

FLU-1.2.3 WETLANDS. Wetlands are those lands that are identified as Wetlands on the Future Land Use Map in accordance with Florida Statute Section 373.019(27). If a Wetlands boundary on the Future Land Use Map is incorrect due to a clear factual error, or if an exact boundary is established per jurisdictional determination or Florida Statute Section 373.019, an administrative process may be used to establish the precise boundary of the Wetland.

A. Uses: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands, open space, and conservation that are compatible with wetland functions.

B. Development type: Development in Wetlands must not adversely affect the ecological functions of wetlands.

C. Density: The maximum density on Wetlands is one dwelling unit per twenty acres (1 du/20 acres).

D. ~~Notwithstanding C. above, 1. To encourage the preservation of lands designated Wetlands in Planned Developments, density may be transferred from preserved Wetlands to uplands any Wetlands area that is preserved may be calculated to yield dwellings at three-fourths (or 75%) of the standard density as allowed for adjacent land under common ownership within the Planned Development that are designated Village Neighborhood 1, Village Neighborhood 2, Transitional Mixed Use, or Urban Commercial (formerly Intensive Development, Central Urban, Urban Community, Suburban, and Outlying Suburban areas). Density transferred from Wetlands as provided herein shall be calculated at three-fourths (75%) of the designated density for the uplands to which the density is transferred. Uplands to which density is transferred shall not include any impacted wetlands which are filled or otherwise converted into uplands pursuant to an Environmental Resource Permit issued by the South Florida Water Management District. The number of dwellings calculated as yield from the preserved Wetlands may be transferred and incorporated in the development of the adjacent land under common ownership.~~

~~2. Any wetlands designated area that is impacted will be calculated at the standard Wetlands density of 1 dwelling unit per 20 acres.~~

Further, a Residential Planned Development approved by Lee County prior to October 20, 2010 may be superseded by a Residential Planned Development to allow transfer of density from preserved wetlands to impacted wetlands within the Residential Planned Development at the standard density for uplands designated Village Neighborhood 1, conditioned upon the Village's finding that the development has sufficiently addressed adverse impacts to wetlands on the property.