

| CHANGES PROPOSED BY COUNTY STAFF: | PRELIMINARY RESPONSE: |
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| <p>VISION STATEMENT:</p> <p>Pine Island - This community includes Greater Pine Island as described under Goal 14 along with surrounding smaller islands and some unincorporated enclaves near Cape Coral. Its future, as seen by Pine Islanders, will be a matter of maintaining an equilibrium between modest growth, on the one hand and a fragile ecology, on the other and a viable and productive agricultural community. Pine Island will continue to be a haven between urban sprawl approaching from the mainland and the wealth of the outer islands; a quiet place of family businesses, school children, <u>farmers</u>, and retirees enjoying the bounties of nature; a place devoid of high-rises, strip malls, and gated communities. Traffic constraints caused by the narrow road link to the mainland will limit future development, allowing the islands to evacuate from storms and protecting natural lands from unsustainable development. Wildlife and native vegetation will be protected; loss of wildlife habitat will be reversed; sidewalks and bike paths will connect neighborhoods for young and old alike. Architectural standards for commercial buildings will encourage “Old Florida” styles, and historic buildings will be treasured. Pine Island will continue to be a place where people, and nature and <u>agriculture</u> exist in harmony, a place not very different from what it is today, an island as state-of-mind as much as a physical entity, its best features preserved and enhanced. Pine Islanders are historically vigilant about protecting their community and will work to ensure that their plans are carried out.</p> | <p><i>This new wording would improve the vision statement.</i></p> |
| <p>FUTURE LAND USE ELEMENT:</p> <p>POLICY 1.4.7: The Coastal Rural areas will remain rural except for portions of properties where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats <u>or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland,</u> on the remainder of the property. The standard maximum density is one dwelling unit per ten acres (1DU/10 acres). Maximum densities may increase as higher percentages of native habitat are permanently preserved or restored on the uplands portions of the site, <u>or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland,</u> in accordance with the chart below. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, and residential uses up to the following densities:</p> | <p><i>The two new clauses outline an agricultural preservation program that could be good for Pine Island if the details can be satisfactorily resolved.</i></p> |

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

Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas.

PRELIMINARY RESPONSE:

The implications of the numbers in the third column of this table need to be analyzed. The lower end seems to unnecessarily favor continued agricultural uses over preservation or restoration of native habitat, thereby reducing the likelihood of habitat restoration being undertaken.

Allowing 10% of the upland preserve area to be destroyed for lakes is excessive. The 30% development area can accommodate stormwater management systems. No buffers are needed in upland preserves; and the only utilities that would be above ground would be on-site sewage treatment plants, which are not required at these densities and should not be allowed either in preserve areas or in the adjoining developed areas.

FUTURE LAND USE ELEMENT:

GOAL 14: GREATER PINE ISLAND. To manage future growth on and around Greater Pine Island so as to maintain the island's unique natural resources, and character and its viable and productive agricultural community and to insure that island residents and visitors have a reasonable opportunity to evacuate when a hurricane strike is imminent. For the purposes of this plan, the boundaries of Greater Pine Island are indicated on the Future Land Use Map.

This new wording would improve Goal 14.

FUTURE LAND USE ELEMENT:

POLICY 14.2.5: Lee County will investigate the merits of creating a concurrency exception area for a portion of Pine Island Center. The concurrency exception area will promote the expansion of public transportation to and from the Greater Pine Island area.

The intent of this policy is not clear but investigation of this concept is reasonable.

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| <p>FUTURE LAND USE ELEMENT: <u>POLICY 14.6.1:</u> Lee County will maintain a map (Map 21) of all existing farmland on Pine Island.</p> | <p><i>Adopting such a map is an important part of implementing the agricultural preservation program described in Policy 1.4.7.</i></p> |
| <p>FUTURE LAND USE ELEMENT: <u>POLICY 14.6.2:</u> Lee County, by 2009, will evaluate creating a Purchase of Development Rights Program with the objective of preserving Pine Island agricultural uses.</p> | <p><i>The intent of this policy is not clear but investigation of this concept is reasonable.</i></p> |
| <p>FUTURE LAND USE ELEMENT: <u>POLICY 14.6.3:</u> By 2007 Lee County will amend the Lee County Land Development Code to establish a Pine Island Transfer of Development Rights (TDR) program to supplement the existing wetland TDR program. <u>The program will be open to properties depicted on Map 21 as well as other Pine Island lands deemed acceptable by the Board of County Commissioners.</u></p> | <p><i>This policy has the potential for providing further alternatives for existing farmland while remaining consistent with the planning program outlined for Greater Pine Island.</i></p> |
| <p>HOUSING ELEMENT: POLICY 100.2.3: Housing for farm workers, as defined by ss 420.503 Florida Statutes, may be permitted in the Rural, <u>Coastal Rural</u>, Open Lands, and Density Reduction/ Groundwater Resource land use categories without respect to the density limitations that apply to conventional residential districts. The density of such housing is limited to 50 occupants per acre of actual housing area and will be reviewed on a case-by-case basis during the planned development or Special Exception zoning process. The applicant must demonstrate that impacts of the farm worker housing will be mitigated.</p> | <p><i>This is a worthwhile change to Policy 100.2.3; there was never an intention to forbid farm worker housing from being located in the new Coastal Rural land use category.</i></p> |
| <p>GLOSSARY: 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. Within the Caloosahatchee Shores community in the areas identified by Policy 21.4.2 commercial development</p> | <p><i>This change is an innovative approach for utilizing transferable development rights from Greater Pine Island while also encouraging mixed use development in mainland Lee County.</i></p> |

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| <p>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. <u>For 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 were created from Greater Pine Island Costal Rural or Greater Pine Island Urban Categories.</u></p> | |
| <p>GLOSSARY: <u>MIXED USE BUILDING - Mixed Use Building means a building that contains at least two different land uses (i.e. commercial and residential, R & D and residential, office and residential, commercial and civic use open to the public) that are related.</u></p> | <p><i>This definition is important, although there is no need to require that various uses in mixed use buildings be “related.” These uses should not be incompatible, but requiring them to be related is an unnecessary hurdle that will discourage the construction of traditional mixed use buildings.</i></p> |
| <p>GLOSSARY: MIXED USE - The development, in a compact urban form, of land or building or structure with two or more different but compatible uses, such as but not limited to: residential, office, industrial and technological, retail, commercial, public, entertainment, or recreation. <u>True mixed use developments primarily consist of mixed use buildings as defined by this Glossary.</u></p> | <p><i>The use of the term “true” in the proposed additional language is ambiguous; neither its purpose nor its practical effects are apparent.</i></p> |
| <p>LEE PLAN TABLE 1(A), FOOTNOTE 4: 4. No land will be rezoned on Pine Island, excluding the Matlacha, Bokeelia, and St. James City areas currently classified as Future Urban Areas, to a zoning district which permits a density higher than 3 dwelling units per gross acre. Land currently zoned in a zoning district which permits a residential density in excess of 3 dwelling units per gross acre will be allowed a density higher than 3 du/acre provided that all other applicable regulations are met, and provided further that no density will be allowed above that which is permitted for the land use category in which the property is located, or which is permitted by the zoning which was in effect for said property as of November 25, 1986, whichever is lower. Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must “purchase” the density above 3 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Costal Rural or Greater Pine Island Urban Categories.</p> | <p><i>The existing footnote dates to the late 1980s and its meaning has never been clear. The new language could support moderate cost housing being located near public services at Pine Island Center, while also providing a new market for transferable development rights from more remote locations on Pine Island. However, it is not clear how or whether this policy would work given the existing “810 Rule” in Policy 14.2.2.</i></p> |

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| <p>FUTURE LAND USE MAP: Amend the Future Land Use Map to restore the previous “Outlying Suburban” land use category, in place of the new “Coastal Rural” category, on 157 acres of farmland between Bokeelia and Kreamer’s Avocado subdivision</p> | <p><i>The previous Outlying Suburban category allowed 3 units per acre. This was unwarranted under Pine Island conditions for land that was converted to farming during the past 10-15 years. If Lee County decides that changing this property to “Coastal Rural” was excessive, there are intermediate densities that could be applied to this property, for instance “Rural” which has a standard density of 1 unit per acre.</i></p> |