site-specific mitigation and enhancements to reduce discharge rates and demonstrate that the proposed planned development will not result in significant detrimental impacts on present or future water resources.

(c) Irrigation. Available reclaimed water and surface water generated by the development must be used to meet irrigation demands to the extent practicable.

LDC Sec. 34-1150. Public facilities and centralized services. Development must connect to centralized potable water and sanitary sewer service, except for temporary facilities used during construction and unmanned essential services until centralized service is extended.

LDC Sec. 34-1151. Roadway buffers, access, and pathways.

(a) External roadway buffers. Development adjacent to an external roadway must provide a roadway setback or perimeter buffer at least 50 percent wider than the minimum width otherwise required by this Code.

(b) Multipurpose pathways. Where the planned development abuts State Road 31 or County Road 78, sufficient right-of-way or easement area must be provided to accommodate an eight-foot-wide multipurpose pathway.