



**APPLICATION FOR ADMINISTRATIVE ACTION  
FOR INCREASE IN STANDARD MAXIMUM DENSITY  
FOR "COASTAL RURAL" LANDS  
IN GREATER PINE ISLAND**

NOTE: This application does not supercede the Development Order process as designated by regulations established in the Lee County Land Development Code (LCLDC), and Section 33-1053.

**Applicant's Name:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Date of Mandatory Pre-Application Meeting [Sec. 33-1052(c)(1)a.1]:** \_\_\_\_\_

NOTE: This administrative application is required if a landowner chooses to increase the standard maximum density of "Coastal Rural" land in the Greater Pine Island Planning Community. Rezoning is not required for a proposed residential development on land zoned AG-2 and designated "Coastal Rural" by the Lee Plan provided that the proposed development will comply with all regulations in the Lee County Land Development Code. The determination of actual maximum densities and the compliance of the application and its supporting documentation with this section must be confirmed by using the process described in LCLDC Section 33-1052 & 33-1053. Approval of this application is required prior to the approval of a Development Order Application. The associated fee for this Administrative Application is \$4000.00.

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**STAFF USE ONLY**

Case Number: \_\_\_\_\_ Commission District: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Fee Amount: \_\_\_\_\_

Land Use Classification: \_\_\_\_\_ Intake by: \_\_\_\_\_

Planning Community: \_\_\_\_\_

\*\*\*\*\*

**LEE COUNTY  
COMMUNITY DEVELOPMENT  
P.O. BOX 398 (1500 MONROE STREET)  
FORT MYERS, FLORIDA 33902  
PHONE (239) 533-8585**

**PART I**  
**LEGAL DESCRIPTION/BOUNDARY SURVEY/PROPERTY INFORMATION**

- A. Legal Description:** Attach legible copies of the legal description and sealed sketch to accompany the legal description. Label as **"Exhibit I-A"**. [10-154(1)]
- B. Boundary Survey:** Attach copies of a Boundary Survey meeting the minimum technical standards set out in chapter 61G 17-6, F.A.C. Label as **"Exhibit I-B"**. [10-154(3)]
- C. Current Plat:** Is property currently located within a platted subdivision recorded in the official Plat Books of Lee County?  
\_\_\_\_\_ NO  
\_\_\_\_\_ YES Property is identified as: Subdivision Name: \_\_\_\_\_  
Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_ or Instrument No: \_\_\_\_\_ Unit: \_\_\_\_\_  
Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
Attach copies of the current plat. Label as **"Exhibit I-C"**. [10-154(4)]
- D. STRAP Number(s)**  
**[10-153(3)]:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- E. Street Address of Property:** \_\_\_\_\_
- F. General Location of Property:** Submit a map, at suitable scale, drawn on an 8 1/2-inch by 11-inch size sheet that depicts the property described in the legal description in relation to the surrounding neighborhood. The map must be sufficiently referenced to known major streets or other physical boundaries so as to be clearly identifiable to the general public. Please reference a minimum of one major road such as Pine Island Road, Stringfellow Road, etc.
- F.1.** \_\_\_\_\_ Area location map is attached labeled as **"Exhibit 1-F"**. [10-154(6)a.]
- F.2.** Directions to property:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- G. Aerial Photograph:** Attach copies of the most recent aerial photograph available from Lee County with the site clearly delineated on the aerial photograph. Label as **"Exhibit I-G"**. [10-154(9)]
- H. Sub-Area:** Is the property proposed to be developed smaller than the property described above?  
\_\_\_\_\_ NO \_\_\_\_\_ YES. If YES, attach a legal description and sketch of description of the property to be included in this application. Label as **"Exhibit I-H-1"**. Attach a map showing the relationship of this portion to the property described above. Label as **"Exhibit "I-H-2"**.

**PART II  
OWNER\APPLICANT\DEVELOPER INFORMATION**

**A. Name of applicant:** \_\_\_\_\_  
Address: Street : \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_ Ext: \_\_\_\_\_  
Fax: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

**B. Relationship of Applicant to Property\*:**  
\_\_\_\_\_ Owner\* \_\_\_\_\_ Trustee\* \_\_\_\_\_ Option holder\* \_\_\_\_\_ Lessee\*  
\_\_\_\_\_ Contract Purchaser\* \_\_\_\_\_ Other (indicate)\* \_\_\_\_\_

\*Applicant must submit a statement under oath that he is the authorized representative of the owner [see **Part VII** (attached) and please complete the Affidavit form appropriate to the type of applicant].

**C. Name of Developer:** \_\_\_\_\_  
Address: Street : \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_ Ext: \_\_\_\_\_  
Fax: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

**D. Name of Agent:** \_\_\_\_\_  
Address: Street : \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_ Ext: \_\_\_\_\_  
Fax: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

**E. Name of Owner of Property\*:** \_\_\_\_\_  
Address: Street : \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_ Ext: \_\_\_\_\_  
Fax: Area Code: \_\_\_\_\_ Number: \_\_\_\_\_  
E-mail address: \_\_\_\_\_

\* A disclosure of the name of all persons or entities having an ownership interest in the property is required [see **Exhibit II-E** (attached)]. [10-153(2)e.]

- F. **Professional consultants.** Were professional consultants used in the preparation of this application or submitted documents? \_\_\_\_\_ NO \_\_\_\_\_ YES If YES, please complete **Exhibit II-F** (attached). [10-153(2)f.]

**PART III  
PROPERTY INFORMATION**

**A. Property Dimensions:**

1. Width (average if irregular parcel) \_\_\_\_\_ feet
2. Depth (average if irregular parcel): \_\_\_\_\_ feet
3. Frontage on road or street: \_\_\_\_\_ feet
4. Width along waterbody (If applicable): \_\_\_\_\_ feet
5. Total land area: \_\_\_\_\_ acres or \_\_\_\_\_ square feet [Sec. 10-153(3)c.]

**B. Current use of property (if vacant or undeveloped, please indicate):**

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**C. Current use(s) of adjacent properties (briefly describe) [Sec. 10-154(6)i.]:**

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

**D. Nature of Request [Sec. 10-153(5)]:** \_\_\_\_\_

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**PART IV  
GENERAL DEVELOPMENT INFORMATION**

- A. Current Zoning:** \_\_\_\_\_ Zoning Resolution Number(s)\* (if any): \_\_\_\_\_ Date: \_\_\_\_\_  
Attach a copy of the Zoning approvals applicable to the subject property. Please list all zoning action or resolution case numbers (if any) along with all previous zoning administrative actions (approvals and denials) on the subject property. Label as "**Exhibit IV-A**". [10-153(4); 10-154(5)]

- B.** Has any development order application for this property (or any portion thereof) ever been filed with the Division Development Services? \_\_\_\_\_ NO \_\_\_\_\_ YES [10-153(4)]

- 1) Under what name? \_\_\_\_\_
- 2) D.O. number? \_\_\_\_\_ Approval/Denial date? \_\_\_\_\_
- 3) Type of Development Order (or Exemption): \_\_\_\_\_
- 4) Current Status? \_\_\_\_\_

- C.** Has the mandatory pre-application meeting been conducted for this project? \_\_\_\_\_ NO \_\_\_\_\_ YES  
If YES, provide the date of meeting: \_\_\_\_\_ Case No. PRE \_\_\_\_\_

**If NO**, please schedule and complete the required pre-application meeting prior to submittal of this application. [ 10-105; 33-1052(c)(1)a.1.]

- D. Has an administrative deviation from the technical standards of the Land Development Code been requested? \_\_\_\_\_ NO \_\_\_\_\_ YES  
If **YES**, submit a copy of the application/case number ( Case No: ADD \_\_\_\_\_ ) and a **written narrative statement**, explaining the specific relief requested (a schedule of deviations). Include specific references to any section (number(s) and name(s)of the Lee County Land Development Code (LCLDC) Section 10-104 including why the requested relief is necessary and how it will affect the project. Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Deviations from the Land Development Code, except for Section 10-104, must seek approval through the planned development rezoning process prior to obtaining a development order pursuant to Chapter 10. Label narrative statement as "**Exhibit IV-D**". [10-1052(c)(2)]

**PART V  
PROPOSED DEVELOPMENT INFORMATION**

- A. **Written Narrative:** Please provide a written narrative statement explaining exactly what is proposed including description of the process used to determine the best areas on the site to remain undeveloped. Please include demonstration of compatibility with surrounding land uses. Label as "**Exhibit V-A**" [10-154(27); 33-1053(d)]

- B. **Preservation of Native Habitat:** Is the preservation of native habitat proposed as part of this development application? \_\_\_\_\_ NO \_\_\_\_\_ YES

If **YES**, please submit the following: [33-1052(c)(1)a.4.]

- B.1. A map clearly delineating native habitat to be preserved with precise acreage computations of habitat being preserved including the extent of other allowable land uses within preserved habitats. Label as "**Exhibit V-B.1**" [33-1052(c)(1)a.4.i.; 33-1054(a)]

- B.2. Description of interruptions of original water flows and intended corrections. Label as "**Exhibit V-B.2**". [33-1052(c)(1)a.4.ii.; 33-1054(b)]

- B.3. Plan for removing and controlling invasive exotic plants. Label as "**Exhibit V-B.3**". [33-1052(c)(1)a.4.iii.; 33-1054(c)]

- B.4. Draft of the proposed conservation easement including identification of proposed grantees. For grantees other than Lee County, include a statement from the grantee that it will consent to accept and enforce the easement's obligations in perpetuity. Label as "**Exhibit V-B.4**". [33-1052(c)(1)a.4.iv.; 33-1054(d)]

- B.5. Long-term management plan for the preserved habitat. Label as "**Exhibit V-B.5**". [33-1052(c)(1)a.4.v.; 33-1054(e)]

- B.6. Identification of proposed ownership of preserved habitat and the means that will be used to provide future management of the area in perpetuity. Label as "**Exhibit V-B.6**". [33-1052(c)(1)a.4.vi.; 33-1054(f)]

- C. **Restoration of Native Habitat.** Is the restoration of native habitat proposed as part of this development application? \_\_\_\_\_ NO \_\_\_\_\_ YES

If **YES**, please submit all of the requirements for preservation of native habitat (see Item V-B.1 thru V-B.6 above) and the following: [33-1052(c)(1)a.5.]

- C.1. Analysis of the suitability of the site's hydrologic regime for the ecological community being restored. Label as "**Exhibit V-C.1**". [33-1052(c)(1)a.5.i.; 33-1055(a)]

- C.2. Plan for reintroduction of native trees. Label as "**Exhibit V-C.2**". [33-1052(c)(1)a.5.ii.; 33-1055(b)]

- C.3. Plan for reintroduction of native midstory shrubs and understory plants. Label as "**Exhibit V-C.3**". [33-1052(c)(1)a.5.iii.; 33-1055(c)]

- C.4.** Plan for monitoring the success of restoration Label as "**Exhibit V-C.4**". [33-1052(c)(1)a.5.iv.; 33-1055(d)]
- C.5.** Proposed financial guarantee if the landowner wishes to begin development prior to successful completion of the restoration. Label as "**Exhibit V-C.5**". [33-1052(c)(1)a.5.v.; 33-1055(e)]
- D.** Continued Agricultural Use on Existing Farmland. Is continued agricultural use on existing farmland proposed as part of this development application? \_\_\_\_\_ NO \_\_\_\_\_ YES  
  
**If YES**, please submit the following: [33-1052(c)(1)a.6.]
- D.1.** Plan for removing and controlling invasive exotic plants. Label as "**Exhibit V-D.1**". [33-1052(c)(1)a.6.i.; 33-1056(b)]
- D.2.** Draft of the proposed conservation easement including identification of proposed grantees; for grantees other than Lee County, include a statement from the grantee that it will consent to accept and enforce the easement's obligations in perpetuity. Label as "**Exhibit V-D.2**". [33-1052(c)(1)a.6.ii.; 33-1056(c)]
- E.** Density: Please provide adjusted maximum densities for preserved/restored habitat and for continued agricultural use pursuant to the Lee County Land Development Code (LCLDC). Section 33-1052. Label as "**Exhibit V-E**". [33-1052]

**PART VI  
PROPOSED DEVELOPMENT PLANS AND DETAILS**

- A.** Detailed Proposed Development Plan Drawings: Detailed Proposed Development Plan Drawings must be submitted in accordance with the Lee County Land Development Code (LCLDC), Section 10-154(7). Copies of the drawings must be provided in two (2) sizes, 24" x 36" and 11" x 17". Please provide thirteen (13) copies of each; three (3) of which must be originals. Please label as "**Exhibit VI-A**". [10-154(7)]
- B.** Narrower Street Width Request. Are street widths requested which are narrower than those specified for local streets in LCLDC Section 33-1053(c)? \_\_\_\_\_ NO \_\_\_\_\_ YES  
  
**If YES**, please submit **proposed cross-sections** of right-of-way and lane widths (label as "**Exhibit VI-B.1**"), supported by a **sealed statement** from a professional engineer (label as "**Exhibit VI-B.2**"). [33-1052(c)(1)a.3.]
- C.** Schedule of Uses. Please provide a schedule of uses keyed to the Proposed Development Plan Drawings. Label as "**Exhibit VI-C**". [10-153(5)f; 33-1053(b)(1)a. & b.; 33-1053(d); 33-1056(a)]

PART VII AFFIDAVIT A1

AFFIDAVIT FOR ADMINISTRATIVE ACTION  
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, \_\_\_\_\_, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application for Administrative Action.
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Type or printed name)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

\_\_\_\_\_  
Signature of person taking oath or affirmation

\_\_\_\_\_  
Name typed, printed or stamped

\_\_\_\_\_  
Title or rank

\_\_\_\_\_  
Serial number, if any

PART VII AFFIDAVIT A2

AFFIDAVIT FOR ADMINISTRATIVE ACTION
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, \* \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

- 1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application for Administrative Action.
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

\*Name of Entity (corporation, partnership, LLP, LC, etc)

Signature
(title of signatory)

(Type or printed name)

STATE OF \_\_\_\_\_
COUNTY OF \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ (date) by \_\_\_\_\_ (name of person providing oath or affirmation), who is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

Signature of person taking oath or affirmation

Name typed, printed or stamped

Title or rank

Serial number, if any

\*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

**PART VIII SUBMITTALS**

<b>COPIES REQ'D*</b>	<b>SUBMITTAL ITEMS</b>
13 SETS (must be collated)	Boundary Survey {to include original raised seal} (I-B) [Sec. 10-154(3)] Proposed Development Plan Drawings (24" X 36"). (VI-A) [Sec. 10-154(7)] Proposed Cross Section Drawings (VI-B.1) and Sealed Engineer's Statement (VI-B.2) for Narrower Street Width Request (if YES to Item VI-B) [Sec. 33-1052(c)(1)a.3] Aerial Photograph (I-G) (Sec. 10-153(9))
1	Application Filing Fee (\$4000.00) [Sec. 10-108(a); 33-1052(c)(1)b; AC-3-10]
13	Completed Application Form for Administrative Action for ...Coastal Rural Lands... [Sec. 10-153; 33-1052(c)(1)]
13	Proposed Development Plan Drawings (11" X 17") (VI-A) [Sec. 10-154(7)]
13	Legal Description & Certified Sketch of Description (I-A) [10-153(3)a. & 10-154(1)]
13	Current Plat of the Subject Property (if currently platted) (I-C) [Sec. 10-154(1)]
13	List of STRAP Numbers {if additional sheets are necessary (I-D)} [Sec. 10-153(3)]
13	Area Location Map (1-F) [Sec. 10-154(6)a.]
13	List of STRAP Numbers {if additional sheets are necessary (DO-1)} [Sec. 10-153(3)]
13	Applicants Notarized Affidavit of Authorization Form (VII Affidavit A1 or A2 as appropriate) [Sec. 10-153(1)]
13	Disclosure of Ownership Interest Form (II-E) [10-153(2)e.]
13	List of Professional Consultants (II-F) [Sec. 10-153(2)f.]
13	Zoning Approval(s), Resolutions and Other Actions (IV-A) [Sec. 10-154(5)]
13	Narrative Statement Relative to any Administrative Deviations Requested per LCLDC Section 10-104 (if YES to Item IV-D) [ IV-D] [Sec. 10-1052(c)(2)]
13	Narrative Statement Explaining the Proposed Development. (V-A) [Sec. 10-154(27); 33-1053(d)]
13	A Map Clearly Delineating Native Habitat to be Preserved Including Acreage Calculations and Extent of Allowable Uses. (If YES to Item V-B) (V-B.1) [Sec. 33-1052(c)(1)a.4.i.; 33-1054(a)]
13	Description of Interruptions of Original Water Flows and Intended corrections. (If YES to Item V-B) (V-B.2) [Sec. 33-1052(c)(1)a.4.ii.; 33-1054(b)]
13	Plan for Removing and Controlling Invasive Exotic Plants. (If YES to Item V-B) (V-B.3) [Sec. 33-1052(c)(1)a.4.iii; 33-1054(c)]
13	Draft of Proposed Conservation Easement Including Identification of Proposed Grantees. (If YES to Item V-B) (V-B.4) [Sec. 33-1052(c)(1)a.4.iv; 33-1054(d)]
13	Long Term Management Plan for the Preserved Habitat. (If YES to Item V-B) (V-B.5) [Sec. 33-1052(c)(1)a.4.v; 33-1054(d)]
13	Identification of Proposed Ownership of Preserved Habitat and Means Used to Provide Management in Perpetuity. (If YES to Item V-B) (V-B.6) [Sec. 33-1052(c)(1)a.4.vi; 33-1054(e)]
13	Analysis of the Suitability of the Site's Hydrologic Regime for the Ecological Community Being Restored. (If YES to Item V-C) (V-C.1) [Sec. 33-1052(c)(1)a.5.i; 33-1055(a)]
13	A Plan for the Reintroduction of Native Trees. (If YES to Item V-C) (V-C.2) [Sec. 33-1052(c)(1)a.5.ii; 33-1055(b)]
13	A Plan for the Reintroduction of Native Midstory Shrubs and Understory Plants. (If YES to Item V-C) (V-C.3) [Sec. 33-1052(c)(1)a.5.iii; 33-1055(c)]
13	A Plan for Monitoring the Success of Restoration. (If YES to Item V-C) (V-C.4) [Sec. 33-1052(c)(1)a.5.iv; 33-1055(d)]

13	Proposed Financial Guarantees if the Landowner Wishes to begin Development Prior to Successful Completion of Restoration. (If YES to Item V-C) (V-C.5) [Sec. 33-1052(c)(1)a.5.v; 33-1055(e)]
13	A Plan for the Removal and Controlling of invasive Exotic Plants. (If YES to Item V-D) (V-D.1) [Sec. 33-1052(c)(1)a.6.i; 33-1056(b)]
13	Draft of the Proposed Conservation Easement Including Identification of Proposed Grantees. . (If YES to Item V-D) (V-D.2) [Sec. 33-1052(c)(1)a.6.ii; 33-1056(c)]
13	Density Information and Calculations Including Adjusted Maximum Densities for Preserved/Restored Habitat and for Continued Agricultural Use (as applicable). (V-E) [Sec. 33-1052]
13	Schedule of Uses Keyed to the Proposed Development Plan Drawings. (VI-C) . [ Sec. 10-153(5)f; 33-1053(b)(1)a. & b.; 33-1053(d); 33-1056(a)]
13	Sub-Area Legal Description & Sketch (if applicable) (I-H.1) [Sec. 10-154(1)]
13	Sub-Area Location Map (if applicable) (I-H.2) [Sec. 10-154(1)]
13	List of Additional Agents (if added sheet(s) are necessary) (II-D) [Sec. 10-153(2)f.]
13	Narrative Statement Relative to any Administrative Deviations Requested per LCLDC Section 10-104 (if YES to Item IV-D) ( IV-D) [Sec. 10-1052(c)(2)]

\*3 originals required

**EXPLANATORY NOTES  
EXPLANATIONS FOR COVER SHEET**

Applicant's Name: This is the person to whom all County correspondence will be directed. This is usually the person who is the Applicant who signs the Applicant's "Statement Under Oath". (See PART VII, Affidavit Form A1 or A2.)

Project Name: Provide the name that you wish to have assigned to this project. The name is limited to 30 characters and spaces.

Date of Mandatory Pre-Application Meeting. See Part IV-C, below.

**EXPLANATIONS FOR PART I  
LEGAL DESCRIPTION/BOUNDARY SURVEY/PROPERTY INFORMATION**

- A. Legal Description. A legal description for the property must be submitted. The legal description should be accompanied by a sketch of the legal description. The Director has the right to reject any legal description which is not sufficiently detailed so as to locate the property on County maps. Label as "Exhibit I-A". [Sec. 10-153(2) & 10-154(1)]
- B. Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, Florida Administrative Code, must be submitted. For projects of 10 acres or more, the survey must be tied to the state plane coordinate system for the Florida West Zone (North American Datum of 1983/1990 Adjustment). Boundaries must be clearly marked with a heavy line and must include the entire area to be developed. The Federal Emergency Management Agency flood zone and required finished floor elevations must be shown. The survey must also depict all easements and encumbrances identified in the title documents as well apparent easements identified during the field survey. The survey must locate and depict all existing structures and improvements on the subject parcel. Label as "Exhibit I-B." [Sec. 10-154(3)]
- C. Current Plat. If the proposed project is currently located with an area encompassed by a F.S.ch. 177 plat, complete the information relative to that Plat and submit copies of the current plat. Label as "Exhibit I-C". [10-154(1)]
- D. STRAP Number(s): The STRAP (Section, Township, Range, Area, Parcel) number is the 17- digit number used by the Property Appraiser to identify specific parcels. Where there is more than one parcel encompassed by the application, the STRAP number for every parcel must be provided. Note: If additional space is needed, attach additional 8 ½" X 11" pages and label as "Exhibit I-D". [Sec. 10-153(3)a.]
- E. Street Address of Property. Self explanatory. [Sec. 10-153(3)a.]
- F. Area Location Map. An area location map showing the location of the property to be developed in relation to arterial and collector streets must be submitted. Label as "Exhibit I-F" [Sec. 10-154(6)a]
- G. Aerial Photograph. A recent aerial photograph of the property and all properties within 660 feet of the perimeter of the property, with a scale of one inch equals 300 feet, must be submitted. Copies may be obtained from the property Appraiser's Office; Constitutional Complex; Thompson Street; Fort Myers. Label as "Exhibit I-G" [Sec. 10-154(9)]
- H. Sub-Area: Self explanatory.

**EXPLANATIONS FOR PART II  
OWNER\APPLICANT\DEVELOPER INFORMATION**

- A. Name of Applicant: This must be the person who signs the Applicant's Signed Statement that he is the authorized representative of the owner [see Part VII (attached)]. Usually the Applicant is also the Agent. [Sec. 10-153(2)a.]
- B. Applicant's Signed Statement. A statement is to be signed by the applicant, under oath, that he is the authorized representative of the owner(s) of the property and has full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of the issuance of a development order in accordance with this code. The signed statement also constitutes an agreement that the property will not be transferred, conveyed, sold or subdivided unencumbered by the covenants and restrictions imposed as part of the development order. {See Part VII for suggested forms where application is signed by either an individual owner or applicant (Affidavit A1), or is signed by a corporation, limited liability company (L.L.C.), limited company (L.C.), partnership, limited partnership, or trustee (Affidavit A2).} [Sec. 10-153(2)e.]
- C. Name of Developer. Self explanatory. [Sec. 10-153(2)c.]
- D. Authorized Agent(s): List names of other authorized agents (attach extra page if more space is needed). [Sec. 10-153(2)f.]
- E. Name of Owner(s). The name of all persons or entities having an ownership interest in the property, including the names of all stockholders and beneficiaries of trusts must be provided. Disclosure with respect to a beneficial ownership interest in any entity registered with the federal securities exchange commission or registered pursuant to Chapter 517, whose interest is for sale to the general public, is exempt from the provision of this subsection. See Exhibit II-E (attached) for the "Disclosure of Ownership Interests Form" to be completed and attached to the application. [Sec. 10-153(2)e.]
- F. Professional Consultants: A listing of the professional consultants\* employed in preparing the application or submitted documents. The names, addresses and telephone numbers shall be provided for consultants such as but not limited to architects, engineers, attorneys, landscape architects, planners, surveyors. Please complete Exhibit II-F. [Sec, 10-153(2)f.]

An engineer must be employed by the developer to design all required improvements such as streets, drainage structures, drainage systems, bridges, bulkheads, water and sewage facilities, etc. All plans, drawings, reports and calculations must be prepared, signed and sealed by the appropriate licensed professional, such as engineers, architects, landscape architects, land surveyors and attorneys, registered in the state. Other specialized consultants, such as environmental consultants, archaeologists, etc., may be required to assist in the preparation of the plans, drawings, reports and other documents required as development order submittals. [Sec. 10-102]

**EXPLANATIONS FOR PART III  
PROPERTY INFORMATION**

- A. Property Dimensions: The property dimensions and area must be provided. [Sec. 10-153(3)c.]
- B. Current Use of Property. Provide a brief description of the current uses located on the site. If the site is undeveloped or vacant, state "vacant".
- C. Current Uses on Adjacent Properties. The zoning classifications and actual use of all abutting properties must be submitted. [Sec. 10-154(6)i.]
- D. Nature of request. Self Explanatory. [Sec. 10-153(5)]

**EXPLANATIONS FOR PART IV  
GENERAL DEVELOPMENT INFORMATION**

- A. Zoning approvals. A complete copy of the zoning approval (i.e. zoning resolution for the subject property, and any other pertinent zoning resolutions or administrative actions/amendments, special exceptions or variance approvals) applicable to the subject property must be submitted. Label as "Exhibit IV-A". [Sec. 10-153(4); 10-154(5)]
- B. Development Orders. If any Development Orders have been filed on any part of this property prior to this application, please provide the information on the prior applications as requested in the application form. In those cases where an applicant wishes to apply for a development order on property upon which a preliminary development order or final development order has been granted and is still valid, the applicant must, as a condition of making application for a new development order, agree to the revocation and cancellation of the entire existing preliminary or final development order upon granting of the new development order. This agreement shall be in writing and shall be irrevocable. [Sec. 10-153(4); 10-106]
- C. Preapplication Meeting. All applicants for Administrative Action for "Coastal Rural" Lands are required to submit an application for and attend a mandatory informal meeting before the development review director for the purpose of advancing a conceptual plan for development prior to making formal application for approval. [Sec. 10-105; 33-1052(c)(1)a.1]
- D. Proposed Deviations. A proposed development that would deviate from this code, except for administrative deviations in accordance with section 10-104, must seek approval through the planned development rezoning process prior to obtaining a development order pursuant to LCLDC Section 10.
- a. Deviations or variances can never be granted to increase the densities in Table 33-1052.
  - b. Example of deviations that can be considered during the planned development process include:
    - 1. Permitted uses and property development regulations other than those provided in section 33-1053.
    - 2. Reforestation methods that do not meet all of the technical requirements of this section for "permanently preserved native habitat" or "restored native habitat" but which will achieve the same ends.
    - 3. Infrastructure more suited to country living, such as narrower streets, alternative paving materials, stormwater management systems that promote infiltration of runoff, etc.
  - c. The special application requirements in section 33-1052(c)(1)a. must supplement this code's requirements for planned development applications. [Sec. 33-1052(c)(2)]

**EXPLANATIONS FOR PART V  
PROPOSED DEVELOPMENT INFORMATION**

- A. Written Narrative Description. A narrative description of the process used to determine the best areas on the site to remain undeveloped must be submitted (see Locational Standards; LCLDC Section 33-1053(d) below). [Sec. 33-1052(c)(1)a.2; 10-81]

Locational standards. The following approach and guidelines must be used to determine the best areas on the site to remain undeveloped and to be developed.

(1) Begin by identifying potential areas to remain undeveloped.

- a. For native habitat being preserved or restored: healthy, diverse, or unusual native vegetation (such as mature pine trees, oak hammocks, or dense saw palmetto); listed species habitat; historic/archaeological sites; unusual landforms; wet or transitional areas; etc.

b. For existing farmland being committed to continued agricultural use: existing surface water management infrastructure; availability of irrigation water; large contiguous acreage relative to potential conflicts with adjoining non-agricultural land uses; etc.

(2) Then identify potential areas for homesites: locations near existing developed areas or adjoining existing streets (or logical street extensions); areas with fewer natural resource values; areas that can be served with minimal extensions of infrastructure; areas that would provide views of preserved open spaces; etc. [Sec. 33-1053(d)]

B, C,  
& D

Standard and adjusted densities. The “Coastal Rural” areas will remain rural except for portions of properties where smaller residential lots are permitted in exchange for permanent commitments to preservation or restoration of native upland habitat or to continued agricultural use of existing farmland.

(1) The standard maximum density established by Policy 1.4.7 of the Lee Plan is one dwelling unit per ten acres (1 DU/10 acres); however, see sections 33-1057 and 34-3273 regarding nonconforming lots.

(2) Maximum densities may increase in accordance with Table 33-1052 as higher percentages of upland portions of a site are permanently committed in one of the following ways:

- a. Land uses are restricted in native habitat that is permanently preserved on upland portions of a site.
- b. Land uses are restricted in native habitat that is restored and then permanently preserved on upland portions of a site.
- c. Existing farmland that is identified on Map 21 of the Lee Plan and is limited in the future to agricultural uses.

**Table 33-1052. ADJUSTED MAXIMUM DENSITIES FOR PRESERVED/ RESTORED HABITAT AND FOR CONTINUED AGRICULTURAL USE**

Percentage of the on-site uplands that are: -preserved or restored native habitat; -or- -for continued agricultural use on existing farmland	Adjusted Maximum Densities*	
	If undeveloped land will be permanently preserved or restored as native habitat:	If undeveloped land will be continued in agricultural use on existing farmland:
0% to 4.99%	1 DU/ 17 acres	1 DU/ 17 acres
5% to 9.99%	1 DU/ 15 acres	1 DU/ 15 acres
10% to 14.99%	1 DU/ 13 acres	1 DU/ 15 acres
15% to 19.99%	1 DU/ 12 acres	1 DU/ 15 acres
20% to 29.99%	1 DU/ 10 acres	1 DU/ 13 acres
30% to 39.99%	1 DU/ 8 acres	1 DU/ 12 acres
40% to 49.99%	1 DU/ 7 acres	1 DU/ 10 acres
50% to 59.99%	1 DU/ 5 acres	1 DU/ 8 acres
60% to 69.99%	1 DU/ 4 acres	1 DU/ 5 acres
70% or more	1DU/ 2.7 acres	1 DU/ 4 acres

\* Lee County Resolution 06-03-24 determined that the 910 traffic counts for Pine Island Road have been exceeded. Accordingly, the density stated above is the maximum density permitted in the Coastal Rural land use category for purposes of section 33-1052.

(b) Two or more contiguous or noncontiguous "Coastal Rural" parcels may be combined into a single development application for purposes of computing the actual maximum density allowed on those properties. This provision would allow acreage on one parcel that is preserved or restored as native habitat, or existing farmland that is committed to continued agricultural use, to increase the density on another parcel that is included in the same development application. [Sec. 10-1052(a) & (b)]

Procedures. Rezoning is not required for a proposed residential development on land zoned AG-2 and designated "Coastal Rural" by the Lee Plan provided that the proposed development will comply with all regulations in this code, including all of this article.

(1) The determination of actual maximum densities and the compliance of the application and its supporting documentation with this section may be confirmed by issuance of a development order using the process described in ch. 10, modified as follows:

1., 2. & 3. Addressed elsewhere in this application.

4. For applications proposing permanent preservation of native habitat:

- i. Map clearly delineating native habitat to be preserved, with precise acreage computations of habitat being preserved including the extent of other allowable land uses within preserved habitats (section 33-1054(a)).
- ii. Description of interruptions of original water flows and intended corrections (section 33-1054(b)).
- iii. Plan for removing and controlling invasive exotic plants (section 33-1054(c)).
- iv. Draft of the proposed conservation easement including identification of proposed grantees; for grantees other than Lee County, include a statement from the grantee that it will consent to accept and enforce the easement's obligations in perpetuity (section 33-1054(d)).
- v. Long-term management plan for the preserved habitat (section 33-1054(e)).
- vi. Identification of proposed ownership of preserved habitat and the means that will be used to provide future management of the area in perpetuity.

5. For applications proposing restoration of native habitat in conformance with section 33-1055, include all the requirements for permanent preservation of native habitat, plus:

- i. Analysis of the suitability of the site's hydrologic regime for the ecological community being restored (section 33-1055(a)).
- ii. Plan for reintroduction of native trees (section 33-1055(b)).
- iii. Plan for reintroduction of native midstory shrubs and understory plants (section 33-1055(c)).
- iv. Plan for monitoring the success of restoration (section 33-1055(d)).
- v. Proposed financial guarantees if the landowner wishes to begin development prior to successful completion of the restoration (section 33-1055(e)).

6. For applications proposing continued agricultural use on existing farmland in conformance with section 33-1056:

- i. Plan for removing and controlling invasive exotic plants (section 33-1056(b)).
- ii. Draft of the proposed conservation easement including identification of proposed grantees; for grantees other than Lee County, include a statement from the grantee that it will consent to accept and enforce the easement's obligations in perpetuity (section 33-1056(c)) [Sec. 33-1052(c)]

**Development standards.** If a landowner chooses to increase the standard maximum density of "Coastal Rural" land as provided by this division, development standards will apply as follows:

(a) *General standards.* All requirements of this code remain in effect except as modified through the planned development rezoning process or as otherwise provided in this article.

(b) *Property development regulations and permitted uses.*

(1) For individual lots that are created on "Coastal Rural" land based on increases above the standard maximum density of one dwelling unit per ten acres:

a. Lots that are 39,500 square feet or larger in area must meet all property development regulations that apply to the AG-2 zoning district including lot width and depth, setbacks, special regulations, building height, and lot coverage. Use regulations for these lots will be the same as for lots in the AG-2 zoning district.

b. Lots that are smaller than 39,500 square feet must meet all property development regulations that apply to the RS-1 zoning district including lot width and depth, setbacks, special regulations, building height, and lot coverage. Use regulations for these lots will be the same as for lots in the RS-1 zoning district.

(2) Native habitat that is being preserved or restored in order to qualify for increases above the standard maximum density will be governed by section 33-1054 instead of the regular AG-2 regulations.

(3) Existing farmland that is being committed to continued agricultural uses in order to qualify for increases above the standard maximum density will be governed by section 33-1056 in addition to the regular AG-2 regulations. [33-1053]

**Permanently Preserved Native Habitat.** A development proposal that requests an increase to the standard maximum residential density for committing to "permanently preserved native habitat," as that phrase is defined in section 33-1003, must be accompanied by plans and supporting documentation that demonstrate compliance with the following requirements.

(a) *Land uses in preserved habitat.* Native habitat that is counted as preserved for the purposes of Table 33-1052 cannot be part of any individual lots or parcels on which development is permitted.

(1) Portions of these native habitats may be used as buffer strips and wooded portions of golf courses provided those areas have a minimum dimension of 40 feet and are protected by the same conservation easement as the remainder of the native habitat.

(2) Land that is subdivided by roads cannot qualify as permanently preserved native habitat, but up to the following percentages of other land uses may be permitted:

a. Facilities for passive recreation such as hiking trails, bridle paths, boardwalks, or fishing piers, up to 2% of the preserved area.

b. Buffers, lakes, and utilities, up to 10% of the preserved area.

c. Commercial or non-commercial agriculture, up to 10% of the preserved area.

(b) *Hydrologic restoration.* Interruptions of original water flows must be corrected to ensure proper hydrologic conditions for the long-term survival of the permanently preserved native habitat. For instance, ditches or berms that interfere with natural surface and ground water flows must be eliminated (unless mitigation is possible, for instance by placing multiple culverts through berms to restore sheet flows). This requirement may not be construed to require hydrologic changes that would adversely affect the public health, safety or welfare or the property of others.

(c) *Removal of invasive exotic plants.* Invasive exotic plants must be removed from the area being preserved. Methods to remove and control invasive exotic plants must be included on the development order plans. For purposes of this subsection, invasive exotic plants mean the same plants as described in section 10-420.

(d) *Conservation easement.* The guarantee of preservation must include a perpetual conservation easement granted to a governmental body or agency or to a qualified charitable corporation or trust whose purposes include protecting natural, scenic, or open space values of real property.

(1) This conservation easement must be a right or interest in real property that is appropriate to retaining the land in predominantly its natural forested condition as suitable habitat for native

vegetation and wildlife in accordance with this section; and, which prohibits or limits the activities described in F.S. § 704.06, as such provisions now exist or as may be amended.

(2) This conservation easement must acknowledge that all residential and commercial development rights have been transferred away from the portion of the property subject to the conservation easement.

(3) The agency or entity accepting the easement must be acceptable to Lee County. Lee County will accept the conservation easement in the event no suitable entity is willing to accept the easement.

(4) This agency or entity must explicitly consent to enforce the easement's obligations in perpetuity. This requirement does not apply to a secondary or tertiary back-up grantee that is empowered, but not obligated, to enforce the terms of the easement.

(5) Unless Lee County is the entity accepting the easement and consenting to enforce its obligations in perpetuity, Lee County must be named in the easement as a back-up grantee that is empowered, but not obligated, to enforce the terms of the easement.

(6) If no entity suitable to Lee County will accept such conservation easement, Lee County will accept the easement.

(e) *Management plan.* The guarantee of preservation must also include a long-term management plan that will accomplish the following goals for the area being preserved:

(1) The preserved habitat must be kept free of refuse, debris, and pests and must be maintained in perpetuity against the reestablishment of invasive exotic plants. The management plan must describe how invasive exotic plants will be prevented from being reestablished within the preserved habitat.

(2) The preserved habitat must be managed to maintain a mosaic of plant and habitat diversity typical of the ecological community being preserved. A reference source describing the native habitats found in Greater Pine Island is available in chapter 3 of the Multi-Species Recovery Plan for South Florida, published by the U.S. Fish & Wildlife Service.

(3) The management plan must describe acceptable forest management practices such as prescribed burning, selective thinning, and replanting. If the management plan does not include prescribed burning to mimic the historic fire regime, the plan must propose an alternative method for selectively thinning flammable understory plants.

(4) The management plan must specify how the preserved habitat will be demarcated through fencing or other means to clearly identify preserved habitat without unnecessary blockage of recreational usage or wildlife movement.

(5) The management plan must also comply with the standards set forth in section 10-415(b)(4).

(f) *Ownership of preserved habitat.* The underlying ownership of these permanently preserved native habitats may be retained by the original landowner, transferred to a homeowners or condominium association or transferred to another entity acceptable to the County.

(1) If the ownership of this land and the management commitments are to be transferred to a homeowners or condominium association, this transfer must be accomplished through a covenant that runs with the land that is binding on the homeowners or condominium association and their members (and not changeable by them), or such other legal mechanisms as will guarantee that the permanently preserved native habitats will be managed in accordance with these regulations. The association must provide proof that they have the financial ability to carry out the long term management responsibility. Legal documents that provide for the continued management will be accepted only after they are reviewed and approved by the county attorney's office as complying with this section.

(2) Alternatively, a landowner who wishes to retain ownership of this land or convey it to a different party must present evidence of financial ability to carry out the management responsibilities. Evidence of financial ability may consist of, but is not limited to, trust funds, bonds, surety documents, dedicated bank funds or another income stream acceptable to the County that will be used to discharge the management responsibility. The landowner may also provide evidence of the transfer and acceptance of the management responsibility to a governmental entity or other appropriate management entity (e.g. tax-exempt charitable entity) approved by the County that has the requisite financial ability to carry out the management responsibility. Legal documents that provide for the continued management will be accepted only after they are reviewed and approved by the county attorney's office as complying with this section. **[Sec. 33-1054]**

***Restored Native Habitat.*** A development proposal may request an increase to the standard maximum residential density for committing to "restored native habitat," as that phrase is defined in section 33-1003. The restoration goal is to initiate the re-creation of native habitats that had been typical of Greater Pine Island and to establish conditions suitable to their long-term maturation, regeneration, and sustainability. Restored native habitat must meet all of the requirements of section 33-1054, plus the following requirements.

(a) *Hydrologic restoration.* In addition to the correction of modified water flows and quality as described in section 33-1054(b), the site's hydrologic regime must be appropriate for the ecological community being restored. A reference source describing the native habitats found in Greater Pine Island and their natural hydrologic conditions is available in chapter 3 of the Multi-Species Recovery Plan for South Florida, published by the U.S. Fish & Wildlife Service. This requirement will not be construed to require any hydrologic changes that would adversely affect the public health, safety, or welfare or the property of others.

(b) *Reintroduction of native trees.* Native trees must be planted and must be of species typical of the native habitat being restored, as set forth in the Multi-Species Recovery Plan. For example, the dominant tree species in mesic pine flatwoods, the most common native upland habitat on Pine Island, will be longleaf and South Florida slash pines; the dominant tree species in mesic temperate hammocks will be live oaks and cabbage palms.

(1) Site preparation must include removal of non-native vegetation that will compete with newly planted trees.

(2) Trees must be planted in clusters or random patterns rather than rows. Bare-root or containerized seedlings (seedling cone container size) may be planted using standard forestry techniques. A minimum of 300 trees per acre must be planted with a minimum of 250 trees surviving at 5 years, and, an overall minimum of 200 trees maintained in perpetuity.

(3) Fertilization and watering-in are required at time of planting to ensure survival of seedlings, with spot irrigation beyond planting. Exotic and problematic plant monitoring and control is required for at least five years after planting.

(c) *Reintroduction of native midstory shrubs and understory plants.* In addition to the introduction of native pine trees as mentioned in subsection (b) above, midstory and understory species must be planted.

(1) These species must include at least five of the following:

- a. wiregrass (*Aristida stricta* var. *beyrichiana*),
- b. tarflower (*Bejaria racemosa*),
- c. wax myrtle (*Myrica cerifera*),
- d. fetterbush (*Lyonia lucida*),
- e. rusty lyonia (*Lyonia ferruginea*),
- f. gallberry (*Ilex glabra*),
- g. saw palmetto (*Serenoa repens*), or
- h. cabbage palm (*Sabal palmetto*).

(2) Additional native species may be substituted for the species listed above with the consent of Lee County.

(3) No single species may comprise more than 25% of the total number of plants installed.

(4) All of the acreage being restored must be planted with acceptable midstory and understory plants.

a. Plants must be placed in groupings or clusters throughout the area to be restored at an average spacing of 10 foot centers for midstory plant and 5 foot centers for understory plants.

b. Plants to be used must consist of containerized plants or tubelings. Direct seeding may also be a viable alternative to planting with the approval of Lee County.

(5) Site preparation may be necessary to adequately prepare the site for planting. Site preparation may include such activities as re-contouring, disking, roller chopping, bush hogging, prescribed burning, herbiciding, or other recognized vegetation management activities.

(d) *Criteria for success of restoration.* Plantings of native trees and midstory and understory plants must be monitored annually to assure a minimum density of 100 trees per acre and 80% survival of midstory and understory species (with no supplemental plantings for two years following the third year after the initial planting).

(1) Monitoring must be performed for a minimum of five years after initial planting. Monitoring must be done by a qualified biologist, ecologist, forester, or natural areas manager subject to approval by Lee County.

(2) Annual monitoring reports must be submitted to the director. After reviewing a monitoring report for the fifth or later year for methodology and accuracy, the director is authorized to issue a finding that the restoration has been successfully completed and that no further monitoring reports are required, or that restoration has been partially completed and that monitoring reports are required only for the incomplete portion of the restoration.

(e) *Financial guarantees.* If a landowner wishes to begin development prior to successful completion of the restoration, completion must be assured in the same manner that off-site improvements or on-site subdivision improvements may be guaranteed pursuant to section 10-154 of the LCLDC (see LDC Section 10-154(25) & (26)).

(f) *Flatwoods restoration bank.* As an additional alternative to restoring native habitat on-site or on contiguous or non-contiguous parcels combined into a single development application, Lee County may adopt an administrative code that sets forth the requirements for a third party to preserve or restore degraded upland habitats on large parcels on Pine Island. Credits for this restoration work could be sold to other landowners in Greater Pine Island who wish to increase their allowable density in accordance with Table 33-1052.

(1) The restored land must meet all of the conditions for restored native habitat in this section in addition to the requirements of the administrative code.

(2) The administrative code will determine the assignment of restoration credits in a manner that is proportional to the ecological value of the restoration using a functional assessment method acceptable to Lee County. Credits can be sold once the restoration has proven successful according to criteria set forth in the code.

(3) Lee County will not be involved in any way in establishing the financial value of restoration credits. **[Sec. 33-1055]**

***Continued Agricultural Use on Existing Farmland.*** A development proposal that requests an increase to the standard maximum residential density for committing to "continued agricultural use on existing farmland," as that phrase is defined in section 33-1003, must be accompanied by plans and supporting documentation that demonstrate compliance with the following requirements.

(a) *Land uses.* Existing farmland that is committed to continued agricultural uses under this section is limited to those uses allowable under the applicable agricultural zoning category assigned to the land, plus the following additional restrictions:

(1) Residential and commercial development is not permitted because those development rights have already been transferred by the landowner to other property.

(2) The conservation easement applicable to the property may contain further restrictions on land uses.

(b) *Removal of invasive exotic plants.* Invasive exotic plants must be removed. Methods to remove and control invasive exotic plants must be included on the development order plans. The farmland must be maintained in perpetuity against the reestablishment of invasive exotic plants and must be kept free of refuse, debris, and pests. For purposes of this subsection, invasive exotic plants mean the same plants as described in section 10-420.

(c) *Conservation easement.* To qualify for an increase to the standard maximum residential density on the entire property, the portion of the site being committed to continued agricultural use must be placed under a perpetual conservation easement that meets the requirements of section 33-1054(d), except that instead of committing to retain the land in predominantly its natural forested condition as suitable habitat for native vegetation and wildlife, the perpetual conservation easement must commit to conserve the land as open space that is available for farming by the landowner or lessees of the landowner. The easement must also define the latitude for construction, modification, or demolition of structures necessary for farm operations without approval by the easement holder. **[Sec. 33-1056]**

## EXPLANATIONS FOR PART VI PROPOSED DEVELOPMENT PLANS AND DETAILS

**A.** *Proposed Development Plan Drawings.* Proposed development plan drawings shall be submitted (in both 24" X 36" size and 11" X 17" size), showing at a minimum the following:

If the development is a subdivision, all lot lines and lot numbers.

Open space, parks and recreation. All proposed open space, parks and recreation areas and facilities must be shown and identified as either public or private. If common facilities, including but not limited to recreation areas or facilities and common open space, are proposed, a statement must be included explaining how the area or facilities will be permanently operated and maintained, and identifying who will be responsible for such maintenance. A list of the facilities to be constructed within each park or recreational area must be provided or shown on the drawings.

Proposed vehicular ingress and egress for the development.

Proposed streets within the development.

Proposed location of on-site sidewalks and bikepaths with ingress to and egress from the development, as well as to or from common open space areas.

Utilities. A statement indicating the proposed method intended to provide water, sewer, electricity, telephone, refuse collection and street lighting, including but not limited to:

1. The names and address of all utilities, governmental or private, intended to supply the service.
2. The names and addresses of the owners of all existing public water and sewage systems within one-quarter mile of the proposed development.

Landscaping and buffering. A landscaping plan must be submitted showing not less than the required open space and buffer areas, and including:

1. A tree location map or aerial photographic overlay which depicts the preservation of existing trees and the planting of any new trees required by county regulations.
2. All proposed landscaping, fencing, screening and buffering.

The calculations to determine the minimum open space and other landscaping calculations.

Historical and archaeological resources. The plan must show the outline of historic buildings and approximate extent of archaeological sites. Where this information is not available from published sources, a professionally conducted archaeological survey may be required.

Excavations. Where applicable, the location of all excavations must be shown, including the outline or boundaries of the excavation, both the outline of the top of the bank and the outline when the lake is at its maintained elevations, the depth of all excavations, and the slopes of all excavations.  
A description of impacts on wetlands and mitigation measures.  
A description of impacts on floodplains or riverine areas and mitigation measures.

Label these Drawings as "Exhibit VI-A". **[Sec. 10-154(7)]**

**B.** *Development Standards.* If a landowner chooses to increase the standard maximum density of "Coastal Rural" land as provided by this division, development standards will apply as follows:

(a) *General Standards.* All requirements of this code remain in effect except as modified through the planned development rezoning process or as otherwise provided in this article.

(b) **Addressed elsewhere in this application.**

(c) *Local Street Standards.*

(1) LCLDC Section 10-296(d) provides standards for new local streets that vary based on residential density levels. For development orders that subdivide residential lots from "Coastal Rural" land, these local street standards will be interpreted as follows:

a. "Category C" streets must be provided for residential lots that are 2.5 acres or smaller.

b. "Category D" streets may be provided in lieu of Category C streets for residential lots that are larger than 2.5 acres.

(2) Right-of-way and lane widths for privately maintained local streets may be narrower than the standards set forth in section 10-296 for Category C and Category D streets provided the widths are selected in accordance with the criteria in *Traditional Neighborhood Development Street Design Guidelines* or *Neighborhood Street Design Guidelines* (or successor recommended practices) published by the Institute of Transportation Engineers, or in accordance with *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400)* published by AASHTO.

(3) Privately maintained local streets defined by section 10-296 as Category C streets may have a wearing surface of porous (pervious) asphalt or concrete, in lieu of the other surface options provided in chapter 10. Porous paving can increase the infiltration of stormwater and reduce the need for separate stormwater infrastructure.

(4) Dead-end streets are generally not permitted but may be unavoidable due to adjoining wetlands, canals, or preserved areas. When the director deems a dead-end street to be unavoidable, the dead-end must be provided with a cul-de-sac or other termination that is designed in accordance with county standards as specified in section 10-296 or the alternate standards set forth in section 33-1053(3)b. **[Sec. 33-1053(a) & (c)]**

*Applications Proposing Narrower Streets.* For applications proposing narrower streets in conformance with LCLDC Section 33-1053, proposed cross-sections of right-of-way and lane widths must be submitted , supported by a sealed statement from a professional engineer. **[Sec. 33-1052(c)1.a.3]**

## **EXPLANATIONS FOR PART VII AFFIDAVIT UNDER OATH**

Applicant's Signed Statement. See explanation under PART II-B above.

**EXPLANATIONS FOR PART VIII  
SUBMITTALS**

Submittals: The PART VIII table provides a checklist for submittals for this application. The number of required copies for each submittal item is shown in the column entitled "REQ'D" (required number of copies. Note that at least three (3) copies of each item submitted must be originals. The exhibit numbers for each item are shown in parenthesis and the applicable LCLDC section number is shown in brackets. If the item required is submitted and the appropriate number of copies are provided, please place a check mark (✓) in the column entitled "SUB'D" (submitted). If the submittal item is not required (e.g. the answer was "NO" in the appropriate item of the item is not applicable to the request) please place the notation N/A in the column entitled SUB'D (submitted). Incorrect or incomplete applications will delay review of the submittal and definitive action will not be taken until the application is complete and sufficient for review.