

**LEE COUNTY ORDINANCE NO. 10-19**  
**(PLANNING FOR THE DENSITY REDUCTION/  
GROUNDWATER RESOURCE AREA (DR/GR))**

Ordinance 1 of 3  
(CPA2008-06)

**AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT A PORTION OF THE AMENDMENT PROPOSED UNDER CPA2008-06 (PERTAINING TO TRANSFER OF DEVELOPMENT RIGHTS) APPROVED DURING THE COUNTY'S 2008/2009 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR PURPOSE, INTENT AND SHORT TITLE; AMENDMENTS TO ADOPTED TEXT, MAPS AND TABLES; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

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

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

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on June 3, 2009, June 22, 2009, and July 27, 2009.

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on September 24, 2009 and October 28, 2009. At that hearing, the Board approved a motion to send, and did later send, proposed amendment CPA2008-06 pertaining to Planning for the DR/GR, to the Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the October 29, 2009 meeting, the Board announced its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC report on January 15, 2010; and,

WHEREAS, on March 3, 2010, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

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

**SECTION ONE: PURPOSE, INTENT AND SHORT TITLE**

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." This amending ordinance may be referred to as the "2008/2009 Regular Comprehensive Plan Amendment Cycle CPA2008-06 Planning for the DR/GR Ordinance."

**SECTION TWO: ADOPTION OF LEE COUNTY'S 2008/2009 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE**

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, as revised by the Board on March 3, 2010, known as CPA2008-06. CPA2008-06 amends the Future Land Use Map Series and various Goals, Objectives and Policies.

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

The Lee County Comprehensive Plan is hereby amended as follows with strike through identifying deleted text and underlining identifying added text.

**II. FUTURE LAND USE**

*[Editorial note: due to amendments adopted in May 2009, proposed policy 1.7.13 has been renumbered]*

**POLICY 1.7.14:** The Southeast DR/GR overlay (Map 17) is described in Policies 33.3.1 through 33.3.3. This overlay affects only Southeast Lee County and identifies three types of land:

1. "Existing Acreage Subdivisions": existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction.
2. "Rural Golf Course Communities" potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the

Density Reduction/Groundwater Resource area.

3. “Mixed-Use Communities” locations where this concentration of development rights from large contiguous tracts with the Density Reduction/Groundwater Resource area that can be supplemented by transfer of development rights from non-contiguous tracts in the Density Reduction/Groundwater Resource area. See Objective 33.3 and following policies.

**POLICY 1.7.15:** The Historic Surface and Groundwater Levels Overlay (Map 25) depicts the best available analysis of historic wet-season water depths and hydroperiods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography as 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 Policy 1.4.5, additional evidence as to historic water levels and hydroperiods may be submitted during the rezoning or development review processes to be utilized as a basis for site-specific hydrological analysis for project design.

**POLICY 6.1.2:** All commercial development must be consistent with the location criteria in this policy, except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policies 1.8.1 through 1.8.3.

1. Minor Commercial *[no changes]*
2. Neighborhood Commercial *[no changes]*
3. Community Commercial *[no changes]*
4. Regional Commercial *[no changes]*
5. Commercial development “at the intersection”... *[no changes]*
6. Any contiguous property... *[no changes]*
7. The location standards specified in... *[no changes]*
8. The standards specified in... *[no changes]*
9. The location standards in this policy are not applicable in the following areas:
  - a. In the Interchange land use category, or in
  - b. In Lehigh Acres where commercial uses are permitted in accordance with Policies 1.8.1 through 1.8.3, or within
  - c. Within the Captiva community in the areas identified by Policy 13.2.1:
  - d. In the Density Reduction/Groundwater Resource land use category where some commercial development is permitted under Objective 33.3.
10. The Board of County Commissioners... *[no changes]*
11. Uses that must comply... *[no changes]*
12. Map 19 illustrates... *[no changes]*

13. Freestanding single use... *[no changes]*

**POLICY 9.1.2:** Encourage the utilization of energy, water, and soil conservation management practices in agricultural activities.

**POLICY 9.1.6:** Lee County will work with an private agricultural advisory committee, agricultural operators, and landowners to establish 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. The county, with the assistance of the committee, will investigate the feasibility of a Purchase-Transfer of Development Rights (PDR) program (TDR) bank for agricultural property by 1995-2012 (see Policy 33.3.6).

**POLICY 9.1.7:** Existing agricultural lands within the DR/GR land use category provide important surface and subsurface connections for water and wildlife resources. The county supports the integration of agriculture within a comprehensive and coordinated effort of county and regional agencies to manage the water resources in a manner that includes the protection and restoration of natural systems within Southeast Lee County.

**OBJECTIVE 33.2: WATER, HABITAT, AND OTHER NATURAL RESOURCES.**

Designate on a Future Land Use Map overlay the land in Southeast Lee County that is most critical toward restoring historic surface and groundwater levels and for improving the protection of other natural resources such as wetlands and wildlife habitat.

**POLICY 33.2.1:** Large-scale ecosystem integrity in Southeast Lee County should be maintained and restored. Protection and/or restoration of land is of even higher value when it connects existing corridors and conservation areas. Restoration is also highly desirable when it can be achieved in conjunction with other uses on privately owned land including agriculture. Lee County Natural Resources, Conservation 20/20, and Environmental Sciences staff will work with landowners who are interested in voluntarily restoring native habitats and landowners who are required to conduct restoration based upon land use changes. The parameters for the required restoration will be established in the Land Development Code by 2012.

**POLICY 33.2.2:** The DR/GR Priority Restoration overlay depicts land where protection and/or restoration would be most critical to restore historic surface and groundwater levels and to connect existing corridors or conservation areas (see Policy 1.7.7 and Map 1, Page 4). This overlay identifies seven tiers of land potentially eligible for protection and restoration, with Tier 1 and Tier 2 being the highest priority for protection from irreversible land-use changes. Lee County will evaluate this overlay map every 7 years to

determine if changes in public ownership, land use, new scientific data, and/or demands on natural resources justify updating this map. This overlay does not restrict the use of the land in and of itself. It will be utilized as the basis for incentives and for informational purposes since this map will represent a composite of potential restoration and acquisition activities in the county.

**POLICY 33.2.3:** It is in southwest Florida's interest for public and nonprofit agencies to actively pursue acquisition of partial or full interest in land within the Tier 1 areas in this overlay through direct purchase; partnerships with other government agencies; long-term purchase agreements; right of first refusal contracts; land swaps; and other appropriate means. These lands would provide critical connections to other conservation lands that serve as the backbone for water resource management and wildlife movement within the DR/GR. Tier 2 lands are of equal ecological and water resource importance as Tier 1 but have better potential to remain in productive agricultural use as described in Policies 33.2.5 and 33.2.6. Tier 3 lands and the southern two miles of Tiers 5, 6, and 7 can provide an important wildlife connection to conservation lands in Collier County and an anticipated regional habitat link to the Okaloacoochee Slough State Forest.

1. The county will consider incentives for private landowners to maintain and improve water resources and natural ecosystems on properties within Tier 2 through Tier 7, including but not limited to acquiring agricultural or conservation easements; compensation for water storage that is in the public interest; and providing matching funds to secure federal and state funds/grants for improving agricultural best management practices or protection/restoration of wetlands on existing agricultural operations.
2. Tiers 1, 2, 3, and the southern two miles of Tiers 5, 6, and 7 will qualify for incentives when development rights are transferred to less sensitive sites in accordance with Policies 33.3.3 and 33.3.4.
3. Permanent protection of land within all tiers may also occur through:
  - a. Using resource extraction mitigation fees to acquire land;
  - b. Establishing a Regional Offsite Mitigation Area (ROMA); or
  - c. Concentrating development as depicted in the Rural Residential overlay (Map 17) as detailed in Policies 33.3.2 and 33.3.3.

**POLICY 33.2.4:** Restoration of critical lands in Southeast Lee County is a long-term program that will progress in phases based on available funding, land ownership, and natural resource priority. On individual sites, restoration

can be carried out in stages:

1. Initial restoration efforts would include techniques such as filling agricultural ditches and/or establishing control structures to restore the historic water levels as much as possible without adversely impacting nearby properties.
2. Future restoration efforts would include the eradication of invasive exotic vegetation and the reestablishment of appropriate native ecosystems based upon the restored hydrology.

**POLICY 33.2.5:** Lee County recognizes the importance of maintaining agricultural lands within Southeast Lee County for local food production, water conservation and storage, land conservation, wildlife habitat, and wetland restoration. The continued use of ever evolving agricultural best management practices will protect native soils and potentially improve the quantity and quality of water resources, allowing sustainable agriculture to be integrated into restoration planning for Southeast Lee County.

**POLICY 33.2.6:** On existing farmland, the county will offer incentives to encourage the continuation of agricultural operations. Incentives will include the ability to concentrate all existing development rights while farming continues on the remainder of the tract; and, the ability to sever and sell all development rights while farming continues on the entire tract. Other incentives may be provided to agricultural operations that implement and maintain best management practices. Continued agricultural use may be a desirable long-term use even within land designated on the priority restoration overlay as potentially eligible for protection (see Policy 9.1.7).

**POLICY 33.2.7:** Impacts of proposed land disturbances on surface and groundwater resources will be analyzed using integrated surface and groundwater models that utilize site-specific data to assess potential adverse impacts on water resources and natural systems within Southeast Lee County. Lee County Division of Natural Resources will determine if the appropriate model or models are being utilized, and assess the design and outputs of the modeling to ensure protection of Lee County's natural resources.

**OBJECTIVE 33.3: RESIDENTIAL AND MIXED-USE DEVELOPMENT.** Designate on a Future Land Use Map overlay existing rural residential areas that should be protected from adverse impacts of mining and specific locations for concentrating existing development rights on large tracts.

**POLICY 33.3.1:** Existing acreage subdivisions are shown on Map 17. These subdivisions should be protected from adverse external impacts such as

natural resource extraction.

**POLICY 33.3.2:** Unsubdivided land is too valuable to be consumed by inefficient land-use patterns. Although additional acreage or ranchette subdivisions may be needed in the future, the preferred pattern for using existing residential development rights from large tracts is to concentrate them as compact internally connected Mixed-Use Communities along existing roads and away from Future Limerock Mining areas. Map 17 identifies future locations for Mixed-Use Communities where development rights can be concentrated from major DR/GR tracts into traditional neighborhood developments (see glossary).

1. Mixed-Use Communities must be concentrated from contiguous property owned under single ownership or control; and, are limited to the existing allowable residential density based upon the upland and wetland acreage. The only net increases in development potential will be through the creation of TDRs as provide in Policies 33.3.3 and 33.3.4.
  - a. When expanded with transferred development rights, the maximum gross density is 5 dwelling units per acre of total land designated as a Mixed-Use Community as shown on Map 17.
  - b. The maximum intensity of non-residential development is 75 square feet, per by right clustered dwelling unit.
  - c. The maximum intensity of non-residential development is up to 800 square feet per TDR credit.
2. Contiguous property under the same ownership may be developed as part of a Mixed-Use Community provided the property under contiguous ownership does not extend more than 400 feet beyond the perimeter of the Mixed-Use Community as designated on Map 17.
3. In 2010 an exception was made to the requirement in Policy 1.4.5 that DR/GR land uses must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels. Under this exception, construction may occur on land designated as a Mixed-Use Community on Map 17 provided the impacts to natural resources, including water levels and wetlands, are offset through appropriate mitigation within Southeast Lee County. Appropriate mitigation for water levels will be based upon site-specific data and modeling acceptable to the Division of Natural Resources. Appropriate wetland mitigation may be provided by preservation of high quality indigenous

habitat, restoration or reconnection of historic flowways, connectivity to public conservation lands, restoration of historic ecosystems or other mitigation measures as deemed sufficient by the Division of Environmental Sciences. When possible, it is recommended that wetland mitigation be located within Southeast Lee County. The Land Development Code will be revised to include provisions to implement this policy.

**POLICY 33.3.3:** Owners of major DR/GR tracts without the ability to construct a Mixed-Use Community on their own land are encouraged to transfer their residential development rights to appropriate Future Urban Areas, such as the Mixed-Use Overlay and the Lehigh Acres Specialized Mixed-Use Nodes, and to future Mixed-Use Communities on land so designated on Map 17. These transfers would avoid unnecessary travel for future residents, increase housing diversity and commercial opportunities for nearby Lehigh Acres, protect existing agricultural or natural lands, and allow the conservation of larger contiguous tracts of land.

1. To this end Lee County will establish a program that will allow and encourage the transfer of upland and wetland development rights (TDR) to appropriate Future Urban Areas or from one landowner to another who wishes to develop a Mixed-Use Community, wishes to exercise these development rights outside the DR/GR area, or develop in accordance with Policy 16.2.6 and 16.2.7.
2. Within the Mixed-Use Communities shown on Map 17, significant commercial and civic uses are encouraged. Specific requirements for incorporating these uses into Mixed-Use Communities will be found in the Land Development Code.
3. Mixed-Use Communities must be served by central water and wastewater services.
4. Lee County will seek to include the Mixed-Use Communities in a multimodal transportation district to mitigate the effects of SR 82's status as an emerging component of Florida's Strategic Intermodal System.

**POLICY 33.3.4:** The new TDR program will have the following characteristics:

1. This program will be in addition to the existing wetland TDR program described in Article IV of Chapter 2 of the Land Development Code.
2. The maximum number of DR/GR TDR credits that may be established



may not exceed 9,000 credits.

3. The preferred receiving locations for the transfer of TDRs are within appropriate Future Urban Areas such as the Mixed Use Overlay and the Lehigh Acres Specialized Mixed Use Nodes. The only acceptable sites in the DR/GR area for accepting transferred development rights are Mixed-Use Communities or Rural Golf Course Communities as shown on Map 17.
4. The transfer rate may include a multiplier that reflects the natural or restoration value of the tract from which development rights are transferred.
5. Transfer rates may include a multiplier when units are transferred to Future Urban Areas that are proximate to public infrastructure and urban amenities.
6. When severing development rights from a tract of land in anticipation of transfer to another tract, a landowner must execute a perpetual conservation easement on the tract that acknowledges the severance of development rights and explicitly states one of the following options:
  - a. Continued agricultural uses will be permitted;
  - b. Conservation uses only;
  - c. Conservation use and restoration of the property; or
  - d. some combination of the above options.

**POLICY 33.3.5:** The Land Development Code will be amended within one year to specify procedures for concentrating existing development rights on large tracts, for transferring development rights between landowners, for seeking approval of additional acreage subdivisions, and for incorporating commercial and civic uses into Mixed-Use Communities as designated on Map 17.

**POLICY 33.3.6:** By 2012 Lee County will evaluate the establishment and funding of a DR/GR TDR bank that will offer to purchase development rights for resale in the TDR system. The purpose of this program is to give potential sellers the opportunity to sell rights even if no developer is ready to use them and to give potential development applicants the opportunity to obtain the necessary rights without seeking them on the open market.

## IV. COMMUNITY FACILITIES AND SERVICES

POLICY 63.1.3: The staff hydrogeologist will review and comment on all development applications proposed in the DR/GR area.

## XII. GLOSSARY

CONSERVATION EASEMENT- A right or interest in real property that is appropriate to retaining the land or water areas predominately in the natural scenic, open, agricultural, or wooded condition. See F.S. 704.06.

DENSITY - The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included, except within areas identified on the Mixed Use Overlay Map (Future Land Use Map Series Map 1 page 6 of 6) that have elected to use the process described in Objective 4.2 and except within areas identified as Rural or Mixed-Use Communities as identified on Map 17 where development rights are concentrated or transferred using the process described under Objective 33.3. Within the Captiva community in the areas identified by Policy 13.2.1, commercial development that includes commercial and residential uses within the same project or the same building do not have to exclude the commercial lands from the density calculation. For true mixed use developments located on the mainland areas of the County, the density lost to commercial, office and industrial acreage can be regained through the utilization of TDRs that are either created from Greater Pine Island Coastal Rural future land use category or previously created TDRs. True mixed use developments must be primarily multi-use structures as defined in this Glossary as a mixed use building. If development is proposed in accordance with Policy 2.12.3, residential densities are calculated using the total land area included in the mixed use portion of the development.

### SECTION THREE: MAP AMENDMENTS

The Lee County Comprehensive Plan Future Land Use Map Series is amended as indicated below. Exhibits depicting the areas amended are attached.

- (a) MAP 1:
  - (1) Proposed Future Land Use Map 1 is amended to adjust the boundaries of the "Wetland" and "Conservation Lands" in the Southeast Lee County

Density Reduction/Groundwater Resource area and establish additional Tradeport acreage as indicated on attached Exhibit A.

(2) Lee Plan Map, Page 2 is amended to reflect the boundary of the Southeast Lee County planning area and applicable Goal as indicated on attached Exhibit B.

(3) Lee Plan Map 1, Page 4 is amended to establish Priority Restoration Areas and Tiers in Planning Community #18 as indicated on attached Exhibit C.

(b) MAP 17:

Lee Plan Map 17, Rural Residential Overlay, is created to designate areas, as depicted on attached Exhibit D, in Southeast Planning Community #18 suitable for protection and approval of development meeting the Rural Residential requirements contemplated by this ordinance.

(c) MAP 20:

Lee Plan Map 20, titled Contiguous Agricultural Parcels Over 100 Acres in Non-Urban Future Land Use Categories, is amended to correctly reflect the extent of contiguous agricultural parcels in Planning Community #18, as depicted on attached Exhibit E.

(d) MAP 25:

Lee Plan Map 25 to be known as Historical Surface and Groundwater Levels, is created for Planning Community #18 as depicted in attached Exhibit F.

#### SECTION FOUR: LEE PLAN TABLE AMENDMENTS

(a) Lee Plan Table (1)(a) is hereby amended to create Note 11 pertaining to transfer of Development Rights as set forth in attached Exhibit G.

(b) Lee Plan Table 1(b) is hereby amended to reflect the addition a of Tradeport land Use category acreage within the Southeast Lee County Planning Community as set forth in attached Exhibit H.

#### SECTION FIVE: LEGAL EFFECT OF THE "LEE PLAN"

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

## SECTION SIX: GEOGRAPHIC APPLICABILITY

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

## SECTION SEVEN: SEVERABILITY

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

## SECTION EIGHT: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

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

## SECTION NINE: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administrative Commission finding the amendment in compliance with Section 163.3184(9), Florida Statutes, or until the Administrative Commission issues a final order determining the adopted amendment to be in compliance in accordance with 163.3184(10), Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status. A copy of such resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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

|                 |             |
|-----------------|-------------|
| Robert P. Janes | <u>AYE*</u> |
| Brian Bigelow   | <u>AYE</u>  |
| Ray Judah       | <u>AYE</u>  |
| Tammara Hall    | <u>AYE</u>  |
| Frank Mann      | <u>AYE</u>  |

\*By telephone.

DONE AND ADOPTED this 3rd day of March, 2010

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY  
BOARD OF COUNTY COMMISSIONERS

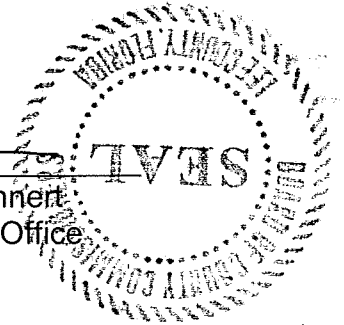
BY: Lisa St. Pierre  
Deputy Clerk

BY: Ray Judah  
Tammara Hall, Chairwoman

DATE: 3/3/10

Approved as to form by:

Dawn E. Perry-Lehnert  
Dawn E. Perry-Lehnert  
County Attorney's Office



EXHIBITS:

- Exhibit A: Map 1 - Proposed Future Land Use Map
- Exhibit B: Map1 Page 2 - Proposed Community Planning Areas
- Exhibit C: Map 1 Page 4 of 8 - Proposed Additions Public Acquisition Overlay
- Exhibit D: Map 17 - Proposed Southeast DR/GR Residential Overlay
- Exhibit E: Map 20 - Proposed "Agricultural" Overlay
- Exhibit F: Map 25 - Proposed Historic Surface and Groundwater Levels
- Exhibit G: Table 1(a)
- Exhibit H: Table 1(b)

# FUTURE LAND USE MAP

1 This map generally represents the future land use maps of the five municipalities within the context of the Lee Plan. The specific plans and policies are subject to the jurisdiction of the respective municipalities.

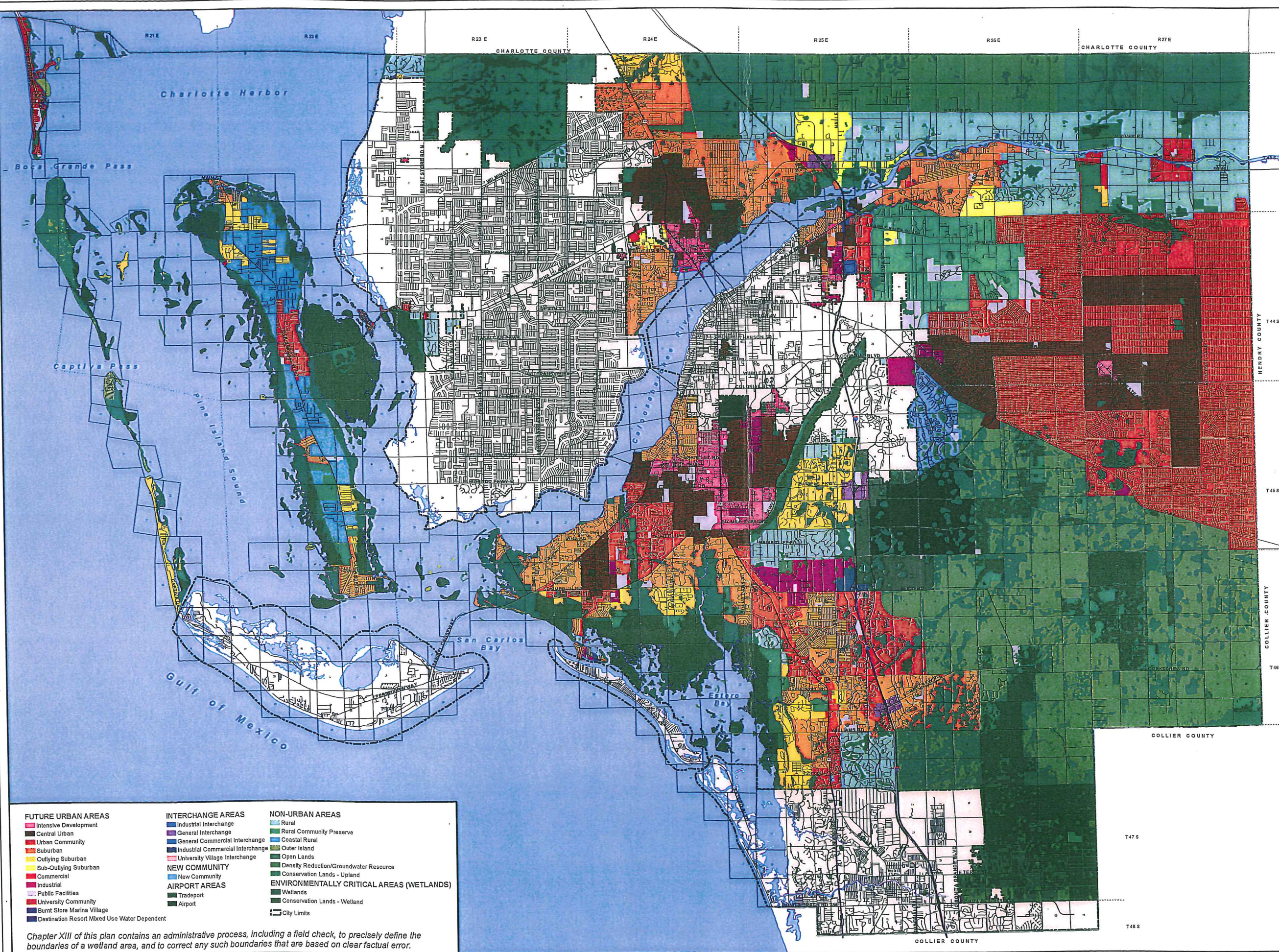
2 This map is a general representation of the Future Land Use Map as adopted by the Board of County Commissioners on September 17, 1990.

Revised By:

| ADOPTING ORDINANCE            | DATE OF ADOPTION | EFFECTIVE DATE |
|-------------------------------|------------------|----------------|
| 89-02                         | 1/3/1989         | 3/1/1989       |
| 90-09                         | 3/7/1990         | 3/1/1990       |
| 90-43                         | 9/6/1990         | 9/17/1990      |
| 90-44                         | 9/12/1990        | 9/17/1990      |
| 91-10                         | 4/3/1991         | 4/10/1991      |
| 91-19                         | 7/9/1991         | 7/18/1991      |
| 92-35                         | 8/7/1992         | 8/18/1992      |
| 92-41                         | 9/15/1992        | 9/21/1992      |
| 92-47                         | 10/27/1992       | 11/9/1992      |
| 92-48                         | 10/27/1992       | 11/9/1992      |
| 92-51                         | 12/9/1992        | 12/21/1992     |
| 93-05                         | 2/22/1993        | 2/26/1993      |
| 93-25                         | 9/20/1993        | 1/24/1994      |
| 94-23                         | 8/29/1994        | 11/14/1994     |
| 94-29                         | 10/26/1994       | 1/9/1995       |
| 94-30                         | 11/1/1994        | 7/25/1995      |
| 95-27                         | 12/20/1995       | 1/20/1996      |
| 96-19                         | 10/2/1996        | 11/2/1996      |
| 97-05                         | 3/5/1997         | 4/2/1997       |
| 97-17                         | 8/26/1997        | 9/30/1997      |
| 97-13                         | 6/24/1997        | 7/25/1997      |
| 97-22                         | 11/25/1997       | 12/29/1997     |
| 98-02                         | 1/13/1998        | 2/13/1998      |
| 98-09                         | 6/3/1998         | 7/30/1998      |
| 99-02                         | 4/13/1999        | 2/4/2000       |
| 99-26                         | 11/24/1998       | 12/25/1998     |
| 99-15                         | 11/22/1999       | 1/19/2000      |
| 99-16                         | 11/22/1999       | 1/19/2000      |
| 99-17                         | 11/22/1999       | 1/19/2000      |
| 99-18                         | 11/22/1999       | 1/19/2000      |
| 99-19                         | 11/22/1999       | 12/23/1999     |
| 00-08                         | 5/4/2000         | 6/25/2000      |
| 00-16                         | 8/8/2000         | 9/8/2000       |
| 00-22                         | 11/12/2000       | 12/9/2000      |
| 01-24                         | 12/13/2001       | 1/13/2002      |
| 02-02, 03, 04, 05, 06         | 1/10/2002        | 3/27/2002      |
| 02-29                         | 10/21/2002       | 1/9/2003       |
| 03-01, 02, 03, 04, 05, 06, 07 | 1/9/2003         | 4/1/2003       |
| 03-12                         | 5/5/2003         | 6/5/2003       |
| 03-19, 03-20, 03-21           | 10/29/2003       | 1/21/2004      |
| 03-28                         | 12/15/2003       | 3/12/2004      |
| 04-14                         | 9/20/2004        | 12/7/2004      |
| 04-15                         | 9/22/2004        | 10/22/2004     |
| 05-19, 05-21                  | 10/12/2005       | 01/09/2006     |
| 05-20                         | 10/12/2005       | 11/15/2006     |
| 07-07                         | 4/24/2007        | 5/24/2007      |
| 07-08                         | 4/24/2007        | 5/24/2007      |
| 07-09 thru 07-18              | 5/16/2007        | 8/13/2007      |
| 08-04                         | 3/11/2008        | 4/11/2008      |
| 08-05                         | 3/11/2008        | 4/11/2008      |
| 09-05 thru 09-17              | 2/25/2009        | 5/15/2009      |

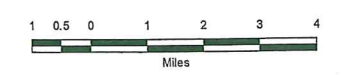
3 Please see the Lee Plan for additional information regarding special restrictions, overlays, or allowances in addition to the requirements of the land use categories.

4 The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County.



|                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>FUTURE URBAN AREAS</b></p> <ul style="list-style-type: none"> <li>Intensive Development</li> <li>Central Urban</li> <li>Urban Community</li> <li>Suburban</li> <li>Outlying Suburban</li> <li>Sub-Outlying Suburban</li> <li>Commercial</li> <li>Industrial</li> <li>Public Facilities</li> <li>University Community</li> <li>Burnt Store Marina Village</li> <li>Destination Resort Mixed Use Water Dependent</li> </ul> | <p><b>INTERCHANGE AREAS</b></p> <ul style="list-style-type: none"> <li>Industrial Interchange</li> <li>General Interchange</li> <li>General Commercial Interchange</li> <li>Industrial Commercial Interchange</li> <li>University Village Interchange</li> </ul> <p><b>NEW COMMUNITY</b></p> <ul style="list-style-type: none"> <li>New Community</li> </ul> <p><b>AIRPORT AREAS</b></p> <ul style="list-style-type: none"> <li>Tradeport</li> <li>Airport</li> </ul> | <p><b>NON-URBAN AREAS</b></p> <ul style="list-style-type: none"> <li>Rural</li> <li>Rural Community Preserve</li> <li>Coastal Rural</li> <li>Outer Island</li> <li>Open Lands</li> <li>Density Reduction/Groundwater Resource</li> <li>Conservation Lands - Upland</li> </ul> <p><b>ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)</b></p> <ul style="list-style-type: none"> <li>Wetlands</li> <li>Conservation Lands - Wetland</li> <li>City Limits</li> </ul> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Chapter XIII of this plan contains an administrative process, including a field check, to precisely define the boundaries of a wetland area, and to correct any such boundaries that are based on clear factual error.



Map Generated March 2010

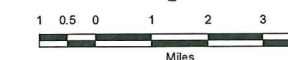
Lee Plan Map 1  
Page 1 of 8

**AS AMENDED**  
By Board of County Commissioners  
March 3, 2010

# SPECIAL TREATMENT AREAS

## Legend

-  Water Dependent Overlay
-  Community Planning Areas
-  County Line
-  City Limits
-  Section Lines
-  Major Roads
-  Minor Roads

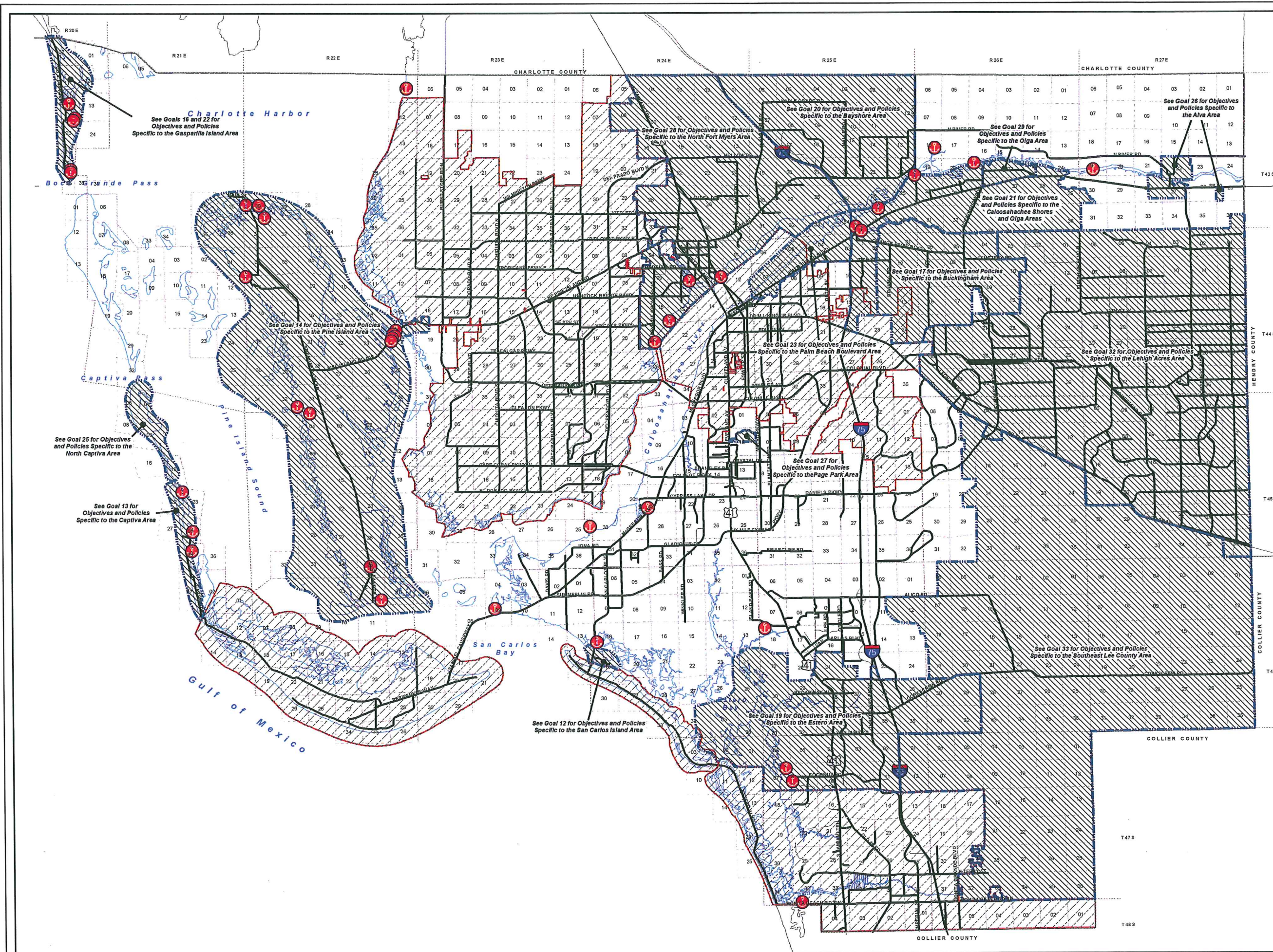


Map Generated: November 2009  
City Limits current to date of map generation

Last Amended: May  
Amended by Ordinance No.  
02-02, 03-01, 03-02, 03-04, 03-21, 07-09,  
08-05, 09-07, 09-08, 09-09, 09-10, 09-11

Lee Plan Map 1  
Page 2 of 8

**AS AMENDED**  
By Board of County Commissioners  
March 3, 2010



# SPECIAL TREATMENT AREAS

## Legend

- County Line
- ▭ Southeast Lee County
- ▭ City Limits
- ▭ Section Lines
- Major Roads
- Minor Roads

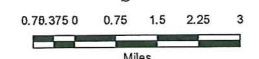
### Objective 1.7 (Overlays)

- ▭ Urban Reserve
- ▭ Privately Funded Infrastructure
- ▭ Public Acquisition\*

### Priority Restoration Strategy

See Policies 33.2.2 - 3

- ▭ Tier 1 (highest priority)
- ▭ Tier 2
- ▭ Tier 3
- ▭ Tier 4
- ▭ Tier 5
- ▭ Tier 6
- ▭ Tier 7



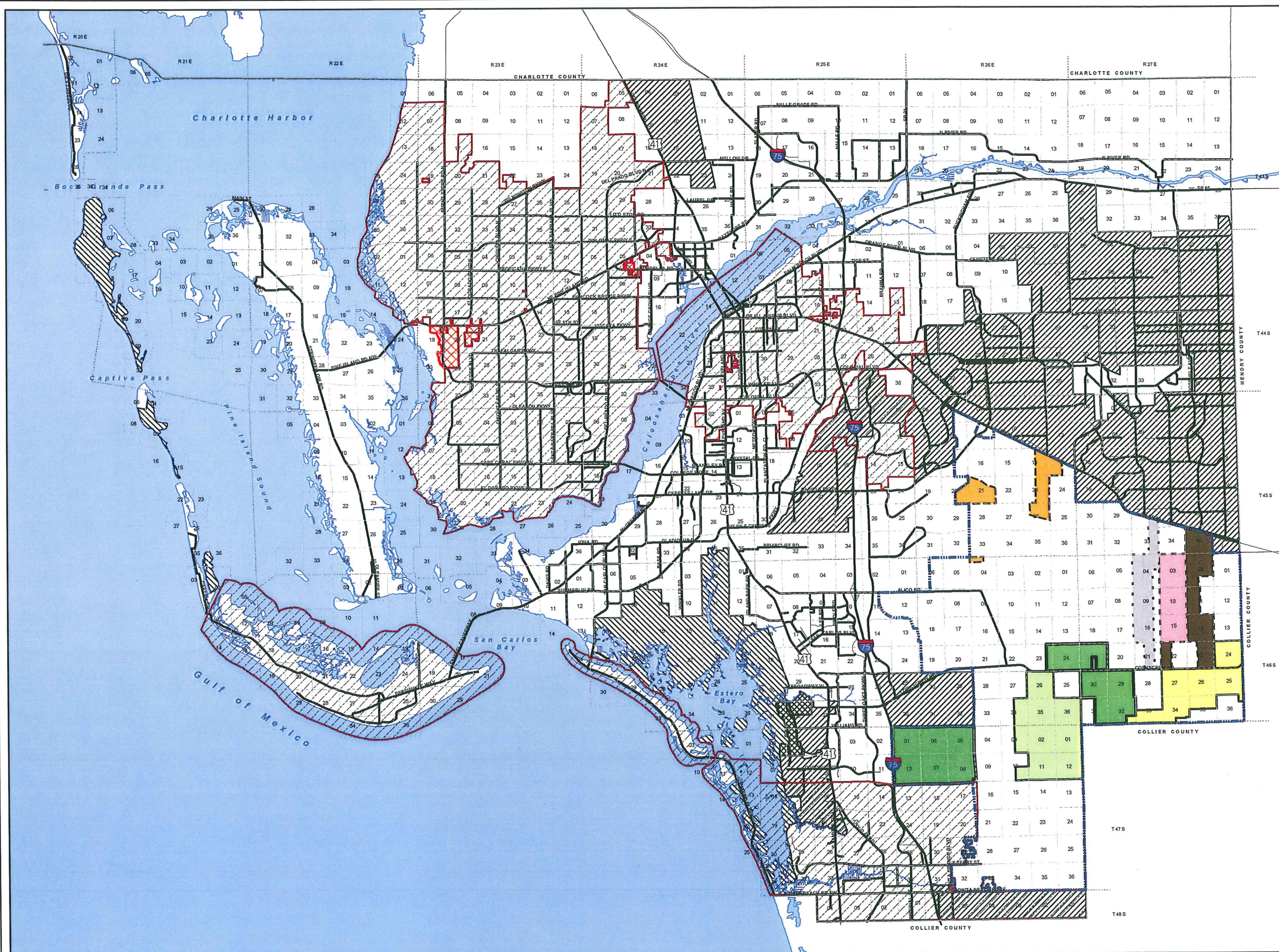
Map Generated: March 2010  
 \* Because of the dynamic nature of land acquisition, portions of the land shown are publicly owned at the time of printing.  
 \*\*City Limits current to date of map generation

**MARCH 1994**

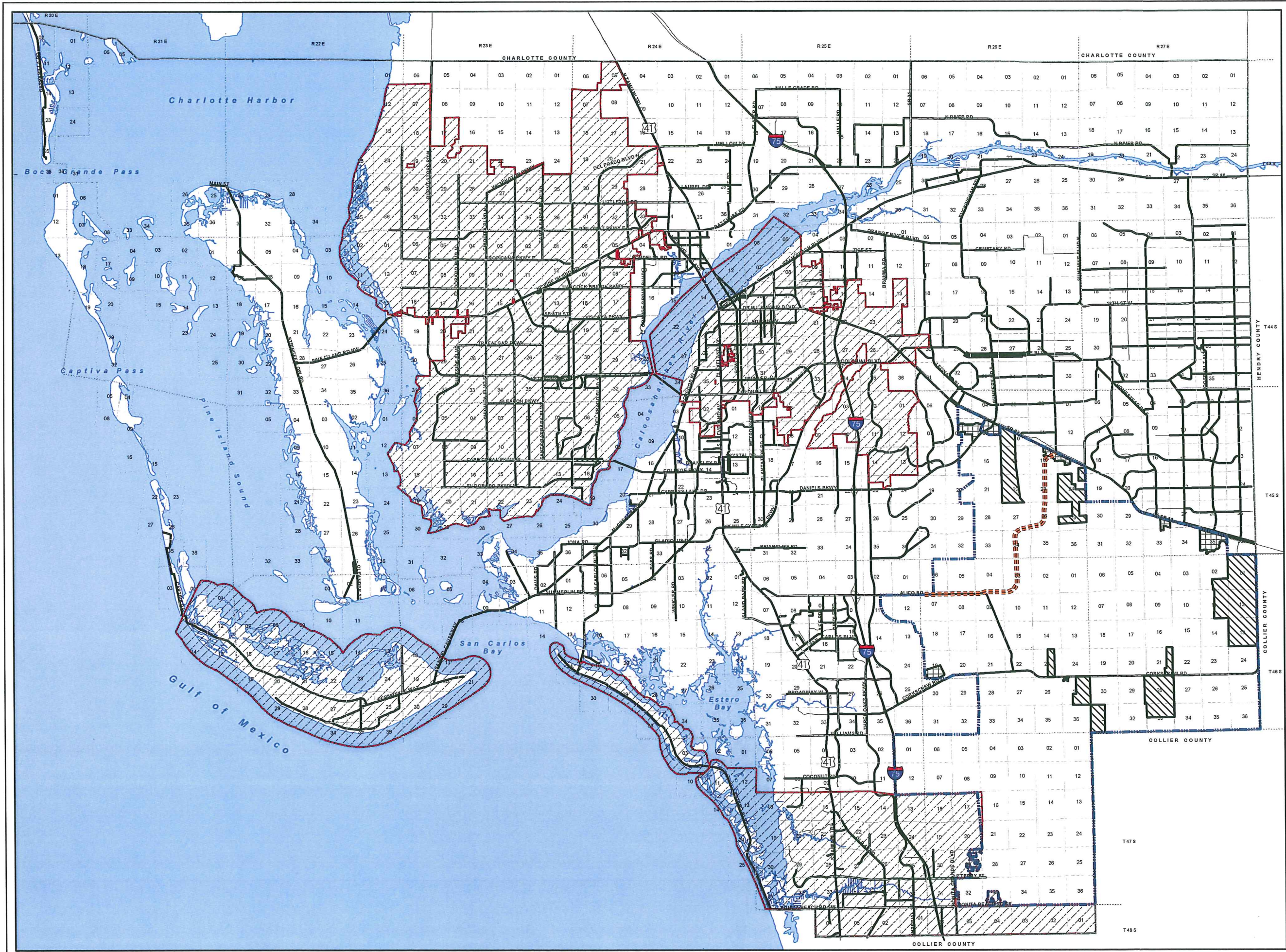
**Lee Plan Map 1  
 Page 4 of 8**

**AS AMENDED**  
 By Board of County Commissioners  
 March 3, 2010

EXHIBIT C







# SOUTHEAST DR/GR RESIDENTIAL OVERLAY

## Legend

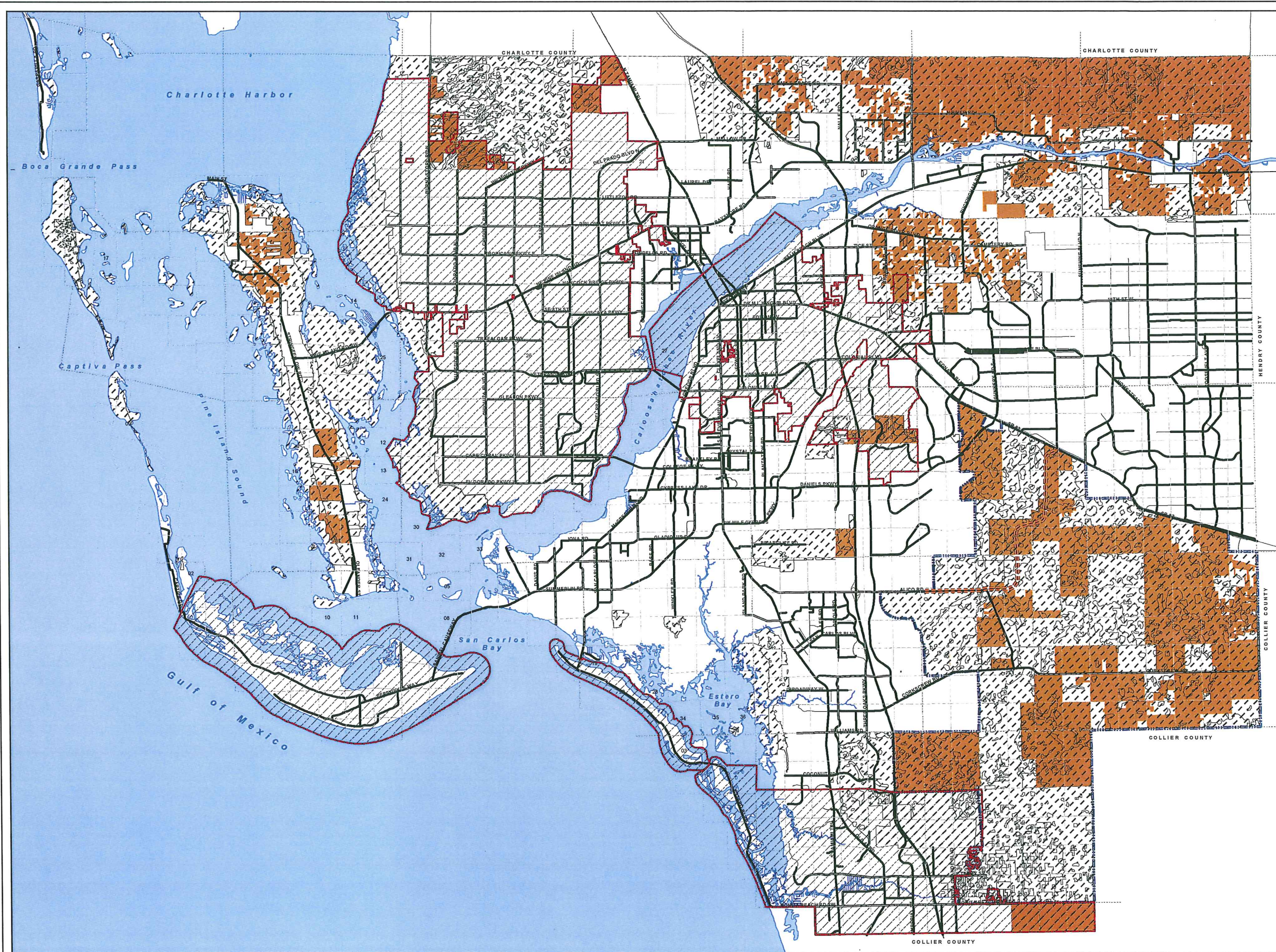
- Southeast Lee County
- Existing Acreage Subd.
- Mixed-Use Community
- Rural Golf Course Community
- County Line
- City Limits
- Section Lines
- Major Roads
- Minor Roads
- Alico Road Extension



Map Generated: March 2010  
City Limits current to date of map generation

**Lee Plan Map 17**

**AS ADOPTED**  
By Board of County Commissioners  
March 3, 2010



# CONTIGUOUS AGRICULTURAL PARCELS OVER 100 ACRES IN NON-URBAN FUTURE LAND USE CATEGORIES

## LEGEND

- City Limits
- Section Lines
- Major Roads
- Minor Roads
- Alico Road Extension
- Southeast Lee County Agricultural Overlay
- Agricultural Areas
- Non-Urban Area



Map Generated: March 2010  
 City Limits current to date of map generation.

**AS AMENDED**  
 By Board of County Commissioners  
 March 3, 2010

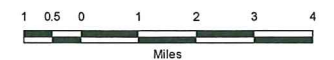
Lee Plan Map 20

EXHIBIT E

# Historic Surface and Groundwater Levels

## LEGEND

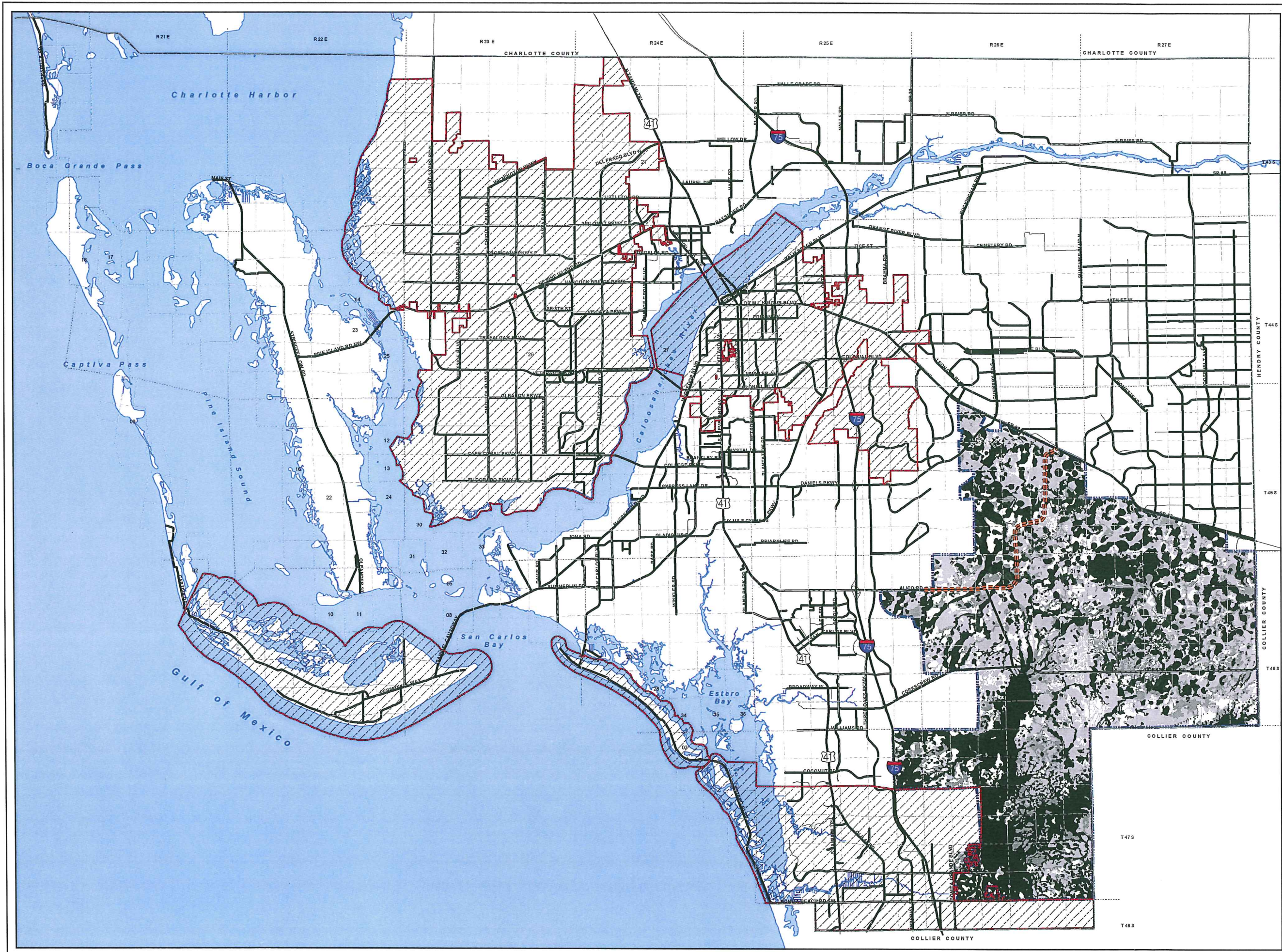
- County Line
- ▭ City Limits
- ▭ Section Lines
- Major Roads
- Minor Roads
- ▭ Alico Road Extension
- ▭ Southeast Lee County
- Historic wet season water depths**
- ▭ -.50' to 0.25' for 1 - 2 Months
- ▭ 0.25' to 0.75' for 1 - 3 Months
- ▭ 0.75' to 1.50' for 4 - 7 Months
- ▭ 1.50' to 2.50' for 7 - 9 Months



Map Generated: March 2010  
City Limits current to date of map generation

Lee Plan Map 25

**AS ADOPTED**  
By Board of County Commissioners  
March 3, 2010



# EXHIBIT G

**PROPOSED  
TABLE 1(a)  
SUMMARY OF RESIDENTIAL DENSITIES <sup>1</sup>  
CPA 2008-06**

| FUTURE LAND USE CATEGORY                                   | STANDARD OR BASE DENSITY RANGE                             |                                               | BONUS DENSITY                                                         |
|------------------------------------------------------------|------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------|
|                                                            | MINIMUM <sup>2</sup><br>(Dwelling Units per<br>Gross Acre) | MAXIMUM<br>(Dwelling Units per<br>Gross Acre) | MAXIMUM TOTAL DENSITY <sup>3</sup><br>(Dwelling Units per Gross Acre) |
| Intensive Development                                      | 8                                                          | 14                                            | 22                                                                    |
| Central Urban                                              | 4                                                          | 10                                            | 15                                                                    |
| Urban Community <sup>4,5</sup>                             | 1                                                          | 6                                             | 10                                                                    |
| Suburban                                                   | 1                                                          | 6                                             | No Bonus                                                              |
| Outlying Suburban                                          | 1                                                          | 3                                             | No Bonus                                                              |
| Sub-Outlying Suburban                                      | 1                                                          | 2                                             | No Bonus                                                              |
| Rural <sup>10</sup>                                        | No Minimum                                                 | 1                                             | No Bonus                                                              |
| Outer Islands                                              | No Minimum                                                 | 1                                             | No Bonus                                                              |
| Rural Community Preserve <sup>6</sup>                      | No Minimum                                                 | 1                                             | No Bonus                                                              |
| Open Lands <sup>7</sup>                                    | No Minimum                                                 | 1 du/5 acres                                  | No Bonus                                                              |
| Density Reduction/Groundwater Resource <sup>13</sup>       | No Minimum                                                 | 1 du/10 acres                                 | No Bonus                                                              |
| Wetlands <sup>8</sup>                                      | No Minimum                                                 | 1 du/20 acres                                 | No Bonus                                                              |
| New Community                                              | 1                                                          | 6                                             | No Bonus                                                              |
| University Community <sup>9</sup>                          | 1                                                          | 2.5                                           | No Bonus                                                              |
| Destination Resort Mixed Use Water Dependent <sup>11</sup> | 6                                                          | 9.36                                          | No Bonus                                                              |
| Burnt Store Marina Village <sup>12</sup>                   | No Minimum                                                 | 160 Dwelling Units;<br>145 Hotel Units        | No Bonus                                                              |

### CLARIFICATIONS AND EXCEPTIONS

<sup>1</sup> See the glossary in Chapter XII for the full definition of "density."

<sup>2</sup> Adherence to minimum densities is not mandatory but is recommended to promote compact development.

<sup>3</sup> These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Housing Density Bonus Ordinance (No. 89-45, as amended or replaced) and the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced).

<sup>4</sup> Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. (Amended by Ordinance No. 05-21)

<sup>5</sup> In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.

<sup>6</sup> Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.

<sup>7</sup> The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), 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. (Amended by Ordinance No. 99-15)

<sup>8</sup> Higher densities may be allowed under the following circumstances:

(a) If the dwelling units are relocated off-site through the provisions of the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced); or

(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, Central Urban, or Urban Community at the same underlying density as is permitted for those uplands, so long as the uplands density does not exceed the maximum standard density plus one-half of the difference between the maximum total density and the maximum standard density; or

(c) Dwelling units may be relocated from freshwater wetlands to developable contiguous uplands designated Suburban, Outlying Suburban, or Sub-Outlying Suburban at the same underlying density as is permitted for those uplands, so long as the uplands density does not exceed eight (8) dwelling units per acre for lands designated Suburban, four (4) dwelling units per acre for lands designated Outlying Suburban, and three (3) dwelling units per acre for lands designated Sub-Outlying Suburban. (Amended by Ordinance No. 00-22, 07-09)

<sup>9</sup> Overall average density for the University Village sub-district must not exceed 2.5 du/acre. Clustered densities within the area may reach 15 du/acre to accommodate university housing.

<sup>10</sup> In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres. (Added by Ordinance No. 02-02)

<sup>11</sup> Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district.

<sup>12</sup> The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5. (Added by Ordinance No. 09-16)

<sup>13</sup> See Policies 33.3.2, 33.3.3, and 33.3.4 for potential density adjustments resulting from concentration or transfer of development rights.

EXHIBIT H

PROPOSED  
TABLE 1(b)

Year 2030 Allocations

Proposed Changes per CPA2007-49, CPA2008-06 and CPA2008-07

| Future Land Use Classification               | Lee County Totals |               | Alva         | Boca Grande | Bonita Springs | Fort Myers Shores | Burnt Store  | Cape Coral | Captiva    | Fort Myers | Fort Myers Beach | Gateway/ Airport | Daniels Parkway | Iona/ McGregor |
|----------------------------------------------|-------------------|---------------|--------------|-------------|----------------|-------------------|--------------|------------|------------|------------|------------------|------------------|-----------------|----------------|
|                                              | Existing          | Proposed      |              |             |                |                   |              |            |            |            |                  |                  |                 |                |
| Intensive Development                        | 4,325             | 1,367         | 0            | 0           | 0              | 20                | 0            | 27         | 0          | 250        | 0                | 0                | 0               | 0              |
| Central Urban                                | 14,787            | 14,787        | 0            | 0           | 0              | 225               | 0            | 0          | 0          | 230        | 0                | 0                | 0               | 375            |
| Urban Community                              | 18,426            | 18,426        | 520          | 485         | 0              | 637               | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 850            |
| Suburban                                     | 16,623            | 16,623        | 0            | 0           | 0              | 1,810             | 0            | 0          | 0          | 85         | 0                | 0                | 0               | 2,488          |
| Outlying Suburban                            | 4,105             | 4,105         | 30           | 0           | 0              | 40                | 20           | 2          | 500        | 0          | 0                | 0                | 1,700           | 377            |
| Sub-Outlying Suburban                        | 1,543             | 1,543         | 0            | 0           | 0              | 367               | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Industrial Development                       | 78                | 79            | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 39         | 0                | 20               | 0               | 5              |
| Public Facilities                            | 4                 | 1             | 0            | 0           | 0              | 0                 | 0            | 0          | 1          | 0          | 0                | 0                | 0               | 0              |
| University Community                         | 850               | 850           | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Destination Resort Mixed Use Water Dependent | 8                 | 8             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 8              |
| Burnt Store Marina Village                   | 4                 | 4             | 0            | 0           | 0              | 0                 | 4            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Industrial Interchange                       | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| General Interchange                          | 42                | 42            | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 2               | 0              |
| General/Commercial Interchange               | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Industrial/Commercial Interchange            | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| University Village Interchange               | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| New Community                                | 900               | 900           | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 900              | 0               | 0              |
| Airport                                      | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Tradeport                                    | 9                 | 9             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 9                | 0               | 0              |
| Rural                                        | 8,320             | 8,313         | 1,948        | 0           | 0              | 1,400             | 636          | 0          | 0          | 0          | 0                | 0                | 1,500           | 0              |
| Rural Community Preserve                     | 3,046             | 3,100         | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Coastal Rural                                | 4,300             | 1,300         | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Outer Islands                                | 302               | 202           | 5            | 0           | 0              | 1                 | 0            | 0          | 150        | 0          | 0                | 0                | 0               | 1              |
| Open Lands                                   | 2,805             | 2,805         | 250          | 0           | 0              | 0                 | 590          | 0          | 0          | 0          | 0                | 0                | 120             | 0              |
| Density Reduction/Groundwater Resource       | 6,905             | 6,905         | 711          | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 94               | 0               | 0              |
| Conservation Lands Uplands                   | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Wetlands                                     | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| Conservation Lands Wetlands                  | 0                 | 0             | 0            | 0           | 0              | 0                 | 0            | 0          | 0          | 0          | 0                | 0                | 0               | 0              |
| <b>Total Residential</b>                     | <b>84,464</b>     | <b>81,373</b> | <b>3,464</b> | <b>485</b>  | <b>0</b>       | <b>4,500</b>      | <b>1,250</b> | <b>29</b>  | <b>651</b> | <b>604</b> | <b>0</b>         | <b>1,023</b>     | <b>3,322</b>    | <b>4,104</b>   |
| <b>Commercial</b>                            | <b>12,763</b>     | <b>12,763</b> | <b>57</b>    | <b>52</b>   | <b>0</b>       | <b>400</b>        | <b>50</b>    | <b>17</b>  | <b>125</b> | <b>150</b> | <b>0</b>         | <b>1,100</b>     | <b>440</b>      | <b>1,100</b>   |
| <b>Industrial **</b>                         | <b>6,620</b>      | <b>13,801</b> | <b>26</b>    | <b>3</b>    | <b>0</b>       | <b>400</b>        | <b>5</b>     | <b>26</b>  | <b>0</b>   | <b>300</b> | <b>0</b>         | <b>3,100</b>     | <b>10</b>       | <b>320</b>     |
| <b>Non Regulatory Allocations</b>            |                   |               |              |             |                |                   |              |            |            |            |                  |                  |                 |                |
| Public                                       | 82,492            | 81,853        | 7,100        | 421         | 0              | 2,000             | 7,000        | 20         | 1,961      | 350        | 0                | 7,500            | 2,416           | 3,550          |
| Active Agriculture                           | 24,957            | 17,716        | 5,100        | 0           | 0              | 550               | 150          | 0          | 0          | 0          | 0                | 0                | 20              | 0              |
| Passive Agriculture                          | 46,869            | 45,859        | 13,649       | 0           | 0              | 2,500             | 109          | 0          | 0          | 0          | 0                | 1,491            | 20              | 0              |
| Conservation (wetlands)                      | 81,948            | 81,948        | 2,214        | 611         | 0              | 1,142             | 3,236        | 133        | 1,603      | 748        | 0                | 2,809            | 1,719           | 9,306          |
| Vacant                                       | 24,972            | 21,802        | 1,953        | 0           | 0              | 226               | 931          | 34         | 0          | 45         | 0                | 300              | 20              | 975            |
| Total                                        | 357,175           | 357,175       | 33,463       | 1,572       | 0              | 11,718            | 12,713       | 259        | 4,340      | 2,197      | 0                | 17,323           | 7,967           | 19,355         |
| Population Distribution*                     | 495,000           | 495,000       | 5,090        | 1,531       | 0              | 30,861            | 3,270        | 225        | 530        | 5,744      | 0                | 11,562           | 16,488          | 34,538         |

\* Population for Unincorporated Area of Lee County  
\*\* See Policy 33.1.4

EXHIBIT H

PROPOSED  
TABLE 1(b)  
Year 2030 Allocations

Proposed Changes per CPA2007-49, CPA2008-06 and CPA2008-07

| Future Land Use Classification               | San Carlos |          | Sanibel  |          | South Fort Myers |          | Pine Island |          | Lehigh Acres CPA2008-07 |          | Southeast Lee County CPA2008-06 |          | North Fort Myers |          | Buckingham CPA2007-49 |          | Estero   |          | Bayside  |          |       |   |
|----------------------------------------------|------------|----------|----------|----------|------------------|----------|-------------|----------|-------------------------|----------|---------------------------------|----------|------------------|----------|-----------------------|----------|----------|----------|----------|----------|-------|---|
|                                              | Existing   | Proposed | Existing | Proposed | Existing         | Proposed | Existing    | Proposed | Existing                | Proposed | Existing                        | Proposed | Existing         | Proposed | Existing              | Proposed | Existing | Proposed | Existing | Proposed |       |   |
| Intensive Development                        | 0          | 0        | 0        | 0        | 660              | 0        | 3           | 0        | 42                      | 0        | 0                               | 0        | 0                | 0        | 365                   | 0        | 0        | 0        | 0        | 0        | 0     |   |
| Central Urban                                | 17         | 0        | 3,140    | 0        | 8,200            | 8,200    | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 2,600    | 0                     | 0        | 0        | 0        | 0        | 0        | 0     |   |
| Urban Community                              | 1,000      | 0        | 860      | 500      | 43,269           | 13,013   | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 51                    | 110      | 450      | 0        | 0        | 0        | 0     |   |
| Suburban                                     | 1,975      | 0        | 1,200    | 675      | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 6,690    | 0                     | 0        | 1,700    | 0        | 0        | 0        | 0     |   |
| Outlying Suburban                            | 0          | 0        | 0        | 600      | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 382      | 0                     | 0        | 454      | 0        | 0        | 0        | 0     |   |
| Sub-Outlying Suburban                        | 25         | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 140      | 49                    | 86       | 0        | 0        | 0        | 0        | 950   |   |
| Industrial Development                       | 5          | 0        | 10       | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Public Facilities                            | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| University Community                         | 850        | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Destination Resort Mixed Use Water Dependent | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Burnt Store Marina Village                   | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Industrial Interchange                       | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| General Interchange                          | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| General/Commercial Interchange               | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Industrial/Commercial Interchange            | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| University Village Interchange               | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| New Community                                | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Airport                                      | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Tradeport                                    | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     | 0 |
| Rural                                        | 90         | 0        | 0        | 190      | 14               | 14       | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 500                   | 57       | 50       | 635      | 1,350    | 0        | 0     |   |
| Rural Community Preserve                     | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 3,046    | 3,100    | 0        | 0        | 0        | 0     |   |
| Coastal Rural                                | 0          | 0        | 0        | 1,300    | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     |   |
| Outer Islands                                | 0          | 0        | 0        | 45       | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     |   |
| Open Lands                                   | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     |   |
| Density Reduction/Groundwater Resource       | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 45       | 0                     | 0        | 0        | 0        | 0        | 0        | 1,800 |   |
| Conservation Lands Uplands                   | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 4,000    | 4,000                           | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 2,100 |   |
| Wetlands                                     | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     |   |
| Conservation Lands Wetlands                  | 0          | 0        | 0        | 0        | 0                | 0        | 0           | 0        | 0                       | 0        | 0                               | 0        | 0                | 0        | 0                     | 0        | 0        | 0        | 0        | 0        | 0     |   |
| <b>Total Residential</b>                     | 3,962      | 0        | 5,870    | 3,313    | 24,483           | 21,269   | 4,045       | 4,045    | 4,045                   | 10,729   | 3,203                           | 3,326    | 3,245            | 6,212    | 3,245                 | 6,212    | 3,245    | 6,212    | 3,245    | 6,212    | 3,245 |   |
| <b>Commercial</b>                            | 1,944      | 0        | 2,100    | 226      | 1,420            | 1,420    | 38          | 38       | 38                      | 1,687    | 48                              | 18       | 1,700            | 139      | 1,700                 | 139      | 1,700    | 139      | 1,700    | 139      | 139   |   |
| <b>Industrial **</b>                         | 450        | 0        | 900      | 64       | 300              | 300      | 65          | 65       | 65                      | 554      | 6                               | 5        | 87               | 5        | 87                    | 5        | 87       | 5        | 87       | 5        | 5     |   |
| <b>Non-Regulatory Allocations</b>            |            |          |          |          |                  |          |             |          |                         |          |                                 |          |                  |          |                       |          |          |          |          |          |       |   |
| Public                                       | 2,660      | 0        | 3,500    | 2,100    | 45,000           | 15,289   | 42,000      | 42,000   | 42,000                  | 4,000    | 12,000                          | 1,486    | 7,000            | 1,500    | 2,444                 | 1,486    | 7,000    | 1,500    | 2,444    | 1,486    | 1,500 |   |
| Active Agriculture                           | 0          | 0        | 0        | 2,400    | 0                | 0        | 45,101      | 45,101   | 45,101                  | 0        | 0                               | 411      | 125              | 900      | 411                   | 411      | 125      | 900      | 411      | 411      | 900   |   |
| Passive Agriculture                          | 0          | 0        | 0        | 815      | 0                | 0        | 48,000      | 48,000   | 48,000                  | 18,000   | 18,000                          | 3,619    | 200              | 4,000    | 3,619                 | 3,619    | 200      | 4,000    | 3,619    | 3,619    | 4,000 |   |
| Conservation (wetlands)                      | 2,798      | 0        | 188      | 14,767   | 4,496            | 1,541    | 31,530      | 31,530   | 31,530                  | 500      | 500                             | 336      | 5,068            | 882      | 336                   | 336      | 5,068    | 882      | 336      | 336      | 882   |   |
| Vacant                                       | 244        | 0        | 309      | 3,781    | 7,377            | 8,085    | 8,085       | 8,085    | 8,085                   | 0        | 0                               | 1,000    | 809              | 530      | 1,000                 | 1,000    | 809      | 530      | 1,000    | 1,000    | 530   |   |
| Total                                        | 12,058     | 0        | 12,867   | 27,466   | 47,076           | 47,904   | 81,249      | 81,249   | 81,249                  | 22,103   | 10,201                          | 18,234   | 25,395           | 8,410    | 44,024                | 10,201   | 18,234   | 25,395   | 44,024   | 10,201   | 8,410 |   |
| Population Distribution*                     | 36,963     | 0        | 58,363   | 13,265   | 464,702          | 164,699  | 4,270       | 4,270    | 4,270                   | 70,659   | 6,114                           | 6,117    | 25,395           | 8,410    | 6,114                 | 6,117    | 25,395   | 8,410    | 6,114    | 6,117    | 8,410 |   |

\* Population for Unincorporated Area of Lee County  
\*\* See Policy 33.1.4

STATE OF FLORIDA

COUNTY OF LEE

I Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Ordinance 10-19, as approved by the Board of Lee County Commissioners in the Regular Meeting of March 03, 2010, and same filed in the Clerk of the Court's Office.

Given under my hand and seal, at Fort Myers, Florida, this 12<sup>th</sup> day of March, 2010.

CHARLIE GREEN,  
Clerk of Circuit Court  
Lee County, Florida

By: *Lisa S. Peice*  
Deputy Clerk

