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CPA2005-02

WEBB-BUCKINGHAM

AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Privately Sponsored Application and Staff Analysis

BoCC Public Hearing Document
for the
December 13th, 2006 Public Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
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December 1, 2006

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-02

☑ Text Amendment ☑ Map Amendment

This Document Contains the Following Reviews:	
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: October 12, 2006

PART I - BACKGROUND

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

Carlton Land Holdings, LLC
P.O. Box 2491
Bonita Springs, FL 33413

Al Quattrone and Associates, Inc.
Fred Drovdlic, AICP
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

2. **REQUEST:** Amend the Lee Plan Future Land Use Map series, Map 1 to change ± 95 acres from Rural to the Urban Community Land Use Designation and change the boundaries in the Future Land Use Map series, Map 16, placing the 95± acre site within the Lehigh Acres Planning Community.

3. **SUMMARY DISCUSSION:** The applicant's agent, Al Quattrone and Associates, Inc. is pursuing a Map Amendment to Map 1 of the Lee Plan for a 95± acre parcel changing

the Future Land Use Category from Rural to Urban Community. The change from Rural to Urban Community would allow an increase in both commercial and light industrial development and residential density. The parcel is located south of Buckingham Road, approximately 1 mile east of State Route 82 and is approximately 3 miles from the State Route 82, Interstate – 75 intersection. The property is located east of the Lee County Incinerator and Buckingham Community Park, and north of the incorporated boundaries of the City of Fort Myers. During the 1970's, the property was utilized as the Lee County land fill. This site is not listed by the Florida Department of Environmental Protection (FDEP) as a State-Designated Brownfield Site, the FDEP map depicting Brownfield sites in Lee County is provided as Attachment 1. The property is currently located within the Buckingham Planning Community boundaries (Map 16). The property is not located within the Buckingham area boundary that is defined through the Future Land Use Map series, Map 1, Page 2 of 5. The property is not regulated by the Goals, Objectives, or Policies Goal 17 which regulate development within the Buckingham area.

The Comprehensive Plan Amendment is the first step toward the development of the site. The applicant will also be pursuing a zoning change to allow uses such as self storage, commercial recreational uses (bowling, family fun center), retail commercial within the areas determined by the commercial site location standards, professional / general / and medical offices, and limited light industrial uses (light industrial). These uses will have the ability to be properly buffered and sited within the development through the Planned Development process that will be required as part of the text amendment associated with this application.

The applicant is also pursuing a change to the Planning Community boundary lines to include the ±95 acre site in the Lehigh Acres Planning Community and exclude it from the Buckingham Planning Community. A more detailed discussion of the impacts of the proposed changes to the planning community boundaries is included further in the staff report.

BACKGROUND INFORMATION

1. **EXISTING CONDITIONS:**

SIZE OF PROPERTY: ± 95.60 acres

PROPERTY LOCATION: Generally located South of Buckingham Road, across from the Buckingham Community Park.

STRAP #: 19-44-26-00-00003.0000

EXISTING USE OF LAND: Passive Agricultural. Previously used as a landfill.

CURRENT ZONING: AG-2

CURRENT FUTURE LAND USE CLASSIFICATION: Rural

2. **INFRASTURCTURE AND SERVICES:**
FIRE: Tice Fire District

EMS: Lee County EMS service area.

LAW ENFORCEMENT: Lee County Sheriff's Office.

SOLID WASTE: Waste Management Inc Franchise Area.

MASS TRANSIT: LeeTran route within ½ mile along Lee Boulevard.

WATER AND SEWER: Services can be provided for both potable water and sanitary sewage by the City of Fort Myers.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **REVISED RECOMMENDATION:** Planning Staff recommends transmittal of the proposed amendment consisting of the Future Land Use Map change of ±95 acres of land currently designated under the Rural Land Use designation to the Urban Community Land Use designation and the associated text amendment.

   Planning staff recommends keeping the ±95 acre parcel in the Buckingham Planning Community boundary.

   ORIGINAL RECOMMENDATION: Planning Staff recommends transmittal of the proposed amendment consisting of the Future Land Use Map change of ±95 acres of land currently holding the land use designation of Rural to Urban Community and moving the property from the existing Buckingham Planning Community to the Lehigh Acres Planning Community with the proposed Text Amendments.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:**
   - The ±95 acre site is adjacent and north of the incorporated boundary of the City of Fort Myers, an area with a Future Land Use Designation of Mixed Use Land Use Category. The ±95 acre site was previously used as a Lee County land-fill site.
   - The site in question is not recognized by the Department of Environmental Protection as a Brownfield Site.
   - Under the Rural Land Use Designation, only minor commercial activities intended to serve the rural community could be developed or 95 single acre or clustered residential lots could be developed.
   - The proposed amendment will not allow residential development on this site. The proposed plan amendment will not affect Lee County's population projections.
   - Under Goal 6, Commercial Site Location Standards, only limited retail uses would be permissible under existing conditions.
   - Under Urban Community Land Use Designation, the opportunity for commercial and limited light industrial uses becomes available, the ability for residential density would also increase.

- Goal 17: (Buckingham) of the Lee Plan states the precise boundaries of Buckingham are indicated on the Future Land Use Map, Map 1, Page 2 of 5. The property in question is not included in the Buckingham area boundary.
- Urban Community land use designation is adjacent to this property to the east.
- The Comprehensive Plan Amendment site is located within the Category 4/5 Storm Surge Zone.
- The Lee County Department of Transportation is not anticipating a need for any planned improvements to Buckingham Road based on the proposed plan amendment.
- The boundaries for the Buckingham Area were defined in the Buckingham Sector Plan, submitted as an amendment to the Lee Plan on September 20, 1990. The Buckingham Sector Plan was submitted by the Buckingham Preservation Committee.
- The original Buckingham Community Plan did not include this area.

COMPREHENSIVE PLAN BACKGROUND

The subject property was designated "Rural" by the original Lee County Future Land Use Map, adopted in 1984. "Rural" was established as a non-urban future land use category with a maximum density of 1 dwelling unit per acre. The property is currently designated "Rural".

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

Application Summary

FLUM Changes

The Comprehensive Plan Amendment requests changes to the Future Land Use designation of a ±95 acre parcel from Rural to Urban Community. This change would move property from a non-urban land use category to an urban category and increase its potential density and intensity. Its current location and proximity to both Interstate 75 and State Route 82 definitely encourage the increase in intensity for both commercial and limited light industrial applications, neither of which is allowed under the Rural Land Use designation. However, staff realizes that minor commercial activities are acceptable in the Rural Land Use Designation. Additionally, its close proximity to the Lehigh Acres area should promote a more intense use of commercial acreages and limited light industrial acreages that will serve the growing population. On three sides the property is adjacent to land use designations that are more intense than Rural, those being Public Facilities to the west, Urban Community to the East, and to the immediate south the property abuts the City of Fort Myers with a land use/zoning category of Mixed Use. Policy 2.15 of the City of Fort Myers Comprehensive Plan defines the Mixed Use category as an area, "...which is intended to allow market forces a substantial influence on the area's final character." To the north lies the Buckingham Community which is generally more restrictive than the "Rural" land use designation. The primary land use designation of the Buckingham Community is Rural Community Preserve. This land use category is designed to protect large lot subdivisions and agricultural uses. The descriptor

policy is reproduced below. Also, a map depicting the Future Land Use designations is included as Attachment 2.

> ***POLICY 1.4.3:*** *The Rural Community Preserves are established following special studies of Lee County's intact rural communities. Within these areas, special design approaches are to be used to maintain the existing rural character, for example: conservation easements, flexible road design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. These areas are not to be programmed to receive urban-type capital improvements. Lands within this category are not intended to be converted to any Future Urban Areas; rather, they are to remain permanently rural in character and use. These areas are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Additional goals, objectives, policies, and standards for these areas may be included in this plan based on the special studies (see for example, Goal 17). Maximum density is one dwelling unit per acre (1 du/acre). (Amended by Ordinance No. 91-19, 94-30)*

Planning Community Changes

In addition to the land use designation change, the applicant is also proposing a change to the boundaries of the planning communities. The planning communities are a tool utilized by planning staff to establish county wide growth allocations. The planning communities were more broadly defined in the Vision Statement of the Lee Plan. This section was adopted in 1998. During this process, a list of communities was established and a vision of each was included as a part of the Lee Plan Vision Statement. The intent was to provide a quick and generalized overview of how Lee County is projected to develop during the time frame of the Plan. It was recognized that the Vision Statements were being proposed to provide a glimpse of the development patterns for the Planning Communities, taking into consideration the smaller areas located within each planning community boundary. The allocations of developable land by acreage were included in Table 1(b) of the Lee Plan to give a more specific view of what is anticipated to be developed during the time frame of the Lee Plan. The requested amendment to the Lee Plan dealt with the appropriateness of this ±95 acre site being included in the Buckingham Planning Community as opposed to the Lehigh Acres Planning Community. The Vision Statements for both Planning Communities stated Buckingham Road was the border between the two planning communities. The Vision Statements for Buckingham and Lehigh Acres areas are reproduced below.

> ***Buckingham*** *- This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around*

the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan. (Added by Ordinance No. 99-15)

***Lehigh Acres** - This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)*

As it appears with the text from the Vision Statement the ±95 acre site would, by description, fit better in the Lehigh Acres Planning Community as opposed to the Buckingham Planning Community. Additionally, the proposed Future Land Use change would fit better with the envisioned growth patterns as well as the existing Goals, Objectives, and Policies promoting more acreage for non-residential uses within the Lehigh Acres Planning Community.

Staff analysis of the data presented in Table 1(b) indicates that the ±95 acre site in question currently falls under the "Non-Regulatory" allocations category and as such would not impact Table 1(b) build-out scenarios for the Buckingham Planning Community.

Presently, the Lehigh Planning Community has 177 acres of commercially available allocated acreages and 108 acres of industrial available allocated acreages to absorb the 95 acres of commercial / limited light industrial lands to the Lehigh Acres Planning Community.

Reproduced as Attachment 3 is a portion of Table 1(b) that pertains to both the Buckingham Planning Community and the Lehigh Acres Planning Community.

Community Planning Areas

The planning communities are not used to determine specific areas regulated by geographically specific Goals, Objectives, or Policies. This is done by establishing a Community Planning Areas. The Lee Plan, through Map 1, Page 2 of 5 identifies specific areas as overlays that contain special restrictions or allowances in addition to all of the requirements of their underlying categories. A Community Planning Area does exist for the Buckingham area and is defined on the Future Land Use Map series Map 1, Page 2 of 5 and through Goal 17. Additionally, there is text within Goal 17 that states "....the precise boundaries of Buckingham are indicated on the Future Land Use Map." Ordinance No. 91-19 added the Community Planning Area Map to the Lee Plan with excerpts of this ordinance provided as Attachment 4.

The Buckingham area was originally defined with both text and a map through the Buckingham Sector Plan, which was submitted as an amendment to the Lee Plan on September 20, 1990. The plan was prepared for and submitted by the Buckingham Preservation Committee. The intent of Buckingham Sector Plan was to provide protection to the Rural growth patterns and lifestyles for this area. As was stated in the Buckingham Sector Plan:

> *"The Buckingham study area encompasses approximately 16 square miles, and the precise boundaries are depicted on the map attached as "Appendix A". This boundary was carefully drawn to include only those areas which are distinctively a part of the Buckingham community and which are currently designated either "rural" or "public facilities" on the Lee County land use map."*

The "attached map, Appendix A" referred to in the above listed excerpt is provided in Attachment 4 of this staff report.

The only change to the Buckingham area boundary was proposed in a Comprehensive Plan Amendment (PAM/T 92-16) which altered the Buckingham area boundary and added text recognizing that obvious omissions or inclusions of property that do not belong within the Buckingham area could be corrected. The original text, under Goal 19 (which has been changed to Goal 17 in the current Lee Plan codification), restricted any changes until the 1994 five year Lee Plan update and needed to be amended to reflect the map amendment. The map amendment dealt with a 2.2 acre site that had a "Rural" land use designation and was zoned for commercial development. This parcel did not fall into the described commercial nodes for the Buckingham area and it did not fall under the category of a non-conforming commercial activity that was identified in the Buckingham area, its commercial zoning was simply overlooked.

PAM/T 92-16 established the intent to protect the rural nature of the Buckingham area and recognized the significance of establishing both a physical boundary and appropriate text to ensure that urban development will not infringe upon the Buckingham Rural Preserve. The boundary established as a the Buckingham area does not include the 95± acre site. Copies of the Planning Communities (Map 16) and Map 1, Page 2 of 5 are provided as Attachments 5 and 6, respectively.

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS

The subject property currently has access from Buckingham Road. Buckingham Road is currently classified as an Arterial with a current Level of Service "C", as was stated in the Concurrency Report, June, 2006.

The Lee County Department of Transportation (LCDOT) has reviewed the request and has provided written comments dated June 19, 2006. These comments are reproduced below:

> *We have reviewed the above application, which requests that the land use designation of approximately 95.56 acres be changed from existing "Rural" to "Urban Community" and proposes a text amendment to accompany the map amendment to ultimately allow the property to be rezoned from AG-2 to a combination of CPD and IPD. As indicated by the application, the proposed "Urban Community" designation would allow approximately 573 dwelling units, or 742,500 square feet commercial uses, or 877,500 of industrial on the property.*
>
> *After running the FSUTMS travel demand model, in a worst case analysis, with 742,500 square feet commercial uses for the year 2030 condition, we have determined that the land use change on this property will not alter the future road network plans.*

Additional comments that were provided by the Lee County Department of Transportation are reproduced below:

> *The subject property (95.6 acres) is in front of Buckingham Rd. The existing (2005) AADT on Buckingham Rd between SR 82 and Gunnery Rd is 5,200 and the LOS is "C". MPO 2030 FSUTMS model projects the AADT in 2030 for Buckingham Rd is 12,756 and the LOS is "C". Re-ran the model with the project (add 742,500 s.f of commercial which is the worst case in trip generation) and the AADT on Buckingham Rd in 2030 with the project is 14,843 and the LOS is "D", which is still acceptable LOS.*

The analysis did not incorporate, nor did it find necessary, any planned improvements to Buckingham Road based on the above listed analysis.

POPULATION ACCOMMODATION

The proposed Urban Community Land Use designation has a standard density range of 1-6 dwelling units per acre with the potential for bonus density of 10 dwelling units per acre. Under the Urban Community Land Use designation, the potential for 573 dwelling units under a standard density calculation or 956 dwelling units under a bonus density calculation exists.

The existing Rural Land Use designation has a standard density range of 1 dwelling unit per acre with no potential for bonus density. Under the Rural Land Use designation the potential for 95 dwelling units exists.

However, as part of the comprehensive plan amendment, staff is proposing new text that would not allow any residential development to occur on the entire ±95 acre site. The applicant has agreed to no residential development on this site. If the proposed text amendment is adopted as part of this plan amendment it will not significantly affect Lee County's population projections.

ENVIRONMENTAL CONSIDERATIONS

The application includes a map prepared by Bagley Environmental and Planting Services concerning plant communities located on the subject site. The map identifies the Florida Land Use, Forms and Cover Classifications System (FLUCFCS) Code, an acreage coverage and total acreage determination. The map depicts 88.88 acres of the site as being Disturbed Land / Solid Waste Disposal with scattered Cabbage Palms and 6.72 acres of Electrical Transmission Lines.

Lee County, Environmental Sciences Division reviewed the application and provided an e-mailed response stating:

> *There are no open space, preservation, or protected species issues with the proposed Land Use change. Therefore, ES staff has no objection or recommended policy language.*

SOILS

The application includes a map prepared by Bagley Environmental and Planting Services concerning the soil types located on the subject site. The soils types for the site were determined to be Matlacha Gravelly Fine Sand over the entire 95.6 acre site.

HISTORIC RESOURCES

The application included a map depicting the subject parcel in relation to the Archaeological Sensitivity Map. The parcel in question is not located within either of the Sensitivity Level areas.

The application includes a letter, dated September 25, 2006, from the Division of Historical Resources, Florida Department of State. This letter provides the following:

> *In response to your inquiry of September 21, 2005, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:*
>
> *T:44S R:26E Section 19 (also known as parcel 19-44-26-00-00003.0000)*

The letter further states that this site will not constitute a review of cultural resources.

PUBLIC SERVICES

FIRE The Tice Fire and Rescue District did not have any objections to comprehensive plan amendment. A letter was provided from the Tice Fire and Rescue District. The letter provided the following:

After reviewing the rezoning request for the building of up to 819,600 square feet of a mixed commercial and light industrial park, the Tice Fire & Rescue District does not object to the construction of this project. With the information provided about the specific types of occupancies that will be constructed, it is difficult to say what additional, if any equipment will be required to support this project. We anticipate working with the developer as the project moves forward to address any conditions or needs. The district currently provided fire protection services to other industrial sites and parks located in the immediate area of this proposal. The district does reserve the right for future reference regarding the fire protection features as well as water supply and fire department access for this proposal.

EMERGENCY MEDICAL SERVICES (EMS) The Lee County Public Safety, EMS provided an e-mail that did not state any anticipated problems with the proposed plan amendment or potential development. The e-mail provided the following:

The proposal is within the Lee County EMS service area. Currently our nearest Lee County ambulance is stationed at 9700 Treeline Drive, 4.1 miles from this parcel. Actual response time will depend on the road system planned for reaching future dwelling units within the development.

LAW ENFORCEMENT The Lee County Sheriff's Office provided a letter that stated there was no anticipated problems with providing any potential development with adequate "core" level of law enforcement services. An excerpt of the letter provided by the Lee County Sheriff's Office is provided:

If the proposed development follows that which you have discussed with my staff then the Sheriff's Office has no objection to the project and I am confident that we can provide an adequate "core" level of law enforcement services to the area.

SOLID WASTE The subject property is within the Lee County, Solid Waste District, Area 4. The franchise company responsible to collection for District #4 is Waste Management Inc. Lee County, Solid Waste Division was contacted about the comprehensive plan amendment and no concerns were reported.

MASS TRANSIT LeeTran received a copy of the amendment application and provided the following comments:

Although transit is not addressed in the application the following should be considered. Current transit service is approximately ½ mile from the subject property along Lee Boulevard. This service could be accessed to and from the Carlton Property on foot or by bicycle. The short range transit development plan does not identify a need for transit service in the area other than on Lee Boulevard, and the long range transportation plan keeps transit service on the Lee

Boulevard and SR 82 corridors. While transit service does not seem likely at this point on Buckingham Road, there will be some demand for access to transit. I feel the applicant should address pedestrian walkways and even bike ways that could be constructed for individuals to use getting to and from the transit corridors.

SCHOOL IMPACTS The School District provided a letter stating they anticipated no impact on classroom needs based on the applicant's indication that this is a commercial project only and will not have any residential units.

PARKS, RECREATION AND OPENSPACE

The proposed amendment, including the text amendment restricting residential development on this site, will have minimal impacts on parks, recreation, and open space.

Lee County Public Works staff reviewed the request and provided comments stating there were no objections to the proposed change from Rural to Urban Community to facilitate retail, commercial, general commercial, and limited light industrial development.

POTABLE WATER The property is not located in the Lee County Future Water Service Areas delimited by Map 6. It is proposed that potable water will be supplied by the City of Fort Myers. Although this property is not located in the City of Fort Myers Utility Franchise Area, the City has extended potable water lines to the incinerator west of the property which is adequately sized to serve future development on this subject parcel. The City of Fort Myers provided a letter the following is a excerpt of that letter as it pertains to potable water:

There is an existing 12 inch potable water transmission main approximately 1,100 feet west of the southwest property corner. The City of Fort Myers provided a letter stating the City's water plant can provide treatment capacity to serve the potential development provided the owner installing any additional on-site water mains and appurtenances needed for adequate domestic water supply and fire protection. An additional condition was set by the City that a "Letter of No Objection" from the surrounding authorities be obtained before any approval of connection into the City's system.

Lee County Utilities has responded with no objections to the City of Fort Myers providing potable water to this property

SANITARY SEWER The property is not located in the Lee County Future Sewer Service Areas, delimited by Map 7. It is proposed that sanitary sewage will be supplied by the City of Fort Myers. Although this property is not located in the City of Fort Myers Utility Franchise Area, the City has extended sanitary sewer lines to the incinerator west of the property which is adequately sized to serve future development on this subject parcel. The City of Fort Myers provide a letter, the following is an excerpt of that letter as it pertains to sanitary sewer:

There is an existing 4 inch sanitary sewer force main approximately 1,100 feet west of the southwest property corner. The City's wastewater plan can provide

treatment capacity to serve the potential development provided any additional on-site collections lines, pump stations, and appurtenances needed to handle development flows must be installed by the owner. An additional condition was set by the City that a "Letter of No Objection" from the surrounding authorities be obtained before any approval of connection into the City's system.

Lee County Utilities has responded with no objections to the City of Fort Myers providing sanitary sewer to this property.

STORMWATER MANAGEMENT The applicant has stated that the East Lee County Water Control District is not able to accommodate the proposed development on the 95 acre site. The applicant is proposing to provide on-site detention with detention areas to be constructed to comply with the peak allowable discharge rates. Provisions should be made for emergency over-flow during an event that exceeds anticipated rainfall, onto the Buckingham Road right of way.

Lee County Department of Transportation has provided a copy of the letter being sent to the applicant's representative addressing the need for more information before a decision will be made about the potential over-flow of surface water runoff.

This is in response to your letter dated September 21 requesting a letter from DOT granting you the authority to drain the above referenced parcel into the Buckingham Road drainage system. At this time we can not issue a letter because there is not sufficient information for us to evaluate the impacts.

We need information that would show were all of the existing and/or historic drainage went. We will need to know what the quantities of runoff will be, both before and after. We will need your firm to do a site evaluation that includes the existing Buckingham drainage to advise if there are any impacts to our existing drainage all the way to the outfall. Once that information is received we will be able to complete our evaluation and advise if we can issue the letter you are requesting.

This issue will have to be resolved prior to any development occurring on the site. This issue will still be able to be addressed during the rezoning process or the development order process.

PUBLIC SERVICES COMMENTS (SUMMARY)

Based on the above listed information, the potential development that would be allowed under the Future Land Use designation changes can be adequately supplied. As was listed from the responding agencies there are several pre-requisites that have been requested of the applicant:

1) Consideration of Transit as a viable transportation mode to and from any potential development at this site.

2) Providing proof of no objections from surrounding potable water and sanitary sewage providers before the City of Fort Myers will allow connection to the City's system.
3) Provisions for emergency over-flow for an event that exceeds anticipated rainfall. The potential for this situation needs to be address with Lee County Department of Transportation as over-flow would be toward Buckingham Road.

These items will need to be conditioned into any zoning change requests and/or development orders.

PUBLIC NOTIFICATION PROCESS

Signs Posted and Letters Mailed Out

As part of the requirements of Administrative Code 13-7, residents within 500 feet of the proposed amendment site are to be mailed a notice stating the nature of the Future Land Use Map change. In addition, a sign is posted at the site with a description of the proposed amendment and the assigned case number.

Staff Response

A minimal number of inquiries were generated through the mail-out or sign posting. There was one request for additional information that dealt with the boundaries for the Community Planning Area for the Buckingham area.

Buckingham Conservancy, Inc

The Buckingham Conservancy, Inc. has provided a letter referencing the removal of land from the Buckingham Planning Community and moving it to the Lehigh Acres Planning Community. The letter states the Buckingham Conservancy is opposed to the removal of any property from the Buckingham Planning Community. The letter is provided as Attachment 8 to the staff report.

Staff Response

This plan amendment offers an opportunity to address a boundary discrepancy between the Vision Statement text descriptions for both the Buckingham and Lehigh Acres Planning Communities and the boundaries established in Map 16 of the Lee Plan. Both the Planning Communities and the Vision Statements were intended to work together to describe an envisioned growth pattern for Lee County, it makes sense that both parts of the Lee Plan should identify the same geographic areas.

Another concern planning staff must consider is the needs and impacts a plan amendment will have in surrounding areas. This plan amendment would respond to a recognized need of the Lehigh Acres Planning Community by providing commercial acreages to an area with a recognized lack of non-residential development. At the same time staff must take into consideration the predetermined patterns of growth that have been adopted by the Buckingham Planning Community to ensure rural and not urban patterns of development take place in the Buckingham Rural Preserve area.

However, the Goal, Objectives, and Policies of the Lee Plan that dictate the rural patterns of development for the Buckingham Community are located in Goal 17. As was stated

earlier in the staff report, the Buckingham area boundary which establishes the area that Goal 17 regulates does not include the 95 acre site referenced in the comprehensive plan amendment. By establishing this stretch of Buckingham Road as the boundary between the Buckingham Planning Community and the Lehigh Acres Planning Community an easy to understand, physical boundary will be created.

CONSISTENCY WITH THE LEE PLAN

> ***POLICY 1.1.4:*** *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

Given the sites proximity to Buckingham Road, State Route 82, and Interstate-75, its location adjacent to the City of Fort Myers, the applicant's intent to develop commercial and limited light industrial uses to the extent that the Urban Community land use category will allow, and more importantly its strategic placement to the Lehigh Acres Community, the proposed land use change fits the distinctly urban character that the Urban Community land use category strives for.

> ***OBJECTIVE 2.2: DEVELOPMENT TIMING.*** *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

The subject parcel is currently served by public services to provide an adequate core level of service.

> ***POLICY 2.4.4:*** *Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the*

Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No, 00-22. 04-16)

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

The site is a former landfill which presents a potential hazard towards residential uses.

OBJECTIVE 17.1: LAND USE. *The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)*

The plan amendment does not seek to change any "Rural Community Preserve" land use designations.

OBJECTIVE 17.3: SEWER AND WATER. *In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Map 7 as Future Sanitary Sewer Service Areas, the existing Resource Recovery Facility, and the adjacent Lee County Parks and Recreation Facility. Central water lines may be extended along major roads of the Buckingham Rural Preserve upon request of property owners, with extension and connection fees paid by the person(s) requesting the water service. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density increase, or reduction of lot size requirements, within the Buckingham Rural Community Preserve. (Amended by Ordinance No. 00-22, 03-19)*

Public services such as central sewer lines are not being proposed to be extended into the Buckingham Rural Community Preserve.

POLICY 39.1.4: *Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided. (Amended and Relocated by Ordinance No. 99-15)*

Direct access to the project is on Buckingham Road, an arterial roadway.

POLICY 39.1.6: *Through the zoning process, the county will direct high-intensity land uses to parcels which abut designated future transit corridors identified in Map 3C. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)*

Lee Tran has reviewed this comprehensive plan amendment and acknowledges that service is provided approximately ½ mile from the subject property and there are no short range plans for transit service. Lee Tran does see a demand for access to transit service for potential development based on this comprehensive plan amendment and feels that pedestrian walkways and even bikeways should be constructed. This site is located on the "Unincorporated Bikeways / Walkways Facilities Plan" that would require the integration of these services (Map provided as Attachment 9). The property in question would be required per the requirements of the Land Development Code (LDC) Chapter 10-256 and the Administrative Code 11-9 (AC 11-9) to provide an eight foot (8) off-site [within the County's right-of-way] multi-use concrete or asphalt path along the frontage of Buckingham Road. In addition there is a requirement for a four foot (4) on-road bike path (paved shoulder); however, the Bicycle Pedestrian Advisory Committee (BPAC) has recommended to the Board of County Commissioners to add paved shoulders on Buckingham Road from State Route 82 to just south of the bridge over the Orange River. This project has been advanced to the design phase and should be under construction sometime next year. The applicant will only be responsible for the eight foot (8) multi-use trail. It is being proposed through the text amendment that the multi-use trail will be incorporated into a buffer that will be established along Buckingham Road.

FLORIDA STATE COMPREHENSIVE PLAN

Concerning most areas of the Florida's State Comprehensive Plan, this amendment does not impact any goals or policies either positively or negatively.

(13) HAZARDOUS AND NONHAZARDOUS MATERIALS AND WASTE
(a)5. Identify and clean up hazardous waste sites.

The applicant reviewed existing Florida Department of Environmental Protection database information concerning Brownfield sites. The parcel in question is not listed as a Brownfield Site.

(22) ECONOMY
(a)10. Provide for nondiscriminatory employment opportunities.

The applicant has stated their intent to provide a development fostering commercial and limited light industrial uses within the Lehigh Acres area.

(25) EMPLOYMENT
(a)4. Encourage economic development in economically distressed areas.

The Lee Plan, though the Lehigh Acres Vision Statement and existing Goals, Objectives, Policies, and Standards within the Lee Plan is actively pursing more non-residential acreage to provide employment opportunities for the growing population.

AFFECT ON ADJACENT LOCAL GOVERNMENTS

The subject property is located within the unincorporated portion of Lee County and is bound on the south by the City of Fort Myers. The adjacent City property, although currently vacant is zoned MU which allows a wide variety of use upon approval through a public hearing process. The proposed amendment is unlikely to have an adverse impact on the City's properties. Additionally, the City of Fort Myers is intended to be the provider of potable water and sanitary sewage for this development. The City is fully aware of the scope of this proposed comprehensive plan amendment.

PLANNING STAFF RECOMMENDATIONS

Planning staff believes additional conditions should be placed on this plan amendment to ensure appropriate development patterns. Planning staff is proposing the following text amendment. The intent of the additional text amendment is to address specific concerns about the types of development that will take place.

> ***Objective 1.9:*** *For the parcel of land described as generally, the southwest quarter of Section 19, Township 44 South, Range 26 East of Lee County, Florida; generally bounded by Buckingham road to the west; the eastern, southwest quarter boundary of Section 19, Township 44 South, and Range 26 East as the eastern most boundary, and the southern boundary of Section 19, Township 44 South, Range 26 East as the southern boundary for the plan amendment area.*
>
> ***Policy 1.9.1:*** *All development for this site will be by Planned Development.*

The inclusion of this text will ensure that Lee County will be able to condition development through landscaping, architecture, and use.

> ***Policy 1.9.2:*** *Development will be limited to Commercial (both general and retail) and Limited Light Industrial uses to an intensity allowed under the Urban Community Land Use designation. No residential uses will be allowed on the parcel described in Objective 1.9*

A concern for this site was the potential development of residential units. The previous use of the property, as a landfill make this a less than desirable location for residential uses. Policy 5.1.2 of the Lee Plan prohibits residential developments where hazards exist. Even though the site is not listed as a Brownfield site by the Florida Department of Environmental Protection, it's prior use was a cause of concern by staff. The applicant agreed.

> ***Policy 1.9.4:*** *A buffer will be established along Buckingham Road that will integrate the required sidewalk with appropriate plantings and berms to provide adequate visibility and protection to the non-motorized public.*
>
> - *The buffer, pertaining to the area abutting Buckingham Road, will be a minimum of fifty (50) linear feet in depth with a total average of seventy-five (75) linear feet in depth for the entire distance along Buckingham Road*

- *In working with the county, the required sidewalk will be eight (8) feet in width and function as amulti-purpose trail and will be designed to incorporate the entire buffer area.*
- *The buffer area will be designed in a fashion to incorporate the proximity of the Buckingham Park and its potential to be utilized by park patrons.*
- *The future potential for transit accessibility will be designed into the buffer area.*
- *The buffer area will be designed to establish a boundary between the Buckingham Rural Preserve to the north and the urban uses to the south of Buckingham Road and will, at a minimum consist of five (5) canopy trees per one hundred (100) linear feet and hedges planted in double staggered rows three (3) feet from center with a height at installation of forty-eight (48) inches.*
    - *Native species are to be utilized for the required vegetative buffer.*

B. CONCLUSIONS

The proposed map and text amendment provides sound planning coordination between Lee County Staff, the applicant, and the general public. The proposed amendments respond to existing Goals, Objectives, Policies, and Standards that are establishing planned growth patterns for Lee County. Every attempt was made to recognize preconceived development potentials for the affected areas and to respond in a manner that was fair, equitable, and in the best interest of Lee County.

C. STAFF RECOMMENDATION

REVISED RECOMMENDATION: Planning Staff recommends transmittal of the proposed amendment consisting of the Future Land Use Map change of ±95 acres of land currently designated under the Rural Land Use designation to the Urban Community Land Use designation and the associated text amendment.

Planning staff recommends keeping the ±95 acre parcel in the Buckingham Planning Community boundary.

ORIGINAL RECOMMENDATION: Planning Staff recommends transmittal of the proposed amendment consisting of the Future Land Use Map change of ±95 acres of land currently holding the land use designation of Rural to Urban Community and moving the property from the existing Buckingham Planning Community to the Lehigh Acres Planning Community with the proposed Text Amendments.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. October 23, 2006

A. **LOCAL PLANNING AGENCY REVIEW** Staff explained the purpose of the amendment and reviewed the staff report and recommendations. LPA members submitted questions dealing with various issues. One of the subjects raised dealt with the issue of access to the property and how the potential development would service the Lehigh Acres Community. Staff responded that access would be provided along Buckingham Road, an arterial that is currently functioning at a LOS "C", as is specified in the 2006 Concurrency Report. Staff also submitted that access for the uses of the property would come from Buckingham Road to State Route 82 and Gunnery Road and access to Lee Boulevard from both Alvin Road and Abrahms Road; all are designated as collector roads or arterial roads.

LPA members also questioned the prior use of the property and the potential issue of storm-water run-off. Staff responded by stating the applicant is fully aware of the landfill site, but that the property is not listed as a Brownfield site through the Florida Department of Environmental Protection. This would not limit their liability, but the full extent of the potential impacts would not be known until further environmental analysis could be conducted. The applicant's representative also spoke about the prior use of the land stating they did not feel this site was appropriate for residential uses and that commercial and limited light industrial uses would serve the area better. Staff has proposed new text as part of this amendment that would not allow residential uses on this ±95 acre site. The issue of storm-water runoff had not been fully addressed at the time of the LPA hearing and further communications were continuing between the applicant and the Lee County Department of Transportation.

The meeting was opened for pubic comment. There were several speakers each addressing similar topics, such as: not moving any property out of the Buckingham Planning Community and more intense development encroaching on the Buckingham area with increased traffic because of it. A few members of the speaking public stated an interest in working with the owner in developing the property site. As part of the public comment the issue of transitioning from development outside of the Buckingham area to the Buckingham Rural Preserve was brought up. A member of the audience stating to be one of the original authors of Goal 17 (Buckingham Area) Lee Plan text stated that while the parcel in question was not a part of the Buckingham Area (regulated by the Goal 17 text), it was a part of the Buckingham Planning Community area and it was their intent to have the area between the Buckingham Area boundary and the Buckingham Planning Community boundary to be a transition area which would not allow an intensity beyond the Rural Land Use designation.

After the LPA hearing and based on the above discussion, staff reviewed the boundaries from the 1990 Lee Plan, Map 16, "Year 2010 Overlay" Sub-Districts, which show the ±95 acre site being included in Sub-District 704. Sub-District 704 primarily used Buckingham Road as the boundary up to Gunnery Road. The majority of Sub-District 704 overlays

platted Lehigh Acres parcels. A copy of Map 16, from the 1990 Lee Plan is provided as Attachment 9.

The Sub-Districts were changed as a result of the 1994 Evaluation and Appraisal Report which proposed the deletion of the 2010 Overlay Boundary. Through PAM/T 96-13 the County proposed an amendment to create a new community based planning district map (Map 16) and allocate land uses based on these boundaries through the year 2020. The proposed Map 16 from PAM/T 96-13 is provided as Attachment 10. Planning Community 20, the Buckingham Planning Community, as was proposed through PAM/T 96-13, included a portion of Sub-District 704, however there were noticeable changes. First, the boundary which established Buckingham Road as a divider was moved south of the ±95 acre site that had the end result of moving the ±95 acre site from what would have been the Lehigh Acres Planning Community to the Buckingham Planning Community, if the Sub-District 704 boundaries would have been followed. Farther east, past Gunnery Road the section line boundaries were followed. Map 16 was adopted through the June 3, 1998 Board of County Commissioners meeting. There was no discussion about the map.

The Buckingham Area, Goal 17 requirements were adopted into the Lee Plan through Ordinance Number 91-19 with subsequent amendments. The boundaries established through Sub-District 704 and the 1990 Lee Plan would have been in place during the time that the Buckingham Area boundaries were generated.

It was during the public comment portion that the Solid Waste Director stated landfill operations took place on this property from 1972 to 1976. He also spoke about the requirements that were place on the Division of Solid Waste by the Department of Environmental Protection, after the landfill use was discontinued, which included monitoring the site for groundwater contamination for a period of roughly 20 years. During the public comment time, the Smart Growth Director also spoke about the need to transition between different planning communities with different visions of growth, as exist between the Buckingham Planning Community and the Lehigh Acres Planning Community. The conclusion being that as we identify transition areas between conflicting planning communities, the County should be assessing what the countywide needs are. So transitioning from urban community to rural is not uncommon and to do it at a road is not uncommon. However, this line of discussion also concluded there were other concerns about development on this site which centered on its previous use as a land-fill.

Before the LPA members made a motion, the applicant's representative addressed a question to staff asking what would need to be done in order to allow the change in land use designation and not move the ±95 acre site out of the Buckingham Planning Community. Staff responded by stating this could be done but it would require an amendment to Table1(b), the Planning Community Allocations table. LPA members asked the Vice-President of the Buckingham Conservancy if this would be acceptable. The Vice-President responded that he felt the community would still be opposed.

Considering public testimony and LPA comments staff is recommending amending the Lee Plan Future Land Use Map Series, Map 1, to change the parcel from the Rural designation to the Urban Community designation with the associated text amendment .

Staff is, however, recommending keeping the parcel within the Buckingham Planning Community Area.

LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners not transmit the proposal to amend the Lee Plan Future Land Use Map series, Map 1, page 1 of 5 to change ± 95 acres from the Rural Land Use designation to the Urban Community Land Use designation and change the boundaries in the Future Land Use Map series, Map 16, placing the ± 95 acre site within the Lehigh Acres Planning Community.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
RAE ANN WESSEL	AYE
DEREK BURR	AYE
RONALD INGE	NAY
RAYMOND SCHUMANN, ESQ	AYE
CARLETON RYFFEL	ABSENT
FRED W. SCHILFFARTH	ABSENT

PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN BIGELOW	_____
TAMMARA HALL	_____
BOB JANES	_____
RAY JUDAH	_____
FRANK MANN	_____

PART V – DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

B. STAFF RESPONSE:

PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING:

D. BOARD REVIEW:

E. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

F. VOTE:

BRIAN BIGELOW	_____
TAMMARA HALL	_____
BOB JANES	_____
RAY JUDAH	_____
FRANK MANN	_____

Attachments

1) Brownfield Site Map
2) Future Land Use Map – Depicting Plan Amendment Area
3) Table 1(b) – Excerpt showing Lehigh Acres and Buckingham Planning Communities
4) Ordinance 91-19
5) Map 16 – Planning Communities
6) Map 1, Page 2 of 5 – Special Treatment Areas
7) Letter from the Buckingham Conservancy, Inc.
8) Map 3D Bikeways/Walkways Facilities Plan
9) Map 16 from the 1990 Lee Plan
10) Proposed Map 16 from PAM/T 96-13

CPA2005-02

WEBB-BUCKINGHAM

AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Privately Sponsored Application and Staff Analysis

LPA Public Hearing Document
for the
October 23rd, 2006 Public Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 479-8585

October 17, 2006

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-02

☑ Text Amendment ☑ Map Amendment

This Document Contains the Following Reviews:	
✓	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: October 12, 2006

PART I - BACKGROUND

A. SUMMARY OF APPLICATION

1. **APPLICANT/REPRESENTATIVE:**

Carlton Land Holdings, LLC
P.O. Box 2491
Bonita Springs, FL 33413

Al Quattrone and Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

2. **REQUEST:** Amend the Lee Plan Future Land Use Map series, Map 1 to change ± 95 acres from Rural to the Urban Community Land Use Designation and change the boundaries in the Future Land Use Map series, Map 16, placing the 95± acre site within the Lehigh Acres Planning Community.

3. **SUMMARY DISCUSSION:** The applicant's agent, Al Quattrone and Associates, Inc. is pursuing a Map Amendment to Map 1 of the Lee Plan for a 95± acre parcel changing the Future Land Use Category from Rural to Urban Community. The change from

Rural to Urban Community would allow an increase in both commercial and light industrial development and residential density. The parcel is located south of Buckingham Road, approximately 1 mile east of State Route 82 and is approximately 3 miles from the State Route 82, Interstate – 75 intersection. The property is located east of the Lee County Incinerator and Buckingham Community Park, and north of the incorporated boundaries of the City of Fort Myers. During the 1970's, the property was utilized as the Lee County land fill. This site is not listed by the Florida Department of Environmental Protection (FDEP) as a State-Designated Brownfield Site, the FDEP map depicting Brownfield sites in Lee County is provided as Attachment 1. The property is currently located within the Buckingham Planning Community boundaries (Map 16). The property is not located within the Buckingham area boundary that is defined through the Future Land Use Map series, Map 1, Page 2 of 5. The property is not regulated by the Goals, Objectives, or Policies Goal 17 which regulate development within the Buckingham area.

The Comprehensive Plan Amendment is the first step toward the development of the site. The applicant will also be pursuing a zoning change to allow uses such as self storage, commercial recreational uses (bowling, family fun center), retail commercial within the areas determined by the commercial site location standards, professional / general / and medical offices, and limited light industrial uses (light industrial). These uses will have the ability to be properly buffered and sited within the development through the Planned Development process that will be required as part of the text amendment associated with this application.

The applicant is also pursuing a change to the Planning Community boundary lines to include the 95± acre site in the Lehigh Acres Planning Community and exclude it from the Buckingham Planning Community. A more detailed discussion of the impacts of the proposed changes to the planning community boundaries is included further in the staff report.

BACKGROUND INFORMATION

1. EXISTING CONDITIONS:

SIZE OF PROPERTY: ± 95.60 acres

PROPERTY LOCATION: Generally located South of Buckingham Road, across from the Buckingham Community Park.

STRAP #: 19-44-26-00-00003.0000

EXISTING USE OF LAND: Passive Agricultural. Previously used as a landfill.

CURRENT ZONING: AG-2

CURRENT FUTURE LAND USE CLASSIFICATION: Rural

2. INFRASTURCTURE AND SERVICES:

FIRE: Tice Fire District

EMS: Lee County EMS service area.

LAW ENFORCEMENT: Lee County Sheriff's Office.

SOLID WASTE: Waste Management Inc Franchise Area.

MASS TRANSIT: LeeTran route within ½ mile along Lee Boulevard.

WATER AND SEWER: Services can be provided for both potable water and sanitary sewage by the City of Fort Myers.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Planning Staff recommends transmittal of the proposed amendment consisting of the Future Land Use Map change of 95± acres of land currently holding the land use designation of Rural to Urban Community and moving the property from the existing Buckingham Planning Community to the Lehigh Acres Planning Community with the proposed Text Amendments.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:**
   - The 95± acre site is adjacent and north of the incorporated boundary of the City of Fort Myers, an area with a Future Land Use Designation of Mixed Use Land Use Category. The 95± acre site was previously used as a Lee County land-fill site.
   - The site in question is not recognized by the Department of Environmental Protection as a Brownfield Site.
   - Under the Rural Land Use Designation, only minor commercial activities intended to serve the rural community could be developed or 95 single acre or clustered residential lots could be developed.
   - The proposed amendment will not allow residential development on this site. The proposed plan amendment will not affect Lee County's population projections.
   - Under Goal 6, Commercial Site Location Standards, only limited retail uses would be permissible under existing conditions.
   - Under Urban Community Land Use Designation, the opportunity for commercial and limited light industrial uses becomes available, the ability for residential density would also increase.
   - Goal 17: (Buckingham) of the Lee Plan states the precise boundaries of Buckingham are indicated on the Future Land Use Map, Map 1, Page 2 of 5. The property in question is not included in the Buckingham area boundary.
   - Urban Community land use designation is adjacent to this property to the east.
   - The Comprehensive Plan Amendment site is located within the Category 4/5 Storm Surge Zone.
   - The Lee County Department of Transportation is not anticipating a need for any planned improvements to Buckingham Road based on the proposed plan amendment.
   - The boundaries for the Buckingham Area were defined in the Buckingham Sector Plan, submitted as an amendment to the Lee Plan on September 20, 1990. The Buckingham Sector Plan was submitted by the Buckingham Preservation

Committee.

- The original Buckingham Community Plan did not include this area.

COMPREHENSIVE PLAN BACKGROUND

The subject property was designated "Rural" by the original Lee County Future Land Use Map, adopted in 1984. "Rural" was established as a non-urban future land use category with a maximum density of 1 dwelling unit per acre. The property is currently designated "Rural".

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

Application Summary

FLUM Changes

The Comprehensive Plan Amendment requests changes to the Future Land Use designation of a 95± acre parcel from Rural to Urban Community. This change would move property from a non-urban land use category to an urban category and increase its potential density and intensity. Its current location and proximity to both Interstate 75 and State Route 82 definitely encourage the increase in intensity for both commercial and limited light industrial applications, neither of which is allowed under the Rural Land Use designation. However, staff realizes that minor commercial activities are acceptable in the Rural Land Use Designation. Additionally, its close proximity to the Lehigh Acres area should promote a more intense use of commercial acreages and limited light industrial acreages that will serve the growing population. On three sides the property is adjacent to land use designations that are more intense than Rural, those being Public Facilities to the west, Urban Community to the East, and to the immediate south the property abuts the City of Fort Myers with a land use/zoning category of Mixed Use. Policy 2.15 of the City of Fort Myers Comprehensive Plan defines the Mixed Use category as an area, "...which is intended to allow market forces a substantial influence on the area's final character." To the north lies the Buckingham Community which is generally more restrictive than the "Rural" land use designation. The primary land use designation of the Buckingham Community is Rural Community Preserve. This land use category is designed to protect large lot subdivisions and agricultural uses. The descriptor policy is reproduced below. Also, a map depicting the Future Land Use designations is included as Attachment 2.

> ***POLICY 1.4.3:*** *The Rural Community Preserves are established following special studies of Lee County's intact rural communities. Within these areas, special design approaches are to be used to maintain the existing rural character, for example: conservation easements, flexible road design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. These areas are not to be programmed to receive urban-type capital improvements. Lands within this category are not intended to be converted to any Future Urban Areas; rather, they are to remain permanently rural in character and*

use. These areas are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Additional goals, objectives, policies, and standards for these areas may be included in this plan based on the special studies (see for example, Goal 17). Maximum density is one dwelling unit per acre (1 du/acre). (Amended by Ordinance No. 91-19, 94-30)

Planning Community Changes

In addition to the land use designation change, the applicant is also proposing a change to the boundaries of the planning communities. The planning communities are a tool utilized by planning staff to establish county wide growth allocations. The planning communities were more broadly defined in the Vision Statement of the Lee Plan. This section was adopted in 1998. During this process, a list of communities was established and a vision of each was included as a part of the Lee Plan Vision Statement. The intent was to provide a quick and generalized overview of how Lee County is projected to develop during the time frame of the Plan. It was recognized that the Vision Statements were being proposed to provide a glimpse of the development patterns for the Planning Communities, taking into consideration the smaller areas located within each planning community boundary. The allocations of developable land by acreage were included in Table 1(b) of the Lee Plan to give a more specific view of what is anticipated to be developed during the time frame of the Lee Plan. The requested amendment to the Lee Plan dealt with the appropriateness of this 95± acre site being included in the Buckingham Planning Community as opposed to the Lehigh Acres Planning Community. The Vision Statements for both Planning Communities stated Buckingham Road was the border between the two planning communities. The Vision Statements for Buckingham and Lehigh Acres areas are reproduced below.

***Buckingham** - This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan. (Added by Ordinance No. 99-15)*

***Lehigh Acres** - This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and*

Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)

As it appears with the text from the Vision Statement the 95± acre site would, by description, fit better in the Lehigh Acres Planning Community as opposed to the Buckingham Planning Community. Additionally, the proposed Future Land Use change would fit better with the envisioned growth patterns as well as the existing Goals, Objectives, and Policies promoting more acreage for non-residential uses within the Lehigh Acres Planning Community.

Staff analysis of the data presented in Table 1(b) indicates that the 95± acre site in question currently falls under the "Non-Regulatory" allocations category and as such would not impact Table 1(b) build-out scenarios for the Buckingham Planning Community.

Presently, the Lehigh Planning Community has 177 acres of commercially available allocated acreages and 108 acres of industrial available allocated acreages to absorb the 95 acres of commercial / limited light industrial lands to the Lehigh Acres Planning Community.

Reproduced as Attachment 3 is a portion of Table 1(b) that pertains to both the Buckingham Planning Community and the Lehigh Acres Planning Community.

Community Planning Areas

The planning communities are not used to determine specific areas regulated by geographically specific Goals, Objectives, or Policies. This is done by establishing a Community Planning Areas. The Lee Plan, through Map 1, Page 2 of 5 identifies specific areas as overlays that contain special restrictions or allowances in addition to all of the requirements of their underlying categories. A Community Planning Area does exist for the Buckingham area and is defined on the Future Land Use Map series Map 1, Page 2 of 5 and through Goal 17. Additionally, there is text within Goal 17 that states "....the precise boundaries of Buckingham are indicated on the Future Land Use Map." Ordinance No. 91-19 added the Community Planning Area Map to the Lee Plan with excerpts of this ordinance provided as Attachment 4.

The Buckingham area was originally defined with both text and a map through the

Buckingham Sector Plan, which was submitted as an amendment to the Lee Plan on September 20, 1990. The plan was prepared for and submitted by the Buckingham Preservation Committee. The intent of Buckingham Sector Plan was to provide protection to the Rural growth patterns and lifestyles for this area. As was stated in the Buckingham Sector Plan:

> *"The Buckingham study area encompasses approximately 16 square miles, and the precise boundaries are depicted on the map attached as "Appendix A". This boundary was carefully drawn to include only those areas which are distinctively a part of the Buckingham community and which are currently designated either "rural" or "public facilities" on the Lee County land use map."*

The "attached map, Appendix A" referred to in the above listed excerpt is provided in Attachment 4 of this staff report.

The only change to the Buckingham area boundary was proposed in a Comprehensive Plan Amendment (PAM/T 92-16) which altered the Buckingham area boundary and added text recognizing that obvious omissions or inclusions of property that do not belong within the Buckingham area could be corrected. The original text, under Goal 19 (which has been changed to Goal 17 in the current Lee Plan codification), restricted any changes until the 1994 five year Lee Plan update and needed to be amended to reflect the map amendment. The map amendment dealt with a 2.2 acre site that had a "Rural" land use designation and was zoned for commercial development. This parcel did not fall into the described commercial nodes for the Buckingham area and it did not fall under the category of a non-conforming commercial activity that was identified in the Buckingham area, its commercial zoning was simply overlooked.

PAM/T 92-16 established the intent to protect the rural nature of the Buckingham area and recognized the significance of establishing both a physical boundary and appropriate text to ensure that urban development will not infringe upon the Buckingham Rural Preserve. The boundary established as a the Buckingham area does not include the 95± acre site. Copies of the Planning Communities (Map 16) and Map 1, Page 2 of 5 are provided as Attachments 5 and 6, respectively.

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS

The subject property currently has access from Buckingham Road. Buckingham Road is currently classified as an Arterial with a current Level of Service "C", as was stated in the Concurrency Report, June, 2006.

The Lee County Department of Transportation (LCDOT) has reviewed the request and has provided written comments dated June 19, 2006. These comments are reproduced below:

> *We have reviewed the above application, which requests that the land use designation of approximately 95.56 acres be changed from existing "Rural" to "Urban Community" and proposes a text amendment to accompany the map amendment to ultimately allow the property to be rezoned from AG-2 to a*

combination of CPD and IPD. As indicated by the application, the proposed "Urban Community" designation would allow approximately 573 dwelling units, or 742,500 square feet commercial uses, or 877,500 of industrial on the property.

After running the FSUTMS travel demand model, in a worst case analysis, with 742,500 square feet commercial uses for the year 2030 condition, we have determined that the land use change on this property will not alter the future road network plans.

Additional comments that were provided by the Lee County Department of Transportation are reproduced below:

The subject property (95.6 acres) is in front of Buckingham Rd. The existing (2005) AADT on Buckingham Rd between SR 82 and Gunnery Rd is 5,200 and the LOS is "C". MPO 2030 FSUTMS model projects the AADT in 2030 for Buckingham Rd is 12,756 and the LOS is "C". Re-ran the model with the project (add 742,500 s.f of commercial which is the worst case in trip generation) and the AADT on Buckingham Rd in 2030 with the project is 14,843 and the LOS is "D", which is still acceptable LOS.

The analysis did not incorporate, nor did it find necessary, any planned improvements to Buckingham Road based on the above listed analysis.

POPULATION ACCOMMODATION

The proposed Urban Community Land Use designation has a standard density range of 1-6 dwelling units per acre with the potential for bonus density of 10 dwelling units per acre. Under the Urban Community Land Use designation, the potential for 573 dwelling units under a standard density calculation or 956 dwelling units under a bonus density calculation exists.

The existing Rural Land Use designation has a standard density range of 1 dwelling unit per acre with no potential for bonus density. Under the Rural Land Use designation the potential for 95 dwelling units exists.

However, as part of the comprehensive plan amendment, staff is proposing new text that would not allow any residential development to occur on the entire ±95 acre site. The applicant has agreed to no residential development on this site. If the proposed text amendment is adopted as part of this plan amendment it will not significantly affect Lee County's population projections.

ENVIRONMENTAL CONSIDERATIONS

The application includes a map prepared by Bagley Environmental and Planting Services concerning plant communities located on the subject site. The map identifies the Florida Land Use, Forms and Cover Classifications System (FLUCFCS) Code, an acreage coverage and total acreage determination. The map depicts 88.88 acres of the site as being

Disturbed Land / Solid Waste Disposal with scattered Cabbage Palms and 6.72 acres of Electrical Transmission Lines.

Lee County, Environmental Sciences Division reviewed the application and provided an e-mailed response stating:

> *There are no open space, preservation, or protected species issues with the proposed Land Use change. Therefore, ES staff has no objection or recommended policy language.*

SOILS

The application includes a map prepared by Bagley Environmental and Planting Services concerning the soil types located on the subject site. The soils types for the site were determined to be Matlacha Gravelly Fine Sand over the entire 95.6 acre site.

HISTORIC RESOURCES

The application included a map depicting the subject parcel in relation to the Archaeological Sensitivity Map. The parcel in question is not located within either of the Sensitivity Level areas.

The application includes a letter, dated September 25, 2006, from the Division of Historical Resources, Florida Department of State. This letter provides the following:

> *In response to your inquiry of September 21, 2005, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:*
>
> *T:44S R:26E Section 19 (also known as parcel 19-44-26-00-00003.0000)*

The letter further states that this site will not constitute a review of cultural resources.

PUBLIC SERVICES

FIRE The Tice Fire and Rescue District did not have any objections to comprehensive plan amendment. A letter was provided from the Tice Fire and Rescue District. The letter provided the following:

> *After reviewing the rezoning request for the building of up to 819,600 square feet of a mixed commercial and light industrial park, the Tice Fire & Rescue District does not object to the construction of this project. With the information provided about the specific types of occupancies that will be constructed, it is difficult to say what additional, if any equipment will be required to support this project. We anticipate working with the developer as the project moves forward to address any conditions or needs. The district currently provided fire protection services to other industrial sites and parks located in the immediate area of this proposal. The district does reserve the right for future reference regarding the fire protection features as well as water supply and fire department access for this proposal.*

EMERGENCY MEDICAL SERVICES (EMS) The Lee County Public Safety, EMS provided an e-mail that did not state any anticipated problems with the proposed plan amendment or potential development. The e-mail provided the following:

The proposal is within the Lee County EMS service area. Currently our nearest Lee County ambulance is stationed at 9700 Treeline Drive, 4.1 miles from this parcel. Actual response time will depend on the road system planned for reaching future dwelling units within the development.

LAW ENFORCEMENT The Lee County Sheriff's Office provided a letter that stated there was no anticipated problems with providing any potential development with adequate "core" level of law enforcement services. An excerpt of the letter provided by the Lee County Sheriff's Office is provided:

If the proposed development follows that which you have discussed with my staff then the Sheriff's Office has no objection to the project and I am confident that we can provide an adequate "core" level of law enforcement services to the area.

SOLID WASTE The subject property is within the Lee County, Solid Waste District, Area 4. The franchise company responsible to collection for District #4 is Waste Management Inc. Lee County, Solid Waste Division was contacted about the comprehensive plan amendment and no concerns were reported.

MASS TRANSIT LeeTran received a copy of the amendment application and provided the following comments:

Although transit is not addressed in the application the following should be considered. Current transit service is approximately ½ mile from the subject property along Lee Boulevard. This service could be accessed to and from the Carlton Property on foot or by bicycle. The short range transit development plan does not identify a need for transit service in the area other than on Lee Boulevard, and the long range transportation plan keeps transit service on the Lee Boulevard and SR 82 corridors. While transit service does not seem likely at this point on Buckingham Road, there will be some demand for access to transit. I feel the applicant should address pedestrian walkways and even bike ways that could be constructed for individuals to use getting to and from the transit corridors.

SCHOOL IMPACTS The School District provided a letter stating they anticipated no impact on classroom needs based on the applicant's indication that this is a commercial project only and will not have any residential units.

PARKS, RECREATION AND OPENSPACE

The proposed amendment, including the text amendment restricting residential development on this site, will have minimal impacts on parks, recreation, and open space.

Lee County Public Works staff reviewed the request and provided comments stating there were no objections to the proposed change from Rural to Urban Community to facilitate retail, commercial, general commercial, and limited light industrial development.

POTABLE WATER The property is not located in the Lee County Future Water Service Areas delimited by Map 6. It is proposed that potable water will be supplied by the City of Fort Myers. Although this property is not located in the City of Fort Myers Utility Franchise Area, the City has extended potable water lines to the incinerator west of the property which is adequately sized to serve future development on this subject parcel. The City of Fort Myers provided a letter the following is a excerpt of that letter as it pertains to potable water:

> *There is an existing 12 inch potable water transmission main approximately 1,100 feet west of the southwest property corner. The City of Fort Myers provided a letter stating the City's water plant can provide treatment capacity to serve the potential development provided the owner installing any additional on-site water mains and appurtenances needed for adequate domestic water supply and fire protection. An additional condition was set by the City that a "Letter of No Objection" from the surrounding authorities be obtained before any approval of connection into the City's system.*

Lee County Utilities has responded with no objections to the City of Fort Myers providing potable water to this property

SANITARY SEWER The property is not located in the Lee County Future Sewer Service Areas, delimited by Map 7. It is proposed that sanitary sewage will be supplied by the City of Fort Myers. Although this property is not located in the City of Fort Myers Utility Franchise Area, the City has extended sanitary sewer lines to the incinerator west of the property which is adequately sized to serve future development on this subject parcel. The City of Fort Myers provide a letter, the following is an excerpt of that letter as it pertains to sanitary sewer:

> *There is an existing 4 inch sanitary sewer force main approximately 1,100 feet west of the southwest property corner. The City's wastewater plan can provide treatment capacity to serve the potential development provided any additional on-site collections lines, pump stations, and appurtenances needed to handle development flows must be installed by the owner. An additional condition was set by the City that a "Letter of No Objection" from the surrounding authorities be obtained before any approval of connection into the City's system.*

Lee County Utilities has responded with no objections to the City of Fort Myers providing sanitary sewer to this property.

STORMWATER MANAGEMENT The applicant has stated that the East Lee County Water Control District is not able to accommodate the proposed development on the 95 acre site. The applicant is proposing to provide on-site detention with detention areas to be constructed to comply with the peak allowable discharge rates. Provisions should be

made for emergency over-flow during an event that exceeds anticipated rainfall, onto the Buckingham Road right of way.

Lee County Department of Transportation has provided a copy of the letter being sent to the applicant's representative addressing the need for more information before a decision will be made about the potential over-flow of surface water runoff.

> *This is in response to your letter dated September 21 requesting a letter from DOT granting you the authority to drain the above referenced parcel into the Buckingham Road drainage system. At this time we can not issue a letter because there is not sufficient information for us to evaluate the impacts.*
>
> *We need information that would show were all of the existing and/or historic drainage went. We will need to know what the quantities of runoff will be, both before and after. We will need your firm to do a site evaluation that includes the existing Buckingham drainage to advise if there are any impacts to our existing drainage all the way to the outfall. Once that information is received we will be able to complete our evaluation and advise if we can issue the letter you are requesting.*

This issue will have to be resolved prior to any development occurring on the site. This issue will still be able to be addressed during the rezoning process or the development order process.

PUBLIC SERVICES COMMENTS (SUMMARY)

Based on the above listed information, the potential development that would be allowed under the Future Land Use designation changes can be adequately supplied. As was listed from the responding agencies there are several pre-requisites that have been requested of the applicant:

1) Consideration of Transit as a viable transportation mode to and from any potential development at this site.
2) Providing proof of no objections from surrounding potable water and sanitary sewage providers before the City of Fort Myers will allow connection to the City's system.
3) Provisions for emergency over-flow for an event that exceeds anticipated rainfall. The potential for this situation needs to be address with Lee County Department of Transportation as over-flow would be toward Buckingham Road.

These items will need to be conditioned into any zoning change requests and/or development orders.

PUBLIC NOTIFICATION PROCESS

Signs Posted and Letters Mailed Out

As part of the requirements of Administrative Code 13-7, residents within 500 feet of the proposed amendment site are to be mailed a notice stating the nature of the Future Land

Use Map change. In addition, a sign is posted at the site with a description of the proposed amendment and the assigned case number.

Staff Response
A minimal number of inquiries were generated through the mail-out or sign posting. There was one request for additional information that dealt with the boundaries for the Community Planning Area for the Buckingham area.

Buckingham Conservancy, Inc
The Buckingham Conservancy, Inc. has provided a letter referencing the removal of land from the Buckingham Planning Community and moving it to the Lehigh Acres Planning Community. The letter states the Buckingham Conservancy is opposed to the removal of any property from the Buckingham Planning Community. The letter is provided as Attachment 8 to the staff report.

Staff Response
This plan amendment offers an opportunity to address a boundary discrepancy between the Vision Statement text descriptions for both the Buckingham and Lehigh Acres Planning Communities and the boundaries established in Map 16 of the Lee Plan. Both the Planning Communities and the Vision Statements were intended to work together to describe an envisioned growth pattern for Lee County, it makes sense that both parts of the Lee Plan should identify the same geographic areas.

Another concern planning staff must consider is the needs and impacts a plan amendment will have in surrounding areas. This plan amendment would respond to a recognized need of the Lehigh Acres Planning Community by providing commercial acreages to an area with a recognized lack of non-residential development. At the same time staff must take into consideration the predetermined patterns of growth that have been adopted by the Buckingham Planning Community to ensure rural and not urban patterns of development take place in the Buckingham Rural Preserve area.

However, the Goal, Objectives, and Policies of the Lee Plan that dictate the rural patterns of development for the Buckingham Community are located in Goal 17. As was stated earlier in the staff report, the Buckingham area boundary which establishes the area that Goal 17 regulates does not include the 95 acre site referenced in the comprehensive plan amendment. By establishing this stretch of Buckingham Road as the boundary between the Buckingham Planning Community and the Lehigh Acres Planning Community an easy to understand, physical boundary will be created.

CONSISTENCY WITH THE LEE PLAN

> ***POLICY 1.1.4:*** *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at*

slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)

Given the sites proximity to Buckingham Road, State Route 82, and Interstate-75, its location adjacent to the City of Fort Myers, the applicant's intent to develop commercial and limited light industrial uses to the extent that the Urban Community land use category will allow, and more importantly its strategic placement to the Lehigh Acres Community, the proposed land use change fits the distinctly urban character that the Urban Community land use category strives for.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

The subject parcel is currently served by public services to provide an adequate core level of service.

POLICY 2.4.4: *Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No, 00-22. 04-16)*

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

The site is a former landfill which presents a potential hazard towards residential uses.

OBJECTIVE 17.1: LAND USE. *The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham will be changed to a land use category more intense than Rural*

Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)

The plan amendment does not seek to change any "Rural Community Preserve" land use designations.

OBJECTIVE 17.3: SEWER AND WATER. *In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Map 7 as Future Sanitary Sewer Service Areas, the existing Resource Recovery Facility, and the adjacent Lee County Parks and Recreation Facility. Central water lines may be extended along major roads of the Buckingham Rural Preserve upon request of property owners, with extension and connection fees paid by the person(s) requesting the water service. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density increase, or reduction of lot size requirements, within the Buckingham Rural Community Preserve. (Amended by Ordinance No. 00-22, 03-19)*

Public services such as central sewer lines are not being proposed to be extended into the Buckingham Rural Community Preserve.

POLICY 39.1.4: *Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided. (Amended and Relocated by Ordinance No. 99-15)*

Direct access to the project is on Buckingham Road, an arterial roadway.

POLICY 39.1.6: *Through the zoning process, the county will direct high-intensity land uses to parcels which abut designated future transit corridors identified in Map 3C. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)*

Lee Tran has reviewed this comprehensive plan amendment and acknowledges that service is provided approximately ½ mile from the subject property and there are no short range plans for transit service. Lee Tran does see a demand for access to transit service for potential development based on this comprehensive plan amendment and feels that pedestrian walkways and even bikeways should be constructed. This site is located on the "Unincorporated Bikeways / Walkways Facilities Plan" that would require the integration of these services (Map provided as Attachment 9). The property in question would be required per the requirements of the Land Development Code (LDC) Chapter 10-256 and the Administrative Code 11-9 (AC 11-9) to provide an eight foot (8) off-site [within the County's right-of-way] multi-use concrete or asphalt path along the frontage of Buckingham Road. In addition there is a requirement for a four foot (4) on-road bike path

(paved shoulder); however, the Bicycle Pedestrian Advisory Committee (BPAC) has recommended to the Board of County Commissioners to add paved shoulders on Buckingham Road from State Route 82 to just south of the bridge over the Orange River. This project has been advanced to the design phase and should be under construction sometime next year. The applicant will only be responsible for the eight foot (8) multi-use trail. It is being proposed through the text amendment that the multi-use trail will be incorporated into a buffer that will be established along Buckingham Road.

FLORIDA STATE COMPREHENSIVE PLAN

Concerning most areas of the Florida's State Comprehensive Plan, this amendment does not impact any goals or policies either positively or negatively.

(13) HAZARDOUS AND NONHAZARDOUS MATERIALS AND WASTE
(a)5. Identify and clean up hazardous waste sites.

The applicant reviewed existing Florida Department of Environmental Protection database information concerning Brownfield sites. The parcel in question is not listed as a Brownfield Site.

(22) ECONOMY
(a)10. Provide for nondiscriminatory employment opportunities.

The applicant has stated their intent to provide a development fostering commercial and limited light industrial uses within the Lehigh Acres area.

(25) EMPLOYMENT
(a)4. Encourage economic development in economically distressed areas.

The Lee Plan, though the Lehigh Acres Vision Statement and existing Goals, Objectives, Policies, and Standards within the Lee Plan is actively pursing more non-residential acreage to provide employment opportunities for the growing population.

AFFECT ON ADJACENT LOCAL GOVERNMENTS

The subject property is located within the unincorporated portion of Lee County and is bound on the south by the City of Fort Myers. The adjacent City property, although currently vacant is zoned MU which allows a wide variety of use upon approval through a public hearing process. The proposed amendment is unlikely to have an adverse impact on the City's properties. Additionally, the City of Fort Myers is intended to be the provider of potable water and sanitary sewage for this development. The City is fully aware of the scope of this proposed comprehensive plan amendment.

PLANNING STAFF RECOMMENDATIONS

Planning staff believes additional conditions should be placed on this plan amendment to ensure appropriate development patterns. Planning staff is proposing the following text amendment. The intent of the additional text amendment is to address specific concerns about the types of development that will take place.

Objective 1.9: *For the parcel of land described as generally, the southwest quarter of Section 19, Township 44 South, Range 26 East of Lee County, Florida; generally bounded by Buckingham road to the west; the eastern, southwest quarter boundary of Section 19, Township 44 South, and Range 26 East as the eastern most boundary, and the southern boundary of Section 19, Township 44 South, Range 26 East as the southern boundary for the plan amendment area.*

Policy 1.9.1: *All development for this site will be by Planned Development.*

The inclusion of this text will ensure that Lee County will be able to condition development through landscaping, architecture, and use.

Policy 1.9.2: *Development will be limited to Commercial (both general and retail) and Limited Light Industrial uses to an intensity allowed under the Urban Community Land Use designation. No residential uses will be allowed on the parcel described in Objective 1.9*

A concern for this site was the potential development of residential units. The previous use of the property, as a landfill make this a less than desirable location for residential uses. Policy 5.1.2 of the Lee Plan prohibits residential developments where hazards exist. Even though the site is not listed as a Brownfield site by the Florida Department of Environmental Protection, it's prior use was a cause of concern by staff. The applicant agreed.

Policy 1.9.4: *A buffer will be established along Buckingham Road that will integrate the required sidewalk with appropriate plantings and berms to provide adequate visibility and protection to the non-motorized public.*

- *The buffer, pertaining to the area abutting Buckingham Road, will be a minimum of fifty (50) linear feet in depth with a total average of seventy-five (75) linear feet in depth for the entire distance along Buckingham Road*
- *In working with the county, the required sidewalk will be eight (8) feet in width and function as amulti-purpose trail and will be designed to incorporate the entire buffer area.*
- *The buffer area will be designed in a fashion to incorporate the proximity of the Buckingham Park and its potential to be utilized by park patrons.*
- *The future potential for transit accessibility will be designed into the buffer area.*
- *The buffer area will be designed to establish a boundary between the Buckingham Rural Preserve to the north and the urban uses to the south of Buckingham Road and will, at a minimum consist of five (5) canopy trees per one hundred (100) linear feet and hedges planted in double staggered rows three (3) feet from center with a height at installation of forty-eight (48) inches.*
    - *Native species are to be utilized for the required vegetative buffer.*

B. CONCLUSIONS

The proposed map and text amendment provides sound planning coordination between Lee County Staff, the applicant, and the general public. The proposed amendments respond to existing Goals, Objectives, Policies, and Standards that are establishing planned growth patterns for Lee County. Every attempt was made to recognize preconceived development potentials for the affected areas and to respond in a manner that was fair, equitable, and in the best interest of Lee County.

C. STAFF RECOMMENDATION

Planning Staff recommends transmittal of the proposed amendment consisting of the Future Land Use Map change of 95± acres of land currently holding the land use designation of Rural to Urban Community and moving the property from the existing Buckingham Planning Community to the Lehigh Acres Planning Community with the proposed Text Amendments.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. ____October 23, 2006_____

A. LOCAL PLANNING AGENCY REVIEW

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS	_____
RAE ANN WESSEL	_____
DEREK BURR	_____
RONALD INGE	_____
RAYMOND SCHUMANN, ESQ	_____
CARLETON RYFFEL	_____
FRED W. SCHILFFARTH	_____

PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION	_____
TAMMARA HALL	_____
BOB JANES	_____
RAY JUDAH	_____
DOUG ST. CERNY	_____

PART V – DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

B. STAFF RESPONSE:

PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING:

D. BOARD REVIEW:

E. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

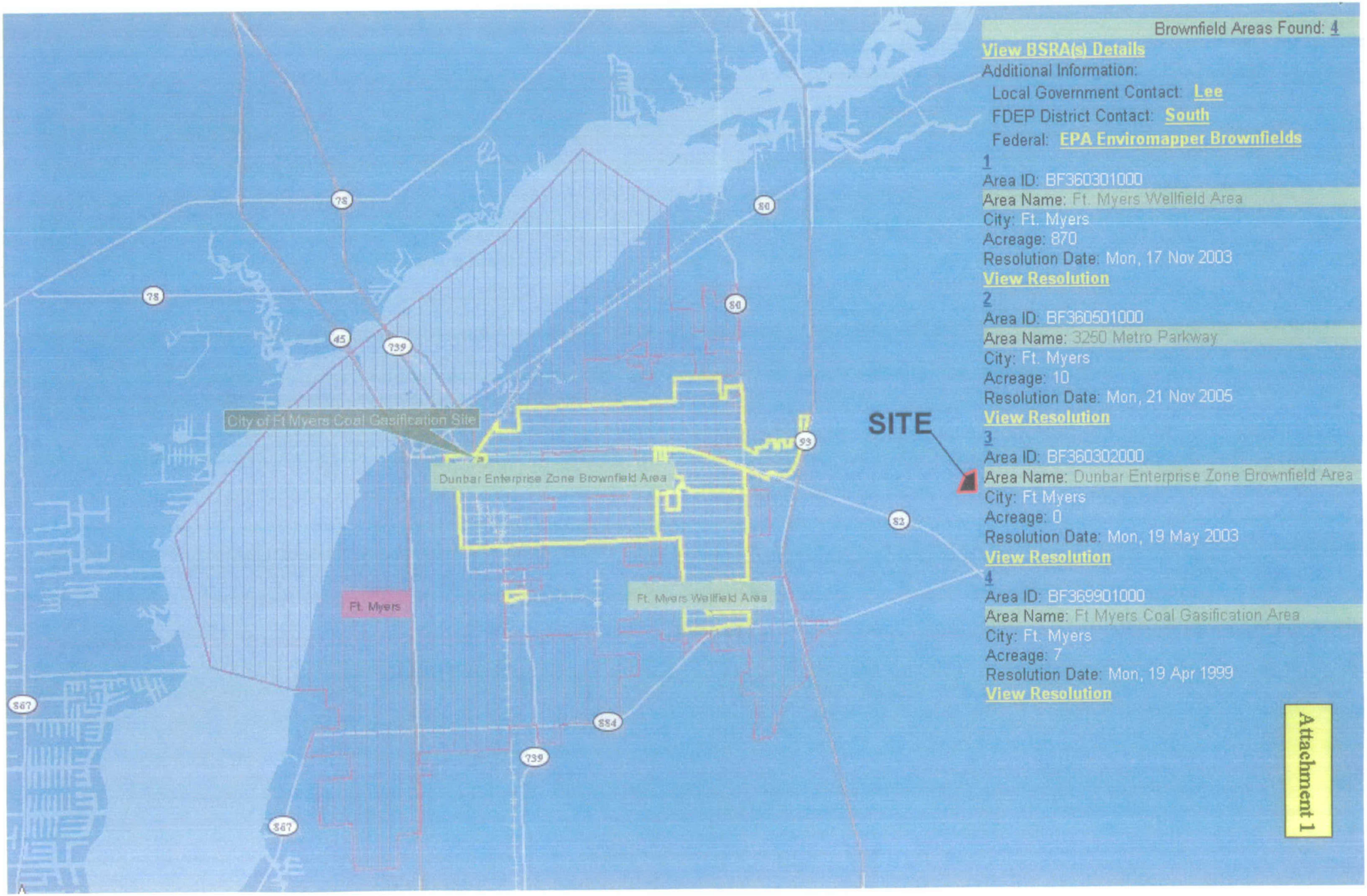
2. BASIS AND RECOMMENDED FINDINGS OF FACT:

F. VOTE:

JOHN ALBION	_____
TAMMARA HALL	_____
BOB JANES	_____
RAY JUDAH	_____
DOUG ST. CERNY	_____

Attachments

1) Brownfield Site Map
2) Future Land Use Map – Depicting Plan Amendment Area
3) Table 1(b) – Excerpt showing Lehigh Acres and Buckingham Planning Communities
4) Ordinance 91-19
5) Map 16 – Planning Communities
6) Map 1, Page 2 of 5 – Special Treatment Areas
7) Letter from the Buckingham Conservancy, Inc.
8) Map 3D Bikeways/Walkways Facilities Plan



Brownfield Areas Found: 4

View BSRA(s) Details

Additional Information:

Local Government Contact: **Lee**

FDEP District Contact: **South**

Federal: **EPA Enviromapper Brownfields**

1

Area ID: BF360301000

Area Name: Ft. Myers Wellfield Area

City: Ft. Myers

Acreage: 870

Resolution Date: Mon, 17 Nov 2003

View Resolution

2

Area ID: BF360501000

Area Name: 3250 Metro Parkway

City: Ft. Myers

Acreage: 10

Resolution Date: Mon, 21 Nov 2005

View Resolution

3

Area ID: BF360302000

Area Name: Dunbar Enterprise Zone Brownfield Area

City: Ft Myers

Acreage: 0

Resolution Date: Mon, 19 May 2003

View Resolution

4

Area ID: BF369901000

Area Name: Ft Myers Coal Gasification Area

City: Ft. Myers

Acreage: 7

Resolution Date: Mon, 19 Apr 1999

View Resolution

Attachment 1

Attachment 2

FUTURE LAND USE MAP

Lee Plan Map 1 of 5

Comprehensive Plan Amendment Site

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.

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	1/31/1989	3/1/1989
89-09	3/3/1989	3/14/1989
90-43	9/5/1990	9/12/1990
90-44	9/12/1990	9/12/1990
91-10	4/3/1991	4/10/1991
91-19	7/9/1991	7/18/1991
92-35	8/7/1992	8/16/1992
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
93-06	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	2/25/1995
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	8/30/1997
97-13	6/24/1997	7/25/1997
97-22	11/25/1997	12/26/1997
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	11/24/1999	12/25/1999
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	6/26/2000
00-16	8/8/2000	9/6/2000
00-22	11/1/2000	12/26/2000
01-24	12/13/2001	1/13/2002
02-02, 03, 04, 05, 06	1/15/2002	3/27/2002
02-20	10/21/2002	1/6/2003
03-01, 02, 03, 04, 05, 06, 07	1/6/2003	4/1/2003
03-12	5/6/2003	5/6/2003
03-19, 03-20, 03-31	10/23/2003	1/21/2004
03-26	12/15/2003	3/12/2004
04-14	8/20/2004	12/7/2004
04-15	9/22/2004	10/22/2004
05-18, 05-21	10/12/2005	01/09/2006

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

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

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.

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

Miles

Map Generated June 2006

e 1(b)

Planning Community Year 2020 Allocations

Future Land Use Category		Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres	Southeast Lee County	North Fort Myers	Daniels/Gateway	Estero	Bayshore
Residential By Future Land Use Category	Intensive Development				704	5			371			
	Central Urban	462	15		2,778		3,052		2,498			
	Urban Community	697	930		920	526	8,037			51	327	
	Suburban	2,471	2,250		1,217	636			5,293		1,572	
	Outlying Suburban	396				466			610	49	837	749
	Industrial	7	13		10							
	Public Facilities											
	University Community		860									
	Industrial Interchange							15	9		15	12
	General Interchange											
	General Commercial Interchange											
	Industrial Commercial Interchange											
	University Village Interchange											
	Mixed Use Interchange											
	New Community											
	Tradeport											
	Airport											
	Rural		160			1,129	10	702	383	57	900	1,251
	Rural Community Preserve									3,046		
	Outer Island	1				37						
	Open Lands								45			1,236
	Density Reduction/ Groundwater Resource							3,573				1,837
	Wetlands											
Unincorporated County Total Residential		4,034	4,228		5,629	2,799	11,099	4,290	9,209	3,203	3,651	5,085
Commercial		782	1,613		1,849	165	452	31	1,158	18	1,399	104
Industrial		298	350		723	64	216	55	209	5	87	3
Non-Regulatory Allocation												
Public		2,970	1,085		3,394	1,722	13,738	7,700	2,015	2,114	4,708	1,462
Active AG						2,313		21,066	381	411	833	1,321
Passive AG			90			960		21,110	4,113	3,867	90	4,393
Conservation		8,879	3,283		128	13,703	1,455	30,882	1,293	359	3,626	798
Vacant		1,912	11		690	4,577	19,561	321	4,242	1,278	5,794	1,310
Total		18,875	10,660		12,413	26,303	46,521	85,455	22,620	11,255	20,188	14,476

Amended By Ordinance No. 02-02, 03-19, 05-19

Attachment 3

For the purposes of gathering information regarding Fort Myers Beach and making policy recommendations to the County Commission, Lee County shall maintain the active participation of a Fort Myers Beach advisory committee.

LANGUAGE ADDED BY PAT/M 90-22, JULY 9, 1991

GOAL 19: To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. Goal 19, including the following Objectives and Policies and the designations on the Future Land Use Map, shall not be amended until the 1994 five-year evaluation and update required under Chapter 163.3191, Florida Statutes. For the purposes of this plan, the precise boundaries of Buckingham are indicated on the Future Land Use Map.

OBJECTIVE 19.1: LAND USE.
The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham shall be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners.

POLICY 19.1.1:
The Board of County Commissioners recognized in 1991 decision that rural land uses are the ultimate land uses in Buckingham, and that a transition to urban land uses shall not be permitted unless a finding of overriding public necessity is determined in accordance with Objective 19.1.

POLICY 19.1.2:
No property within Buckingham shall be rezoned to RVPD.

POLICY 19.1.3:
The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road shall be designated as the commercial for the Buckingham area. No commercial activities shall be located outside of this commercial node. There shall be no more than 10,000 square feet of retail space and no more than 20,000 square feet of commercial space in total. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard.

POLICY 19.1.4:

Any lot created in the Rural Community Preserve land use category after the adoption of this amendment must have a minimum area of 43,560 square feet. Any residential planned development zoning granted in the Rural Community Preserve land use category shall require a minimum size of one acre (43,560 square feet) for every residential lot.

OBJECTIVE 19.2: TRANSPORTATION.
To protect the rural character of the Buckingham area, the following amendments to the Official Trafficways Map and the Desirable Traffic Circulation Plan Map (2010 Needs Plan) shall be researched and adopted in 1991, if appropriate:

a. The alignment for the proposed extension of Luckett Road east of Buckingham Road will be diverted as far south as possible in order to skirt the Buckingham area.

b. Delete the proposed extension of SR 31 South of the Orange River.

c. Delete the proposed extension of Orange River Boulevard east of Buckingham Road.

d. Delete the proposed east/west collector within the study area.

e. Delete the proposed extension of Ellis Road.

f. Delete the extension of Staley Road to SR 82.

g. Restore the extension of Buckingham Road to SR 82.

h. All future rights-of-way in Buckingham shall be no greater than 100 feet (except for Buckingham Road and Luckett Road extensions).

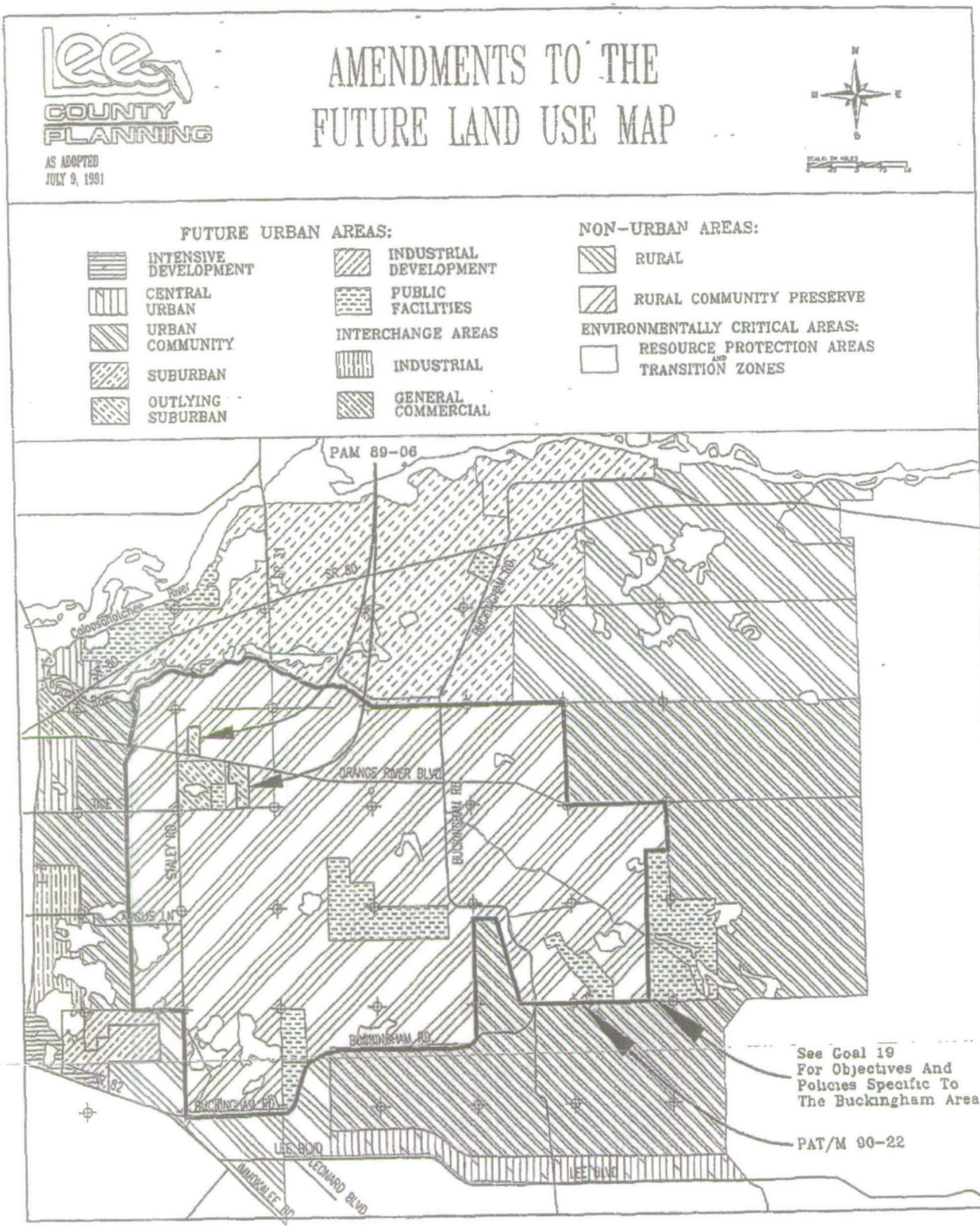
OBJECTIVE 19.3: CONSERVATION.
During 1991, the county shall designate a wildlife corridor from Buckingham Road north through the Buckingham area to the Orange River, pursuant to Objectives 77.11 and Policies 77.3.2, 77.11.5, 77.11.6 and 77.11.7 of the Lee Plan. This corridor may be integrated with on both sides of the FP&L power line easement, and all adjacent vegetation shall be included in the review of the likely corridor configurations. All regulations shall include incentives provided in the Protected Species Ordinance (No. 89-34). If necessary, a certain percentage of regional park impact fees will be earmarked for acquiring property and/or easements in this corridor. Other funding sources shall also be investigated.

POLICY 19.3.1:

After adoption of this plan amendment, the agricultural and single-family exemptions to the Tree Ordinance shall not apply within 25 feet of the Orange River.

OBJECTIVE 19.4: SEWER AND WATER.

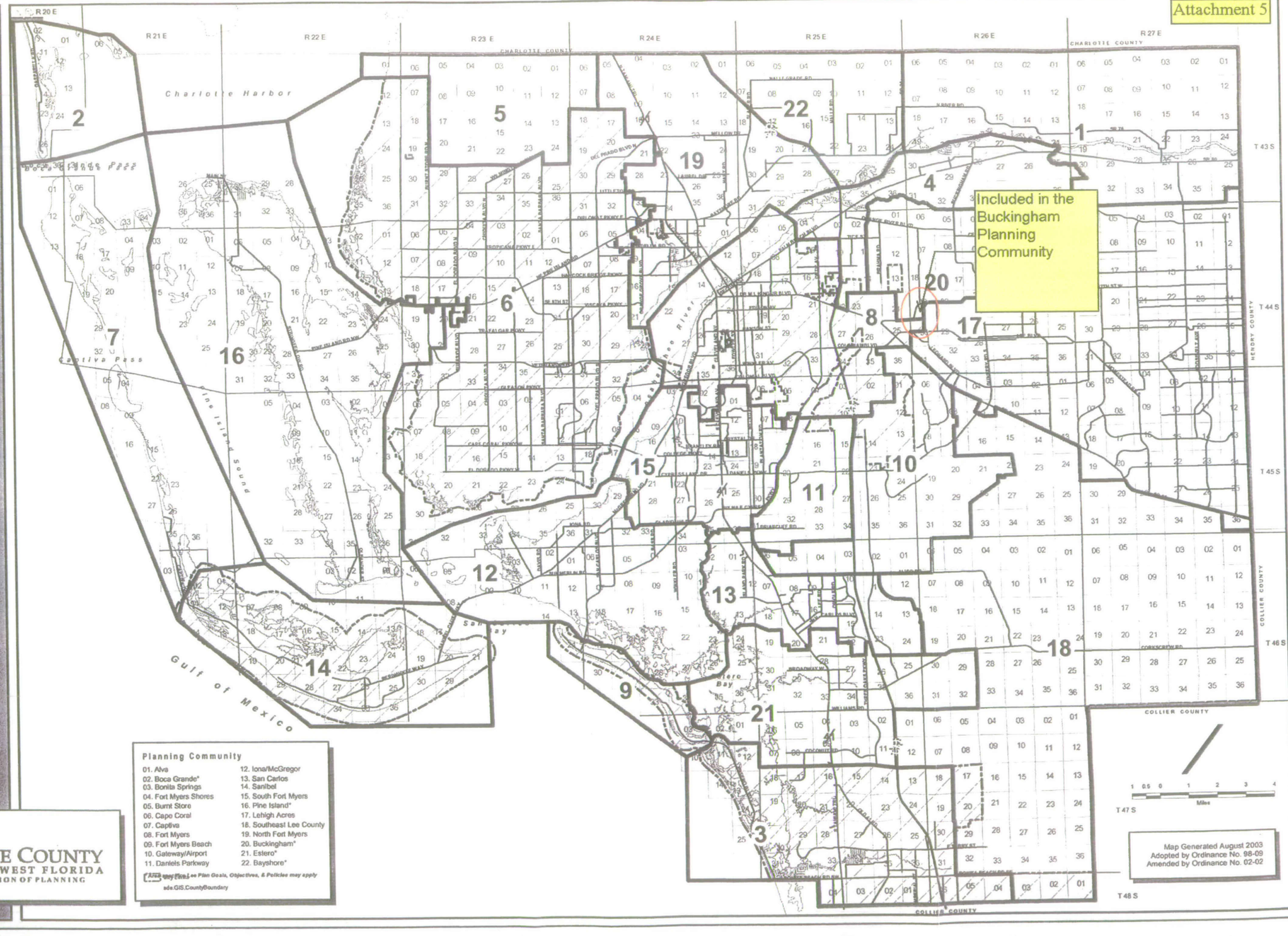
In order to discourage unwanted urban development, central sewer and water lines shall not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Maps 6 and 7 as Future Water and Sanitary Sewer Service Areas and to the site of the proposed resource recovery facility.


Lee COUNTY PLANNING
AS ADOPTED
JULY 9, 1991
AMENDMENTS TO THE
FUTURE LAND USE MAP
FUTURE URBAN AREAS:
INTENSIVE DEVELOPMENT
CENTRAL URBAN
URBAN COMMUNITY
SUBURBAN
OUTLYING SUBURBAN
INDUSTRIAL DEVELOPMENT
PUBLIC FACILITIES
INTERCHANGE AREAS
INDUSTRIAL
GENERAL COMMERCIAL
NON-URBAN AREAS:
RURAL
RURAL COMMUNITY PRESERVE
ENVIRONMENTALLY CRITICAL AREAS:
RESOURCE PROTECTION AREAS AND TRANSITION ZONES
PAM 89-06
ORANGE RIVER BLVD
BUCKINGHAM RD
STALEY RD
LEE BLVD
LEONARD BLVD
IMMOKALEE RD
See Goal 19
For Objectives And
Policies Specific To
The Buckingham Area
PAT/M 90-22

Attachment 5

LEE COUNTY PLANNING COMMUNITIES

(Lee Plan Map 16)



Planning Community

01. Alva	12. Iona/McGregor
02. Boca Grande*	13. San Carlos
03. Bonita Springs	14. Sanibel
04. Fort Myers Shores	15. South Fort Myers
05. Burnt Store	16. Pine Island*
06. Cape Coral	17. Lehigh Acres
07. Captiva	18. Southeast Lee County
08. Fort Myers	19. North Fort Myers
09. Fort Myers Beach	20. Buckingham*
10. Gateway/Airport	21. Estero*
11. Daniels Parkway	22. Bayshore*

Area may have Lee Plan Goals, Objectives, & Policies may apply

sde.GIS.CountyBoundary

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

Map Generated August 2003
Adopted by Ordinance No. 98-09
Amended by Ordinance No. 02-02

Attachment 6

SPECIAL TREATMENT AREAS

(Lee Plan Map 1 Page 2 of 5)

Charlotte Harbor

Boca Grande Pass

Captive Pass

Pine Island Sound

San Carlos Bay

Gulf of Mexico

Estero Bay

Caloosahatchee River

CHARLOTTE COUNTY

COLLIER COUNTY

HENDRY COUNTY

See Goals 15 and 22 for Objectives and Policies Specific To the Gasparilla Island Area

See Goal 14 for Objectives and Policies Specific To the Greater Pine Island Area

See Goal 13 for Objectives and Policies Specific To the Captive Area

See Goal 12 for Objectives and Policies Specific To the San Carlos Island Area

See Goal 20 for Objectives and Policies Specific To the Bayshore Area

See Goal 21 for Objectives and Policies Specific To the Caloosahatchee

See Goal 17 for Objectives and Policies Specific To the Buckingham Area

See Goal 18 for Objectives and Policies Specific To the Estero Area

Excluded from the Buckingham Special Treatment Area

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

LEGEND

- Community Planning Areas
- Water Dependent Overlay See Maps 2 and 12 for details
- City Limits

N
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Miles

January 09, 2006
Map Generated August 2006
Amended by Ordinance No.
02-02, 03-01, 03-02, 03-04, 03-21, 05-19

Attachment 7

BUCKINGHAM CONSERVANCY, INC.

A Florida Non-Profit Corporation

4931 Shady River Lane, Fort Myers, Florida 33905

September 11, 2006

RECEIVED
SEP 13 2006
COMMUNITY DEVELOPMENT

Paul O'Connor
Planning Director
Lee County
Post Office Box 398
Fort Myers, Florida, 33902-0398

Dear Mr. O'Connor:

We have learned that County staff intends to amend the Lee Comprehensive Plan to remove land from the Buckingham Planning District and include it in the Lehigh Acres Planning District.

The officers and directors of the Buckingham Conservancy have reviewed the situation and steadfastly oppose the extraction of any property from the Buckingham Planning District.

We sincerely hope that this matter can be resolved at the county level. Please let us know if there is anything our organization can do to assist you in establishing policy that represents the best interests of our community.

Respectfully,

Bill Burdette,
Vice President

copy: Officers and Directors, Buckingham Conservancy, Inc.
Board of County Commissioners
Department of Community Development Director Mary Gibbs
Lee County Zoning Director Pam Houck
Lee County Attorney David Owen
Mike McDaniel, Florida Department of Community Affairs

PRESIDENT
Chris Bundschu, 693-1000

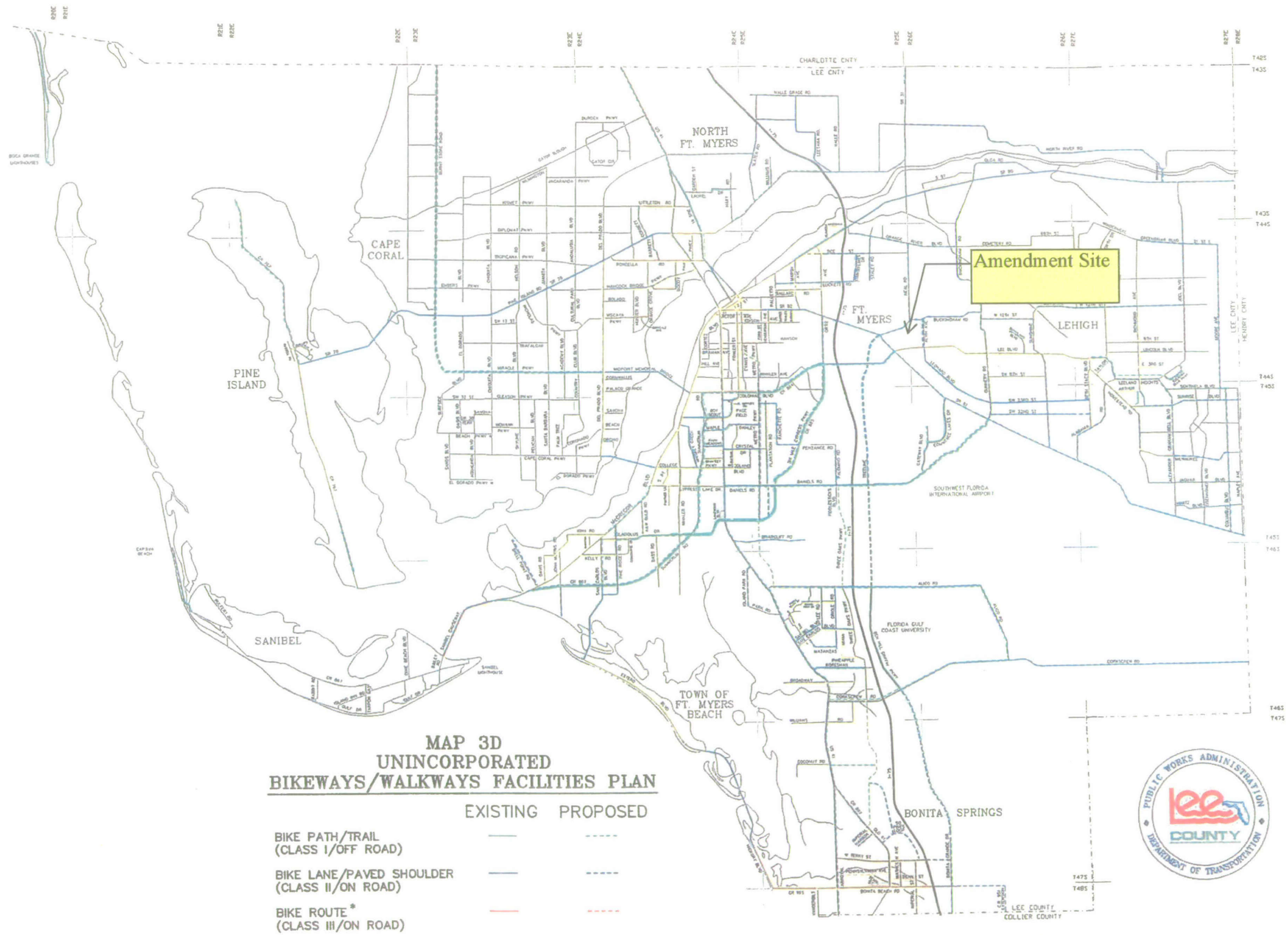
VICE PRESIDENT
Bill Burdette, 936-1404

TREASURER / SECRETARY
Betsy Burdette, 694-4738

DIRECTORS

Don Blackburn	Sarah Clarke	Kerri Goldsmith	George Kaplinski	Bob Murray	Mike Rippe	Bruce Strayhorn	Dick Workman
931-9171	694-6261	561-5473	694-6261	985-1200	694-0451	334-1260	694-0101

Attachment 8



MAP 3D
UNINCORPORATED
BIKEWAYS/WALKWAYS FACILITIES PLAN

	EXISTING	PROPOSED
BIKE PATH/TRAIL (CLASS I/OFF ROAD)	——	- - - -
BIKE LANE/PAVED SHOULDER (CLASS II/ON ROAD)	——	- - - -
BIKE ROUTE* (CLASS III/ON ROAD)	——	- - - -
SIDEWALK*		

NOTE: THE PROVISION OF BIKEWAYS AND PEDESTRIAN WAYS SHALL BE IN ACCORDANCE WITH THE LEE COUNTY LAND DEVELOPMENT CODE.

(* LOCAL ROADS NOT SHOWN)

I HEREBY CERTIFY THAT THIS MAP WAS ADOPTED BY THE LEE COUNTY BOARD OF COMMISSIONERS BY ORDINANCE NO. 95-12 ON JULY 12, 1995, EFFECTIVE SEPTEMBER 1, 1995. AS AMENDED ON THIS DATE _____.

ATTEST:
CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

CHAIRMAN, LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

By: _____
Chairman

PUBLIC WORKS ADMINISTRATION
LEE COUNTY
DEPARTMENT OF TRANSPORTATION

(AMENDED BY ORDINANCE #99-15)

000432804.DWG

CURRENT PLANNING COMMUNITY MAP

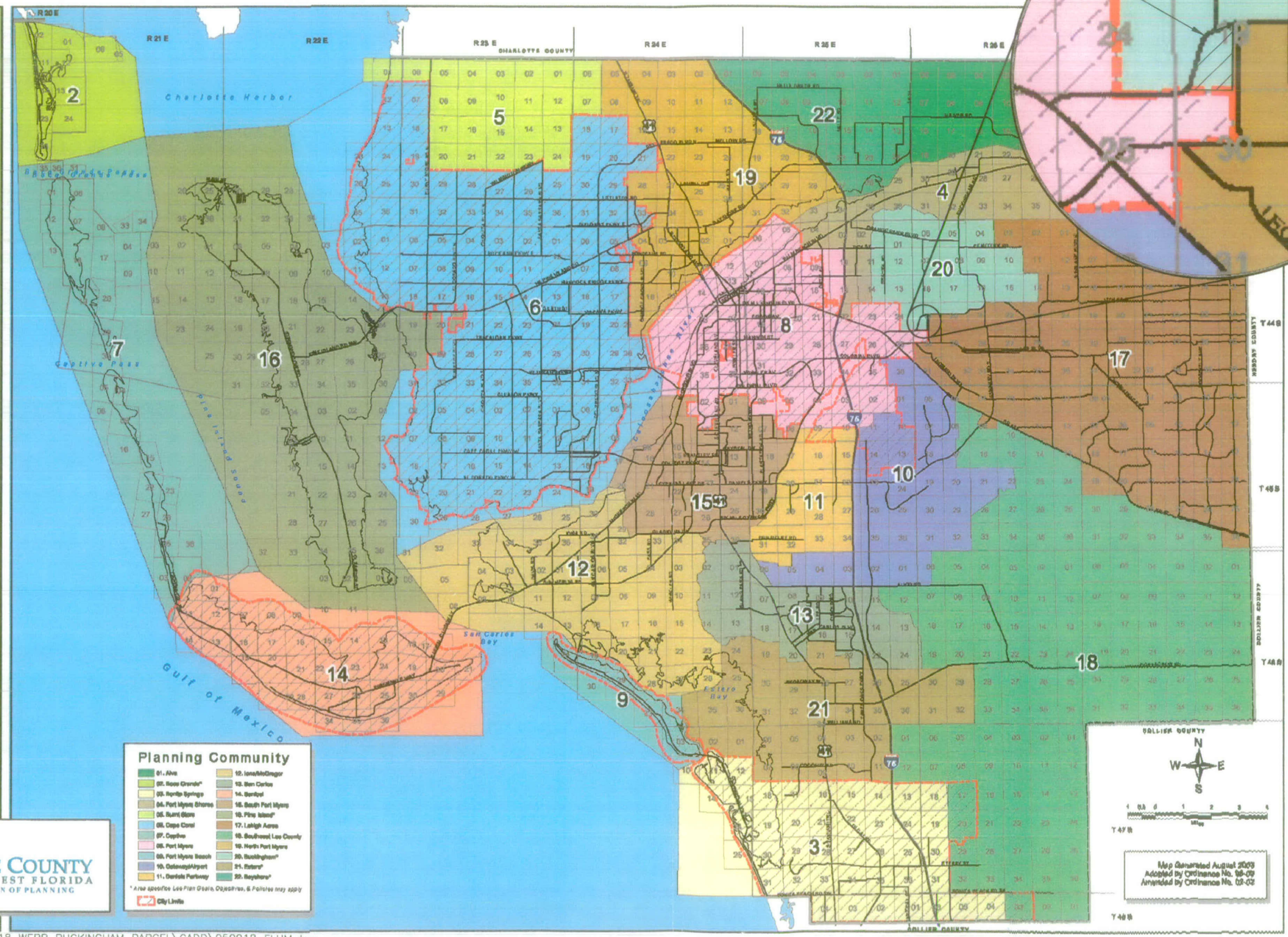
SUBJECT PARCEL

STRAP #19-44-26-00-00003.0000, 95.60 ACRES

BUCKINGHAM PLANNING COMMUNITY

LEE COUNTY PLANNING COMMUNITIES

(Lee Plan Map 16)



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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WEBB BUCKINGHAM CPA

EXHIBIT A-2a: EXISTING PLANNING COMMUNITIES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

REVISIONS

DATE

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222

Certificate of Authorization Number: 9465

VALID ONLY WITH EMBOSSED SEAL

PLOTTED BY: fred
FRI, 7-7-2006 10:14 AM

050918 FLUM.DWG

A-2a

PROPOSED PLANNING COMMUNITY MAP

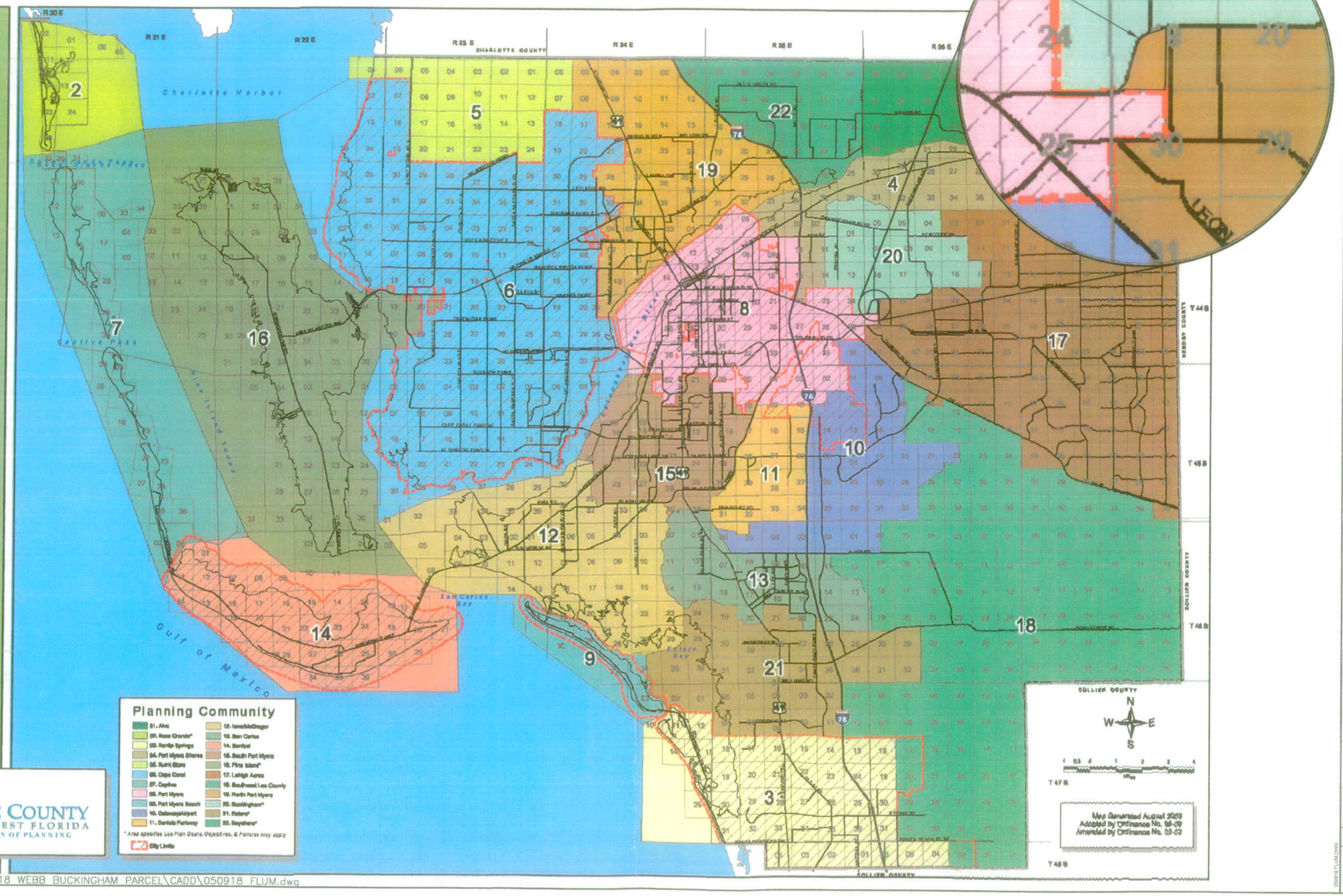
SUBJECT PARCEL

STRAP #19-44-26-00-00003.0000, 95.60 ACRES

LEHIGH ACRES PLANNING COMMUNITY

LEE COUNTY PLANNING COMMUNITIES

(Lee Plan Map 16)



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

WEBB BUCKINGHAM CPA

EXHIBIT A-2b: PROPOSED PLANNING COMMUNITIES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

REVISIONS

DATE

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222

Certificate of Authorization Number: 9465

VALID ONLY WITH EMBOSSED SEAL

PLOTTED BY: fred
FRI, 7-7-2006 10:00 AM

A-2b

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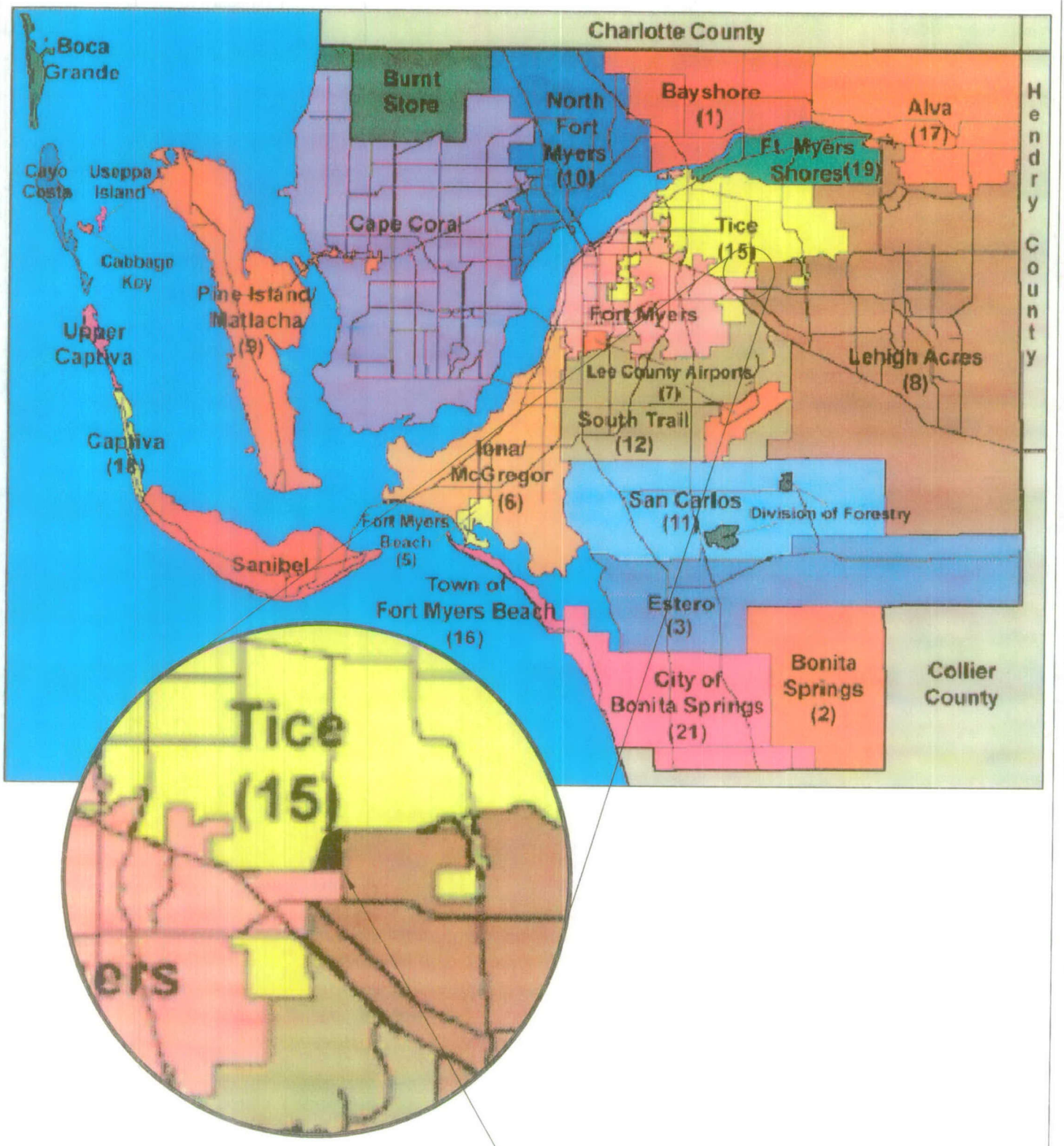
FIRE DISTRICT MAP
EXHIBIT #7



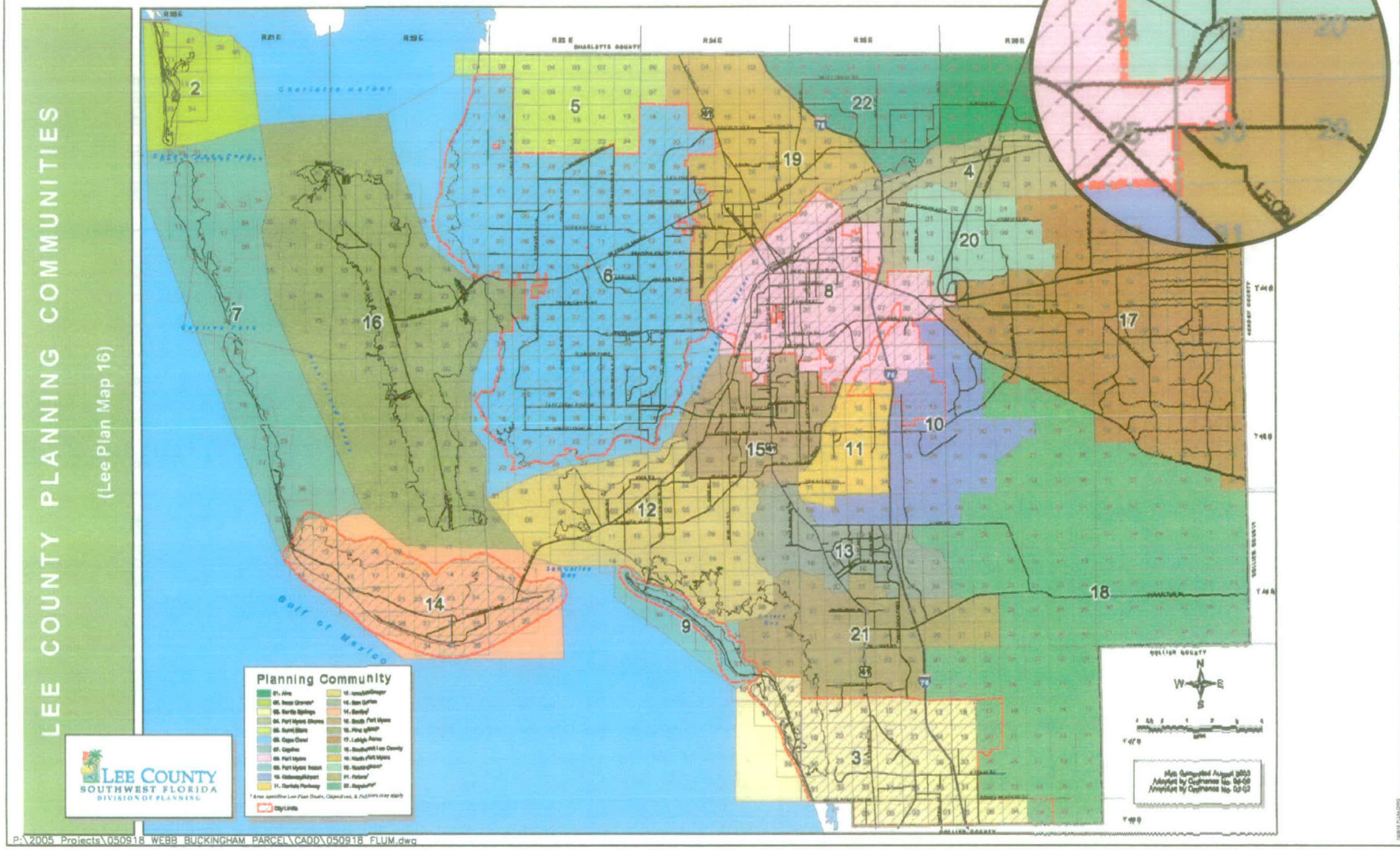
SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES

CURRENT PLANNING COMMUNITY MAP

SUBJECT PARCEL

STRAP #19-44-26-00-00003.0000, 95.60 ACRES

BUCKINGHAM PLANNING COMMUNITY



WEBB BUCKINGHAM CPA

EXHIBIT A-2a: EXISTING PLANNING COMMUNITIES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-1322

Certificate of Authorization Number 7440

A-2a

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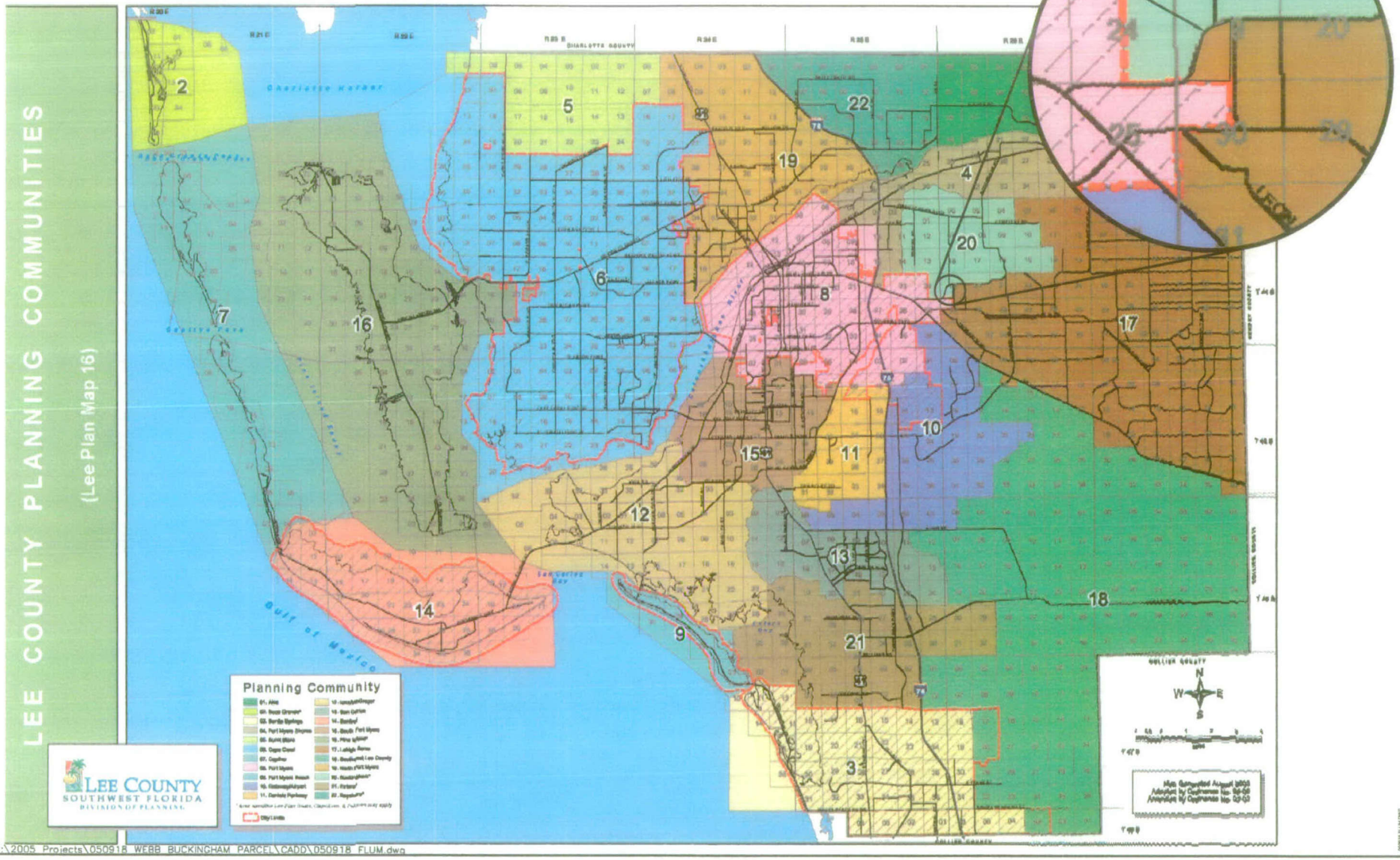
PROPOSED PLANNING COMMUNITY MAP

SUBJECT PARCEL

STRAP #19-44-26-00-00003.0000, 95.60 ACRES

LEHIGH ACRES PLANNING COMMUNITY



WEBB BUCKINGHAM CPA

EXHIBIT A-2b: PROPOSED PLANNING COMMUNITIES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

11000 Metro Parkway, Suite 20 - Fort Myers, Florida 33912 - 239-936-5222

Certificate of Authorization Number: 5461

PLOTTED BY: Brad

FRI, 7-7-2006 10:03 AM

A-2b

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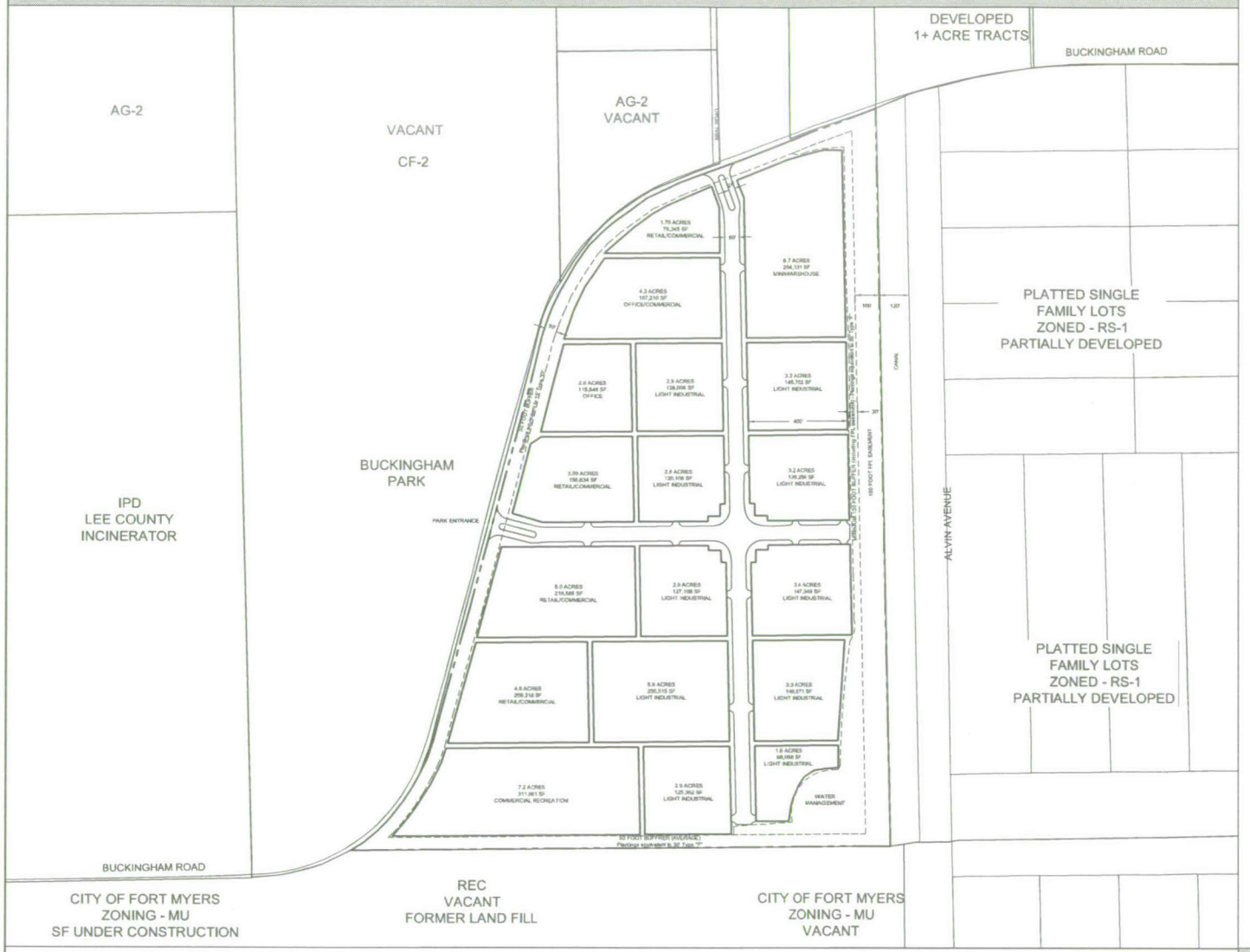
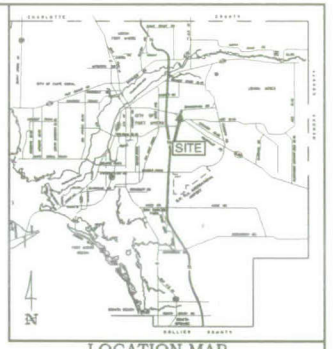
MASTER CONCEPT PLAN: WEBB BUCKINGHAM CPD/IPD

LOCATED IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

EXHIBIT 6-J





PROJECT SUMMARY:

1.) REQUEST: A REZONING FROM AGRICULTURAL (AG-2)
TO INDUSTRIAL PLANNED DEVELOPMENT (IPD)
AND COMMERCIAL PLANNED DEVELOPMENT (CPD)

2.) STRAP NUMBERS:
19-44-26-00-00003.0000

3.) OVERALL PROJECT ACREAGE:

TOTAL SITE ACREAGE:	95.6 AC.	(4,164,336 SF)
DEVELOPABLE AS DEPICTED:	67.5 AC.	(2,941,769 SF)
OPEN SPACE:	18.0 AC.	(784,080 SF)
ROADS/OTHER:	3.3 AC.	(143,748 SF)

TOTAL DEVELOPABLE AREA	67.5 AC.	(2,941,769 SF) (100%)
COMMERCIAL:	29.3 AC.	(1,276,500 SF) (43.4%)
INDUSTRIAL:	38.2 AC.	(1,665,269 SF) (56.6%)

POTENTIAL BUILDING AREA	819,600 SF	(100%)
COMMERCIAL:	323,000 SF	(43.4%)
INDUSTRIAL:	496,600 SF	(56.6%)

4.) OPEN SPACE:
TOTAL OPEN SPACE REQUIRED PER L.C.L.D.C.:
391,180 SF x 10% = 416,434 SF (9.56 ACRES)

OPEN SPACE PROVIDED:	9.2 AC.	(BUFFERS, WATER MGT)
	6.8 AC.	(FPL EASEMENT)
	2.0 AC.	(BUILDING PERIMETERS)
TOTAL:	18.0 AC.	

5.) INDIGENOUS OPEN SPACE:
THE EXISTING SITE IS CURRENTLY VACANT, THEREFORE INDIGENOUS PRESERVATION IS NOT APPLICABLE TO THIS PROJECT.

6.) PERIMETER BUILDING LANDSCAPING:
10% OF THE BUILDING AREA SHALL BE PROVIDED FOR EACH BUILDING:
10% x 877,500 (INDUSTRIAL) SF = 2.0 AC. (87,500 SF)

7.) BUFFER REQUIREMENTS:

SOUTH: AG-2, VACANT - 50' TYPE 'F' BUFFER

WEST: BUCKINGHAM ROAD - 50' TYPE "D" BUFFER

EAST: RS-1, SINGLE-FAMILY - TYPE 'F' 30' BUFFER

NORTH: BUCKINGHAM ROAD - 50' TYPE "D" BUFFER

8.) DEVIATIONS:

NONE REQUESTED

9.) PARKING SHALL BE IN ACCORDANCE WITH SECTION 34-2020

NORTH
200' 400'
SCALE 1"=200'

LAST REVISED: May 11, 2006
PREVIOUS REVISIONS:

P:\2005 Projects\050918 WEBB BUCKINGHAM PARCEL\CADD\050918.dwg

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239.936.5222

LEGEND

SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD

ZONE A: No base flood elevations determined
ZONE AE: Base flood elevations determined
ZONE X: Areas of 500 year flood; areas of 100 year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100 year flood

OTHER FLOOD AREAS

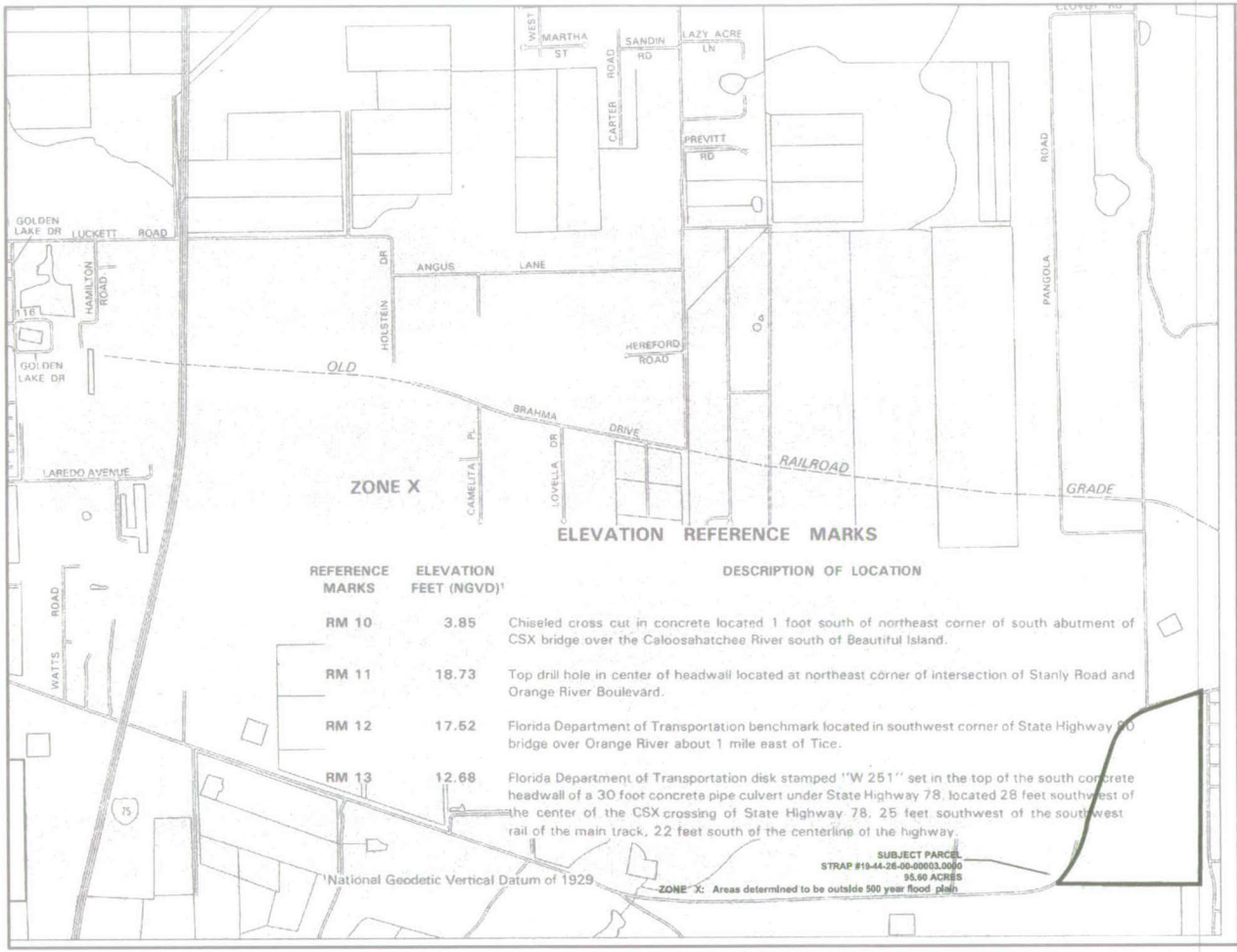
ZONE X: Area of 500 year flood; areas of 100 year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100 year flood

OTHER AREAS

ZONE X: Areas determined to be outside 500 year flood plain
ZONE D: Areas in which flood hazards are undetermined

EXPLANATION OF ZONE DESIGNATIONS

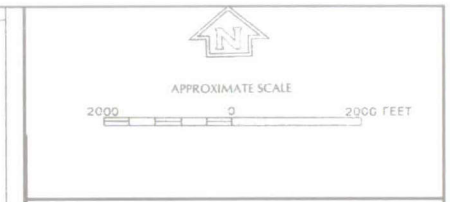
ZONE A: Areas of 100 year flood; base flood elevations and flood hazard factors not determined
ZONE A1- A30: Areas of 100 year flood; base flood elevations and flood hazard factors determined
ZONE B: Areas between limits of the 100 year flood and 500 year flood; or certain areas subject to 100 year flooding with average depths less than (1) foot or where the contribution drainage area is less than one square mile; or areas protected by levees from the base flood.
ZONE C: Areas of minimal flooding
ZONE V1 - V30: Areas of 100 year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined



ELEVATION REFERENCE MARKS

REFERENCE MARKS	ELEVATION FEET (NGVD)[1]	DESCRIPTION OF LOCATION
RM 10	3.85	Chiseled cross cut in concrete located 1 foot south of northeast corner of south abutment of CSX bridge over the Caloosahatchee River south of Beautiful Island.
RM 11	18.73	Top drill hole in center of headwall located at northeast corner of intersection of Stanly Road and Orange River Boulevard.
RM 12	17.52	Florida Department of Transportation benchmark located in southwest corner of State Highway 80 bridge over Orange River about 1 mile east of Tice.
RM 13	12.68	Florida Department of Transportation disk stamped "W 251" set in the top of the south concrete headwall of a 30 foot concrete pipe culvert under State Highway 78, located 28 feet southwest of the center of the CSX crossing of State Highway 78, 25 feet southwest of the southwest rail of the main track, 22 feet south of the centerline of the highway.

[1]National Geodetic Vertical Datum of 1929



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

LEE COUNTY, FLORIDA
(UNINCORPORATED AREAS)

PANEL 225 OF 550
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
125124 0225 C

MAP REVISED:
MARCH 15, 1994

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

WEBB BUCKINGHAM CPA
EXHIBIT C-3 FEMA FLOOD MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number 9665

PLOTTED BY: hal
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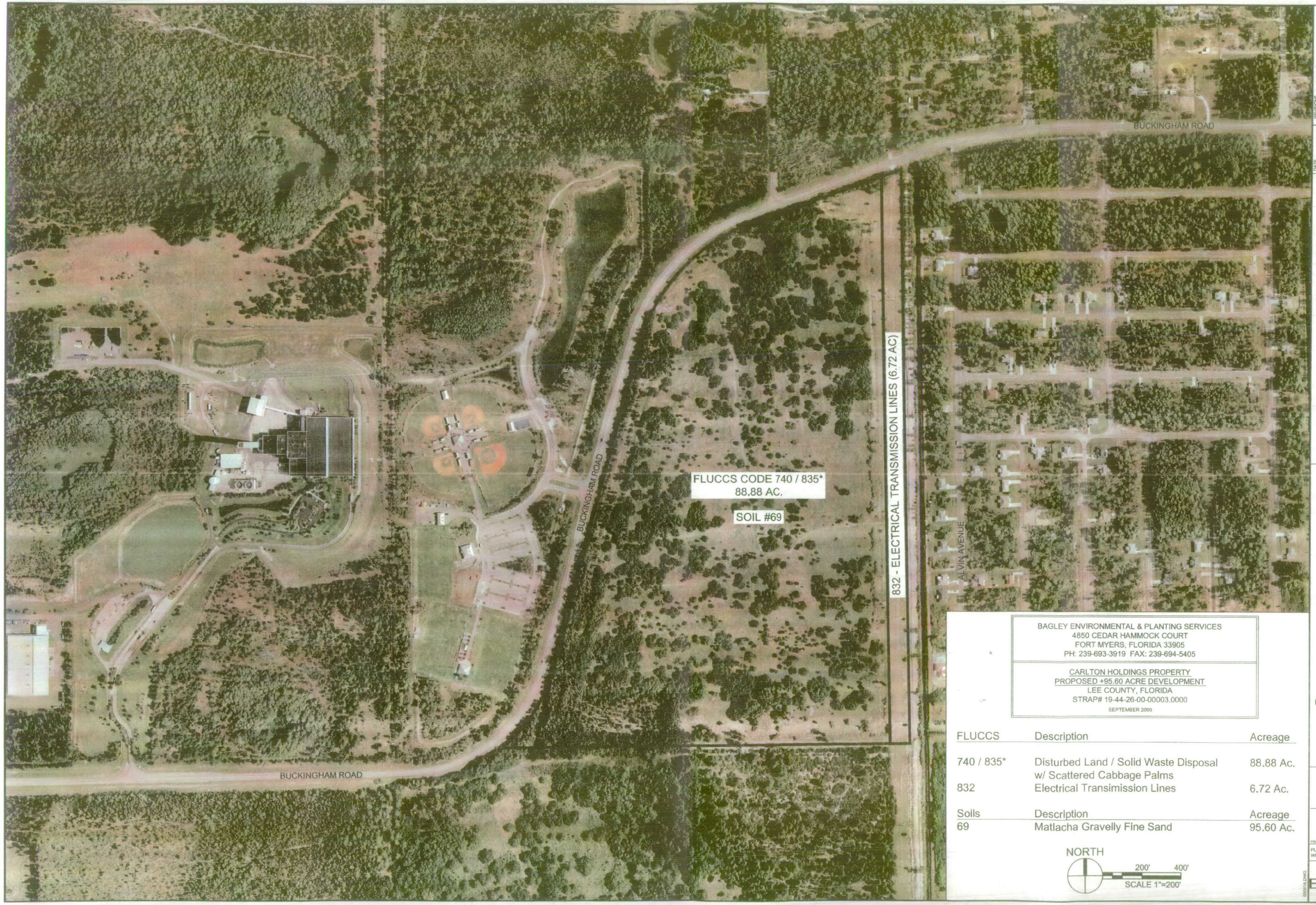
C-3

P:\2005 Projects\050918 WEBB BUCKINGHAM PARCEL\CADD\050918.dwg



BAGLEY ENVIRONMENTAL & PLANTING SERVICES
4850 CEDAR HAMMOCK COURT
FORT MYERS, FLORIDA 33905
PH: 239-693-3919 FAX: 239-694-5405

CARLTON HOLDINGS PROPERTY
PROPOSED +95.60 ACRE DEVELOPMENT
LEE COUNTY, FLORIDA
STRAP# 19-44-26-00-00003.0000
SEPTEMBER 2005

FLUCCS	Description	Acreage
740 / 835*	Disturbed Land / Solid Waste Disposal w/ Scattered Cabbage Palms	88.88 Ac.
832	Electrical Transimission Lines	6.72 Ac.

Soils	Description	Acreage
69	Matlacha Gravelly Fine Sand	95.60 Ac.

NORTH
200' 400'
SCALE 1"=200'

CARLTON HOLDINGS PROPERTY
EXHIBIT #08 - FLUCCS / SOILS MAP

CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9665

VALID ONLY WITH EMBOSSED SEAL

PLOTTED BY: al
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SHEET
EX. 08
8 OF 11

BAGLEY ENVIRONMENTAL & PLANTING SERVICES
4850 CEDAR HAMMOCK COURT
FORT MYERS, FLORIDA 33905
PH: 239-693-3919 FAX: 239-694-5405

CARLTON HOLDINGS PROPERTY
PROPOSED +95.60 ACRE DEVELOPMENT
LEE COUNTY, FLORIDA
STRAP# 19-44-26-00-00003.0090
SEPTEMBER 2005

FLUCCS	Description	Acreage
740 / 835*	Disturbed Land / Solid Waste Disposal w/ Scattered Cabbage Palms	88.88 Ac.
832	Electrical Transimission Lines	6.72 Ac.

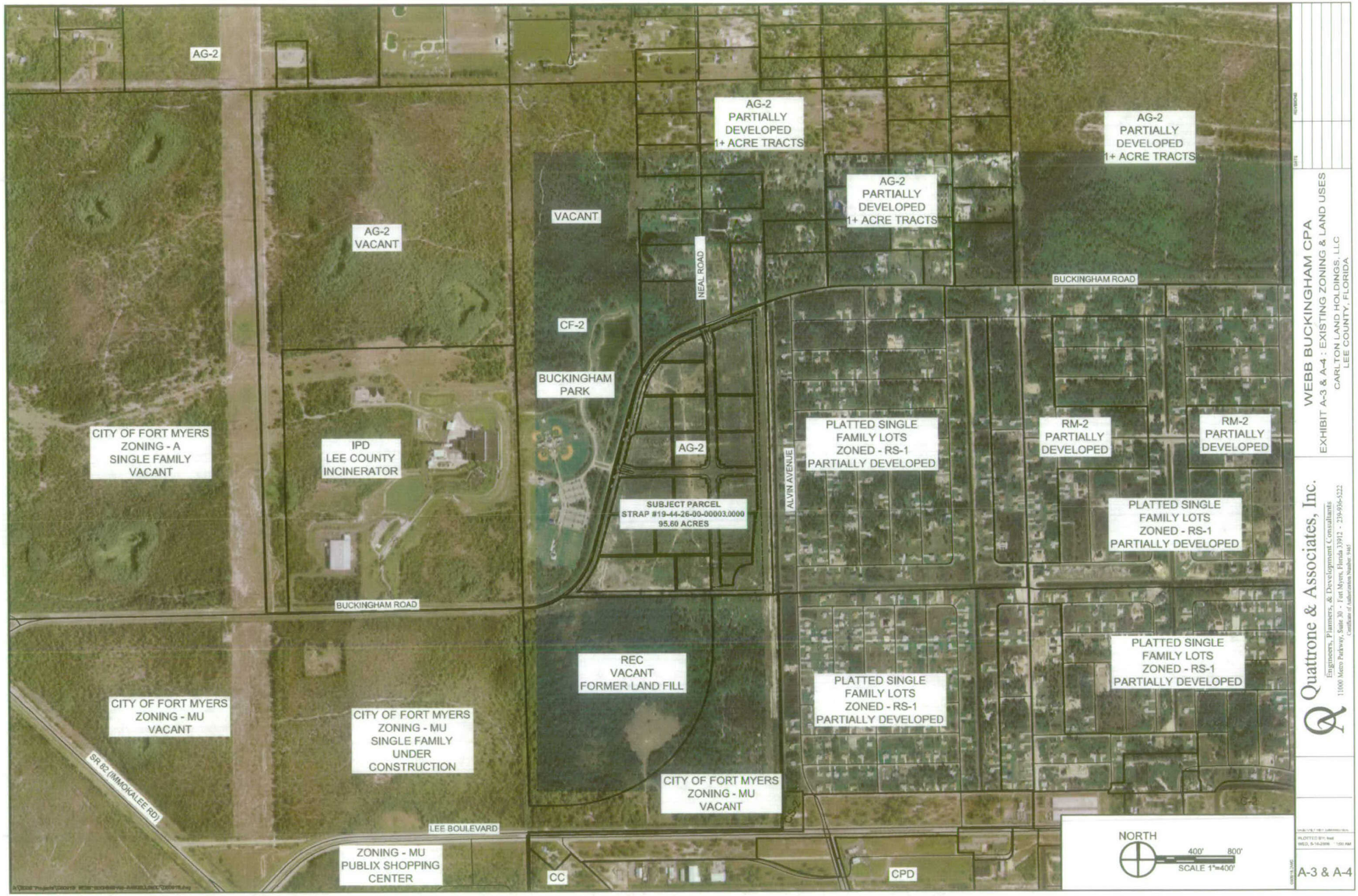
Soils	Description	Acreage
69	Matlacha Gravelly Fine Sand	95.60 Ac.

NORTH
200' 400'
SCALE 1"=200'

WEBB BUCKINGHAM CPA
EXHIBIT C-1 and C-2 FLUCCS/SOILS MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-2322
Certificate of Authorization Number 3665

C-1 & C-2



WEBB BUCKINGHAM CPA

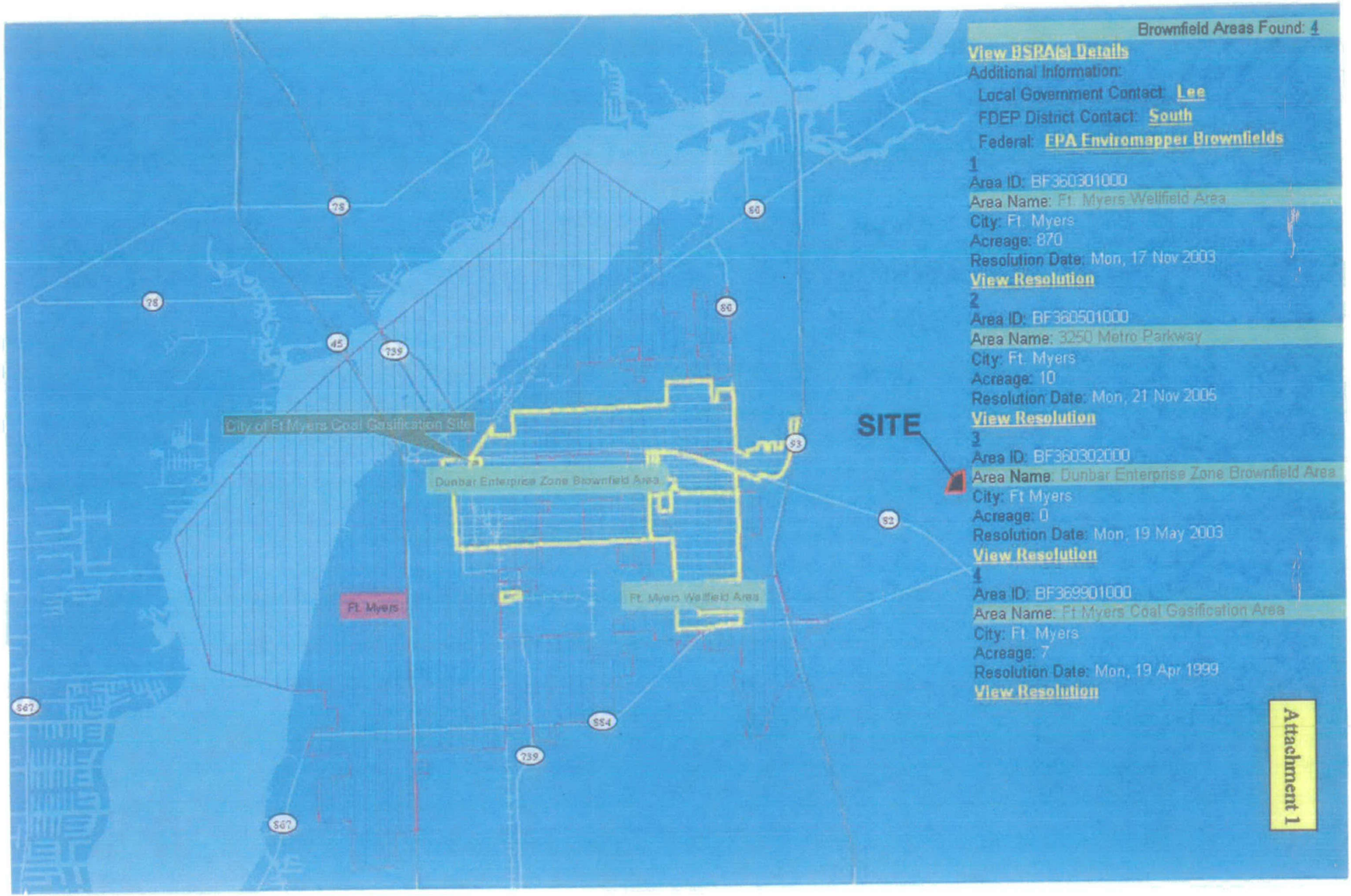
EXHIBIT A-3 & A-4 : EXISTING ZONING & LAND USES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-1522
Certificate of Authorization Number 1645

A-3 & A-4



Brownfield Areas Found: 4

View BSRA(s) Details

Additional Information:

Local Government Contact: Lee

FDEP District Contact: South

Federal: EPA Enviromapper Brownfields

1

Area ID: BF360301000

Area Name: Ft. Myers Wellfield Area

City: Ft. Myers

Acreage: 870

Resolution Date: Mon, 17 Nov 2003

View Resolution

2

Area ID: BF360501000

Area Name: 3250 Metro Parkway

City: Ft. Myers

Acreage: 10

Resolution Date: Mon, 21 Nov 2005

View Resolution

3

Area ID: BF360302000

Area Name: Dunbar Enterprise Zone Brownfield Area

City: Ft Myers

Acreage: 0

Resolution Date: Mon, 19 May 2003

View Resolution

4

Area ID: BF369901000

Area Name: Ft Myers Coal Gasification Area

City: Ft. Myers

Acreage: 7

Resolution Date: Mon, 19 Apr 1999

View Resolution

Attachment 1

e 1(b)

Planning Community Year 2020 Allocations

Future Land Use Category		Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island		Southeast Lee County	North Fort Myers		Estero	Bayshore
Residential By Future Land Use Category	Intensive Development				704	5			371			
	Central Urban	462	15		2,778		3,052		2,498			
	Urban Community	697	930		920	526	8,037			51	327	
	Suburban	2,471	2,250		1,217	636			5,293		1,572	
	Outlying Suburban	396				466			610	49	837	749
	Industrial	7	13		10							
	Public Facilities											
	University Community		860									
	Industrial Interchange											
	General Interchange							15	9		15	12
	General Commercial Interchange											
	Industrial Commercial Interchange											
	University Village Interchange											
	Mixed Use Interchange											
	New Community											
	Tradeport											
	Airport											
	Rural		160			1,129	10	702	383	57	900	1,251
	Rural Community Preserve									3,046		
	Outer Island	1				37						
	Open Lands								45			1,236
	Density Reduction/ Groundwater Resource							3,573				1,837
	Wetlands											
Unincorporated County Total Residential		4,034	4,228		5,629	2,799	11,099	4,290	9,209	3,203	3,651	5,085
Commercial		782	1,613		1,849	165	452	31	1,158	18	1,399	104
Industrial		298	350		723	64	216	55	209	5	87	3
Non-Regulatory Allocations												
Public		2,970	1,085		3,394	1,722	13,738	7,700	2,015	2,114	4,708	1,462
Active AG						2,313		21,066	381	411	833	1,321
Passive AG			90			960		21,110	4,113	3,867	90	4,393
Conservation		8,879	3,283		128	13,703	1,455	30,882	1,293	359	3,626	798
Vacant		1,912	11		690	4,577	19,561	321	4,242	1,278	5,794	1,310
Total		18,875	10,660		12,413	26,303	46,521	85,455	22,620	11,255	20,188	14,476

Attachment 3

For the purposes of gathering information regarding Fort Myers Beach and making policy recommendations to the County Commission, Lee County shall maintain the active participation of a Fort Myers Beach advisory committee.

LANGUAGE ADDED BY PAT/M 90-22, JULY 9, 1991

GOAL 19: To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. Goal 19, including the following Objectives and Policies and the designations on the Future Land Use Map, shall not be amended until the 1994 five-year evaluation and update required under Chapter 163.3191, Florida Statutes. For the purposes of this plan, the precise boundaries of Buckingham are indicated on the Future Land Use Map.

OBJECTIVE 19.1: LAND USE.
The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham shall be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners.

POLICY 19.1.1:
The Board of County Commissioners recognized in 1991 decision that rural land uses are the ultimate land uses in Buckingham, and that a transition to urban land uses shall not be permitted unless a finding of overriding public necessity is determined in accordance with Objective 19.1.

POLICY 19.1.2:
No property within Buckingham shall be rezoned to RVPD.

POLICY 19.1.3:
The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road shall be designated as the commercial for the Buckingham area. No commercial activities shall be located outside of this commercial node. There shall be no more than 10,000 square feet of retail space and no more than 20,000 square feet of commercial space in total. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard.

POLICY 19.1.4:

Any lot created in the Rural Community Preserve land use category after the adoption of this amendment must have a minimum area of 43,560 square feet. Any residential planned development zoning granted in the Rural Community Preserve land use category shall require a minimum size of one acre (43,560 square feet) for every residential lot.

OBJECTIVE 19.2: TRANSPORTATION.
To protect the rural character of the Buckingham area, the following amendments to the Official Trafficways Map and the Desirable Traffic Circulation Plan Map (2010 Needs Plan) shall be researched and adopted in 1991, if appropriate:

a. The alignment for the proposed extension of Luckett Road east of Buckingham Road will be diverted as far south as possible in order to skirt the Buckingham area.

b. Delete the proposed extension of SR 31 South of the Orange River.

c. Delete the proposed extension of Orange River Boulevard east of Buckingham Road.

d. Delete the proposed east/west collector within the study area.

e. Delete the proposed extension of Ellis Road.

f. Delete the extension of Staley Road to SR 82.

g. Restore the extension of Buckingham Road to SR 82.

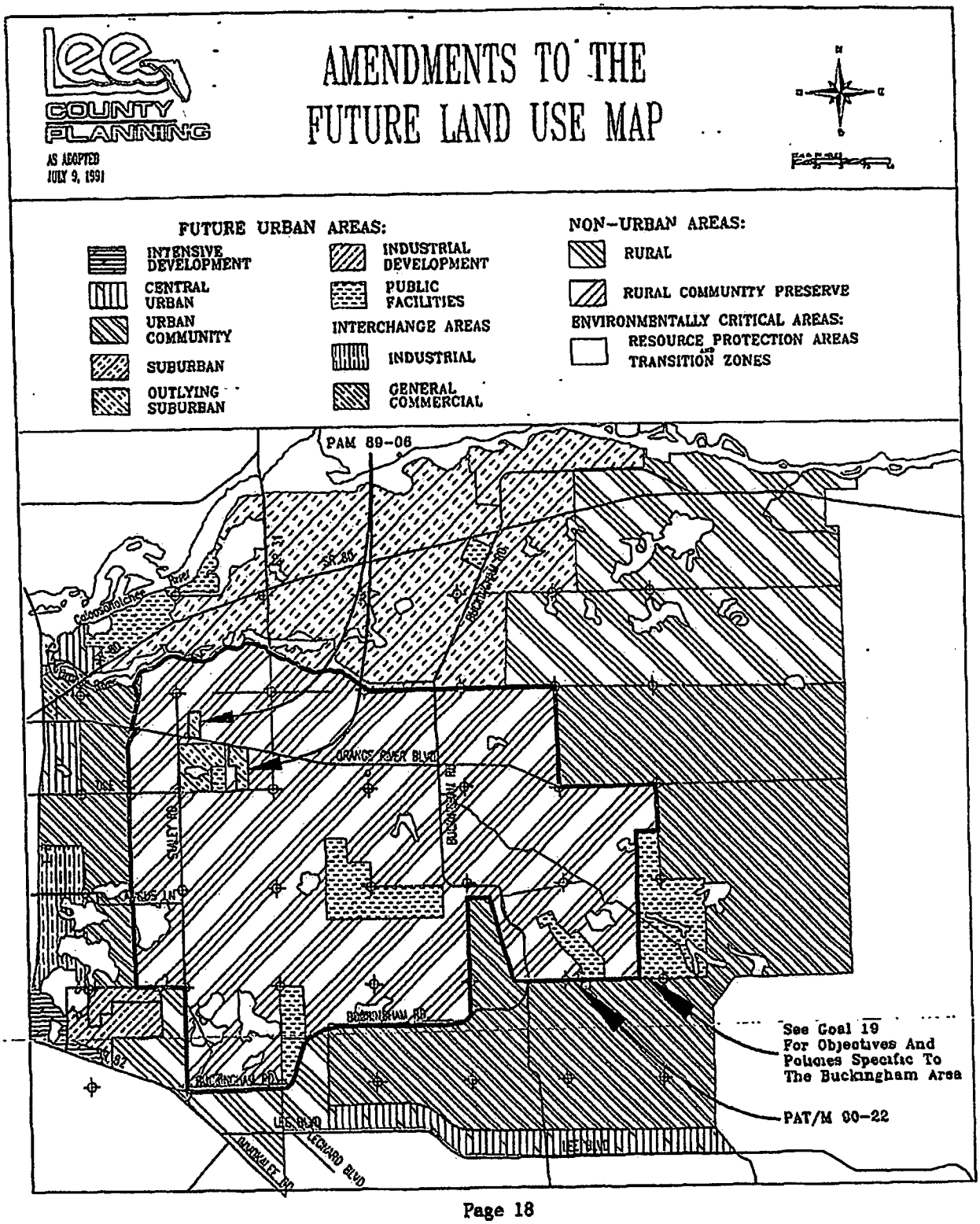
h. All future rights-of-way in Buckingham shall be no greater than 100 feet (except for Buckingham Road and Luckett Road extensions).

OBJECTIVE 19.3: CONSERVATION.
During 1991, the county shall designate a wildlife corridor from Buckingham Road north through the Buckingham area to the Orange River, pursuant to Objectives 77.11 and Policies 77.3.2, 77.11.5, 77.11.6 and 77.11.7 of the Lee Plan. This corridor may be integrated with on both sides of the FP&L power line easement, and all adjacent vegetation shall be included in the review of the likely corridor configurations. All regulations shall include incentives provided in the Protected Species Ordinance (No. 89-34). If necessary, a certain percentage of regional park impact fees will be earmarked for acquiring property and/or easements in this corridor. Other funding sources shall also be investigated.

POLICY 19.3.1:

After adoption of this plan amendment, the agricultural and single-family exemptions to the Tree Ordinance shall not apply within 25 feet of the Orange River.

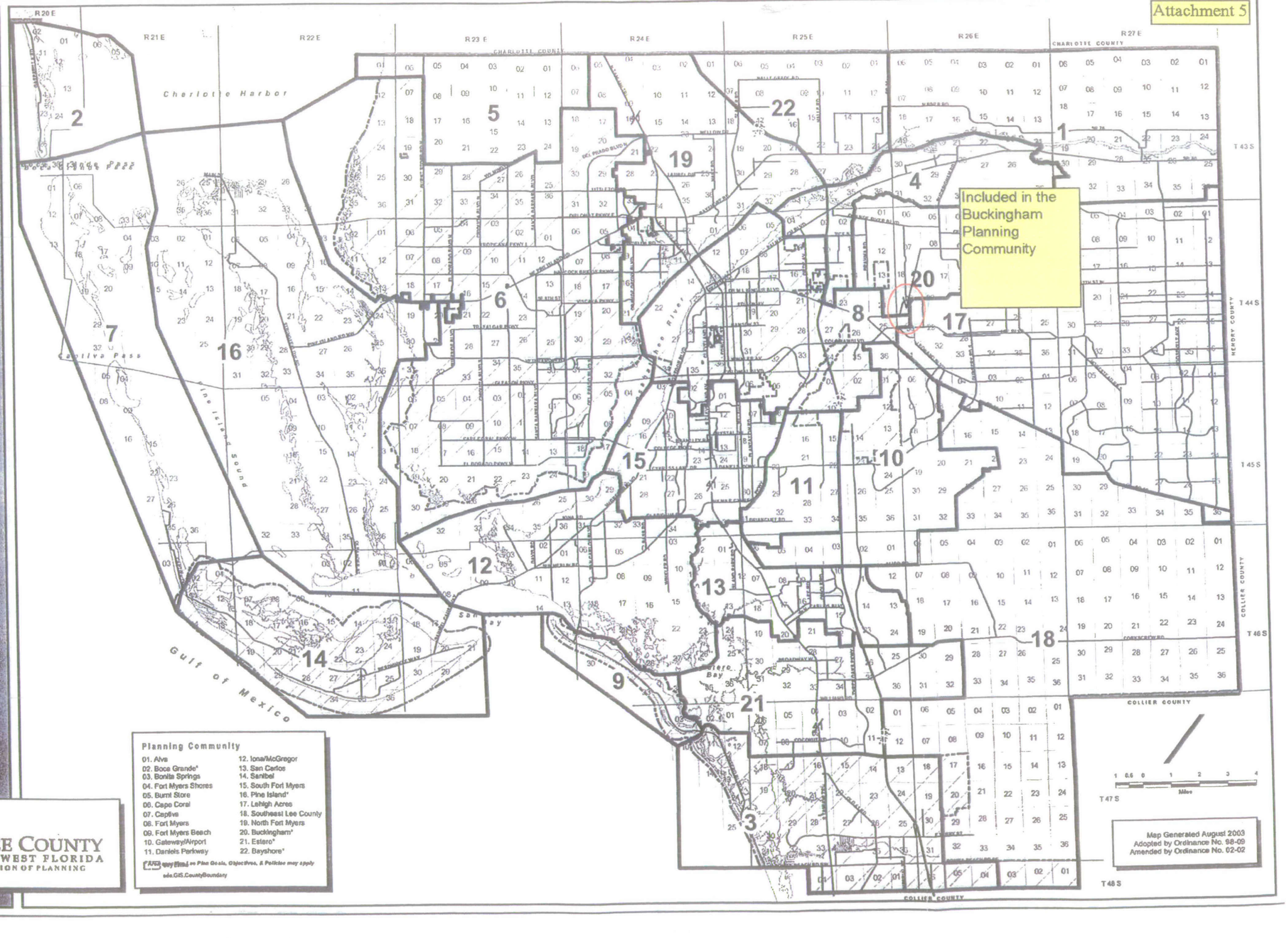
OBJECTIVE 19.4: SEWER AND WATER.
In order to discourage unwanted urban development, central sewer and water lines shall not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Maps 6 and 7 as Future Water and Sanitary Sewer Service Areas and to the site of the proposed resource recovery facility.


Lee COUNTY PLANNING
AS ADOPTED JULY 9, 1991
AMENDMENTS TO THE FUTURE LAND USE MAP
FUTURE URBAN AREAS:
INTENSIVE DEVELOPMENT
CENTRAL URBAN
URBAN COMMUNITY
SUBURBAN
OUTLYING SUBURBAN
INDUSTRIAL DEVELOPMENT
PUBLIC FACILITIES
INTERCHANGE AREAS
INDUSTRIAL
GENERAL COMMERCIAL
NON-URBAN AREAS:
RURAL
RURAL COMMUNITY PRESERVE
ENVIRONMENTALLY CRITICAL AREAS:
RESOURCE PROTECTION AREAS AND TRANSITION ZONES
PAM 89-06
ORANGE RIVER BLVD
BUCKINGHAM RD
See Goal 19 For Objectives And Policies Specific To The Buckingham Area
PAT/M 90-22

Attachment 5

LEE COUNTY PLANNING COMMUNITIES

(Lee Plan Map 16)



Planning Community

01. Alva	12. Iona/McGregor
02. Boca Grande*	13. San Carlos
03. Bonita Springs	14. Sanibel
04. Fort Myers Shores	15. South Fort Myers
05. Burnt Store	16. Pine Island*
06. Cape Coral	17. Lehigh Acres
07. Captiva	18. Southeast Lee County
08. Fort Myers	19. North Fort Myers
09. Fort Myers Beach	20. Buckingham*
10. Gateway/Airport	21. Estero*
11. Daniels Parkway	22. Bayshore*

[illegible] to Plan Goals, Objectives, & Policies may apply

ade.GIS.CountyBoundary

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

Map Generated August 2003
Adopted by Ordinance No. 98-09
Amended by Ordinance No. 02-02

Attachment 6

SPECIAL TREATMENT AREAS

(Lee Plan Map 21 of 6)

Excluded from the Buckingham Special Treatment Area

See Goals 15 and 22 for Objectives and Policies Specific To the Gasparilla Island Area

See Goal 20 for Objectives and Policies Specific To the Bayshore Area

See Goal 21 for Objectives and Policies Specific To the Caloosahatchee

See Goal 17 for Objectives and Policies Specific To the Buckingham Area

See Goal 14 for Objectives and Policies Specific To the Greater Pine Island Area

See Goal 13 for Objectives and Policies Specific To the Captive Area

See Goal 12 for Objectives and Policies Specific To the San Carlos Island Area

See Goal 19 for Objectives and Policies Specific To the Estero Area

CHARLOTTE COUNTY

CHARLOTTE COUNTY

COLLIER COUNTY

COLLIER COUNTY

COLLIER COUNTY

HENDRY COUNTY

Charlotte Harbor

Boca Grande Pass

Captive Pass

Pine Island Sound

Matlacha Pass

Caloosahatchee River

San Carlos Bay

Gulf of Mexico

Estero Bay

N

W E

S

1 0.5 0 1 2 3 4

Miles

January 09, 2006
Map Generated August 2006
Amended by Ordinance No.
02-02, 03-01, 03-02, 03-04, 03-21, 05-19

LEE COUNTY
SOUTHWEST FLORIDA

LEGEND

- Community Planning Areas
- Water Dependent Overlay See Maps 2 and 12 for details
- City Limits

Attachment 7

BUCKINGHAM CONSERVANCY, INC.

A Florida Non-Profit Corporation

4931 Shady River Lane, Fort Myers, Florida 33905

September 11, 2006

RECEIVED
SEP 13 2006
COMMUNITY DEVELOPMENT

Paul O'Connor
Planning Director
Lee County
Post Office Box 398
Fort Myers, Florida, 33902-0398

Dear Mr. O'Connor:

We have learned that County staff intends to amend the Lee Comprehensive Plan to remove land from the Buckingham Planning District and include it in the Lehigh Acres Planning District.

The officers and directors of the Buckingham Conservancy have reviewed the situation and steadfastly oppose the extraction of any property from the Buckingham Planning District.

We sincerely hope that this matter can be resolved at the county level. Please let us know if there is anything our organization can do to assist you in establishing policy that represents the best interests of our community.

Respectfully,

Bill Burdette,
Vice President

copy: Officers and Directors, Buckingham Conservancy, Inc.
Board of County Commissioners
Department of Community Development Director Mary Gibbs
Lee County Zoning Director Pam Houck
Lee County Attorney David Owen
Mike McDaniel, Florida Department of Community Affairs

PRESIDENT
Chris Bundschu, 693-1000

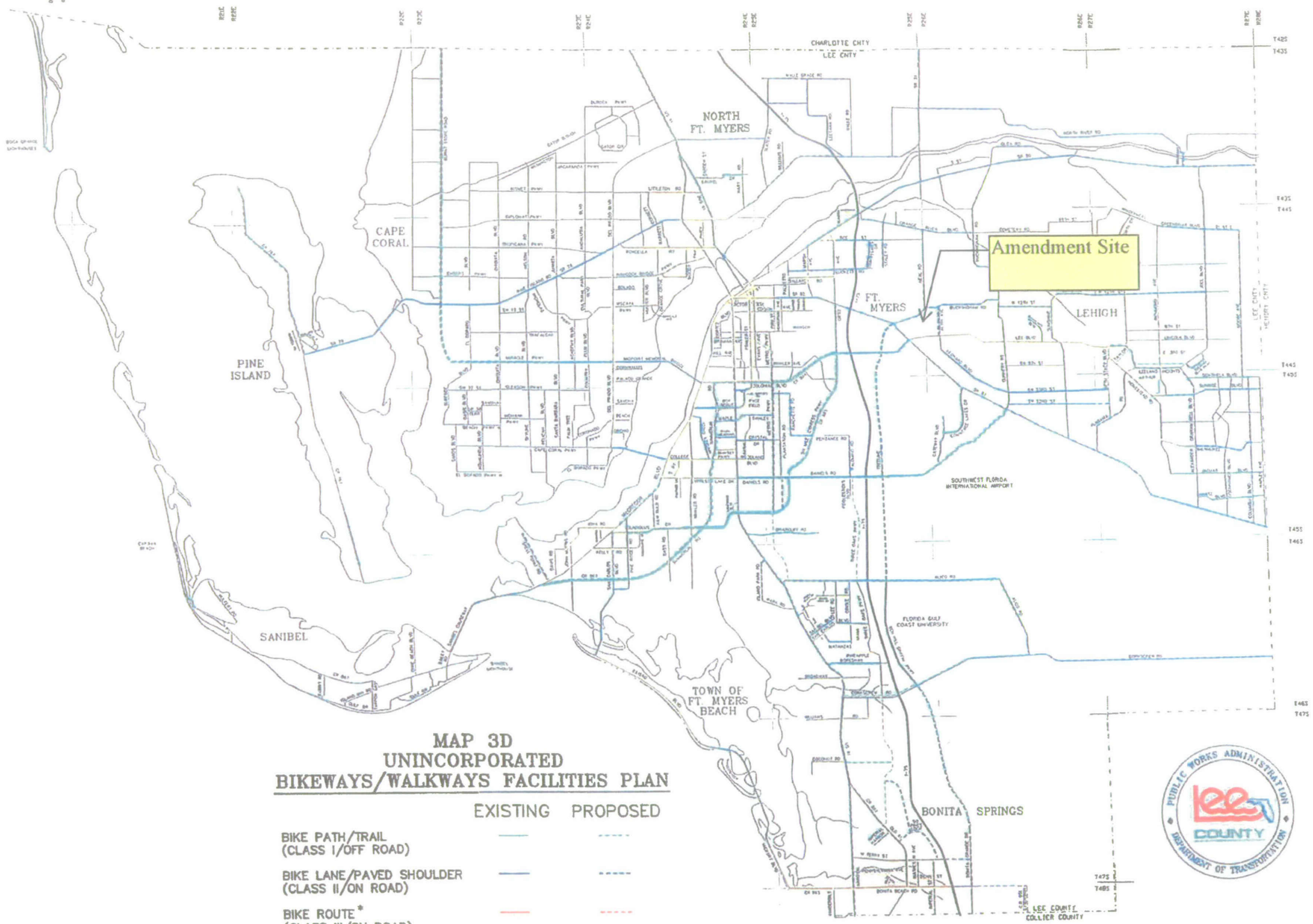
VICE PRESIDENT
Bill Burdette, 936-1404

TREASURER / SECRETARY
Betsy Burdette, 694-4738

DIRECTORS

Don Blackburn	Sarah Clarke	Kerri Goldsmith	George Kaplinski	Bob Murray	Mike Rippe	Bruce Strayhorn	Dick Workman
931-9171	694-6261	561-5473	694-6261	985-1200	694-0451	334-1260	694-0101

Attachment 8



MAP 3D
UNINCORPORATED
BIKEWAYS/WALKWAYS FACILITIES PLAN

	EXISTING	PROPOSED
BIKE PATH/TRAIL (CLASS I/OFF ROAD)	———	- - -
BIKE LANE/PAVED SHOULDER (CLASS II/ON ROAD)	———	- - -
BIKE ROUTE* (CLASS III/ON ROAD)	———	- - -
SIDEWALK*		

NOTE: THE PROVISION OF BIKEWAYS AND PEDESTRIAN WAYS SHALL BE IN ACCORDANCE WITH THE LEE COUNTY LAND DEVELOPMENT CODE.

(* LOCAL ROADS NOT SHOWN)

I HEREBY CERTIFY THAT THIS MAP WAS ADOPTED BY THE LEE COUNTY BOARD OF COMMISSIONERS BY ORDINANCE NO. 95-12 ON JULY 12, 1995, EFFECTIVE SEPTEMBER 1, 1995. AS AMENDED ON THIS DATE _____.

ATTEST:
CHARLIE GREEN, CLERK

By: _____
Deputy Clerk

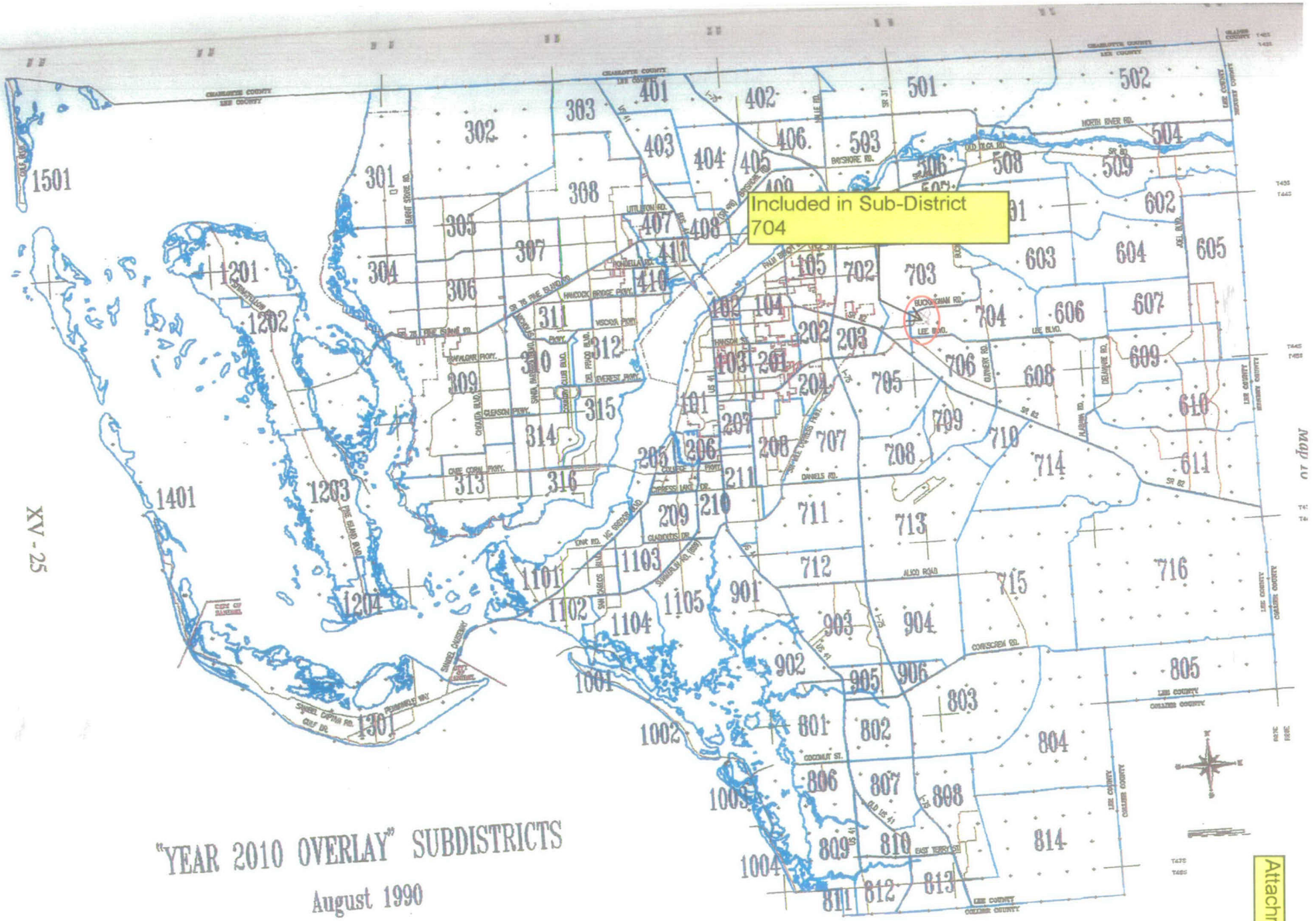
CHAIRMAN, LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

By: _____
Chairman

PUBLIC WORKS ADMINISTRATION
lee COUNTY
DEPARTMENT OF TRANSPORTATION

(AMENDED BY ORDINANCE #99-15)

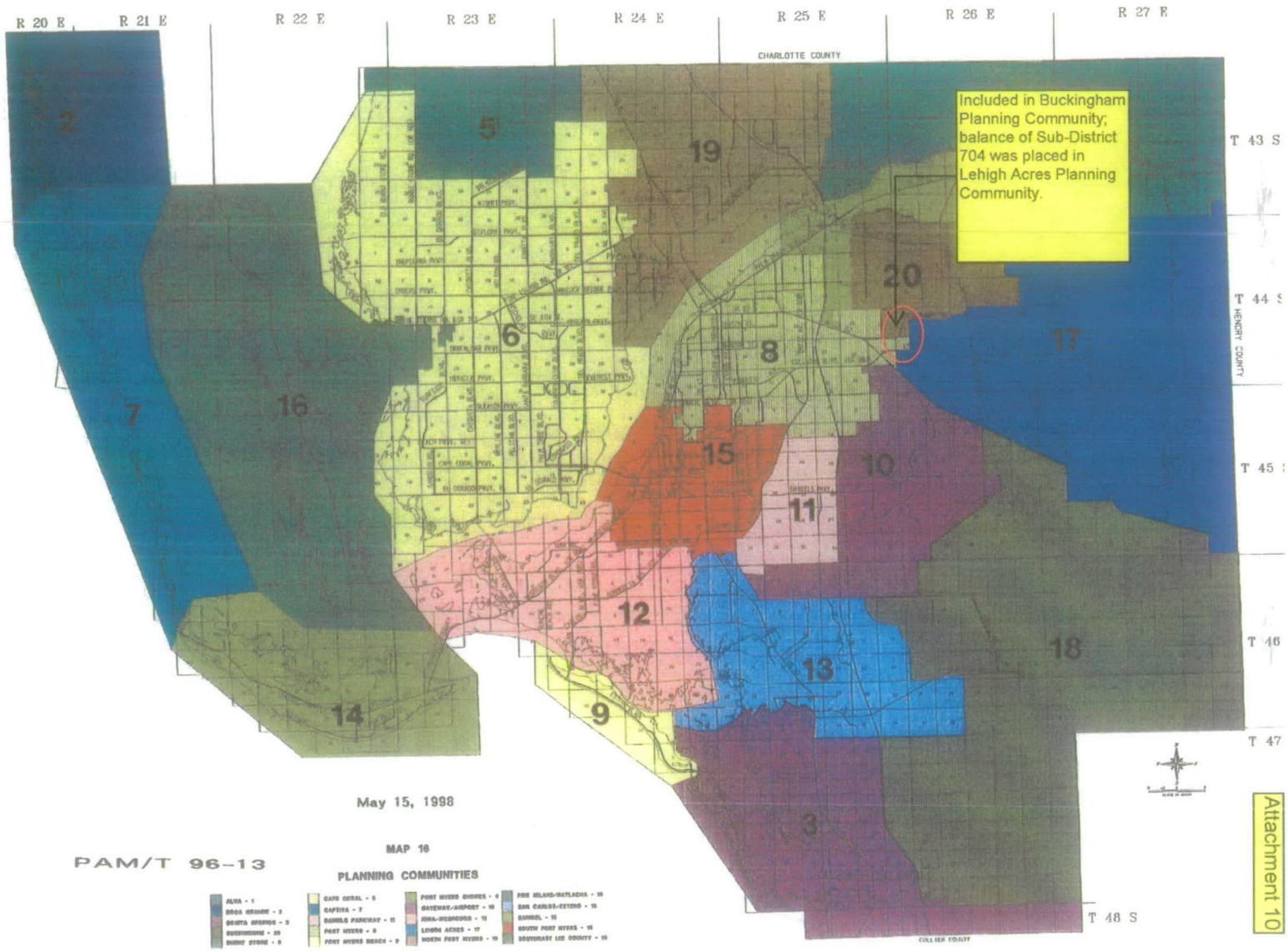
000432804 DWG



"YEAR 2010 OVERLAY" SUBDISTRICTS

August 1990

Attachment 9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R 22 E
R 23 E
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R 26 E
R 27 E
CHARLOTTE COUNTY
T 43 S
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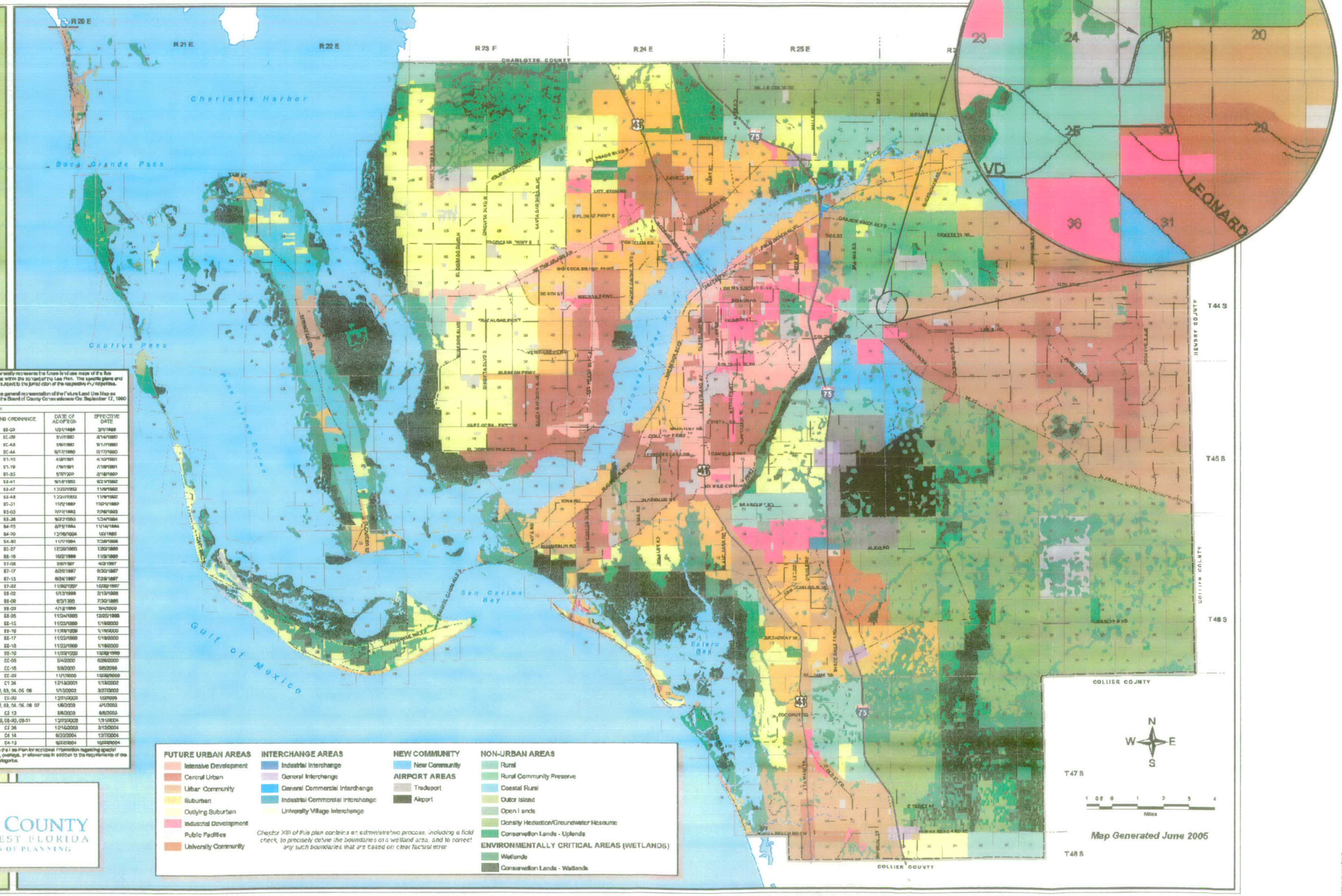
T 45 S
T 46
T 47
T 48 S
HENDRY COUNTY
COLLIER COUNTY
Included in Buckingham Planning Community; balance of Sub-District 704 was placed in Lehigh Acres Planning Community.
2
5
19
20
6
8
17
7
16
15
10
11
12
18
13
14
9
3
May 15, 1998
MAP 16
PLANNING COMMUNITIES
PAM/T 96-13
Attachment 10

FUTURE LAND USE MAP

(Lee Plan Map 1 Page 1 of 5)

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES



This map generally represents the future land use maps of the five municipalities within the boundaries of the Lee Plan. The specific plans and policies pertaining to the jurisdiction of the respective city properties.

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	1/31/1989	3/1/1989
89-09	3/1/1989	3/14/1989
89-48	5/8/1989	5/11/1989
89-44	9/12/1989	9/17/1989
91-10	4/3/1991	4/10/1991
91-19	7/9/1991	7/19/1991
92-53	5/7/1992	5/18/1992
92-41	9/16/1992	9/21/1992
92-47	12/22/1992	1/5/1993
92-48	12/21/1992	1/5/1993
93-21	11/5/1993	11/21/1993
93-03	7/21/1993	7/26/1993
93-36	9/27/1993	12/4/1994
94-93	8/31/1994	11/14/1994
94-30	12/28/1994	1/3/1995
94-80	11/7/1994	7/28/1995
95-27	12/20/1995	1/30/1996
96-19	10/2/1996	11/2/1996
97-06	3/6/1997	4/2/1997
97-17	6/26/1997	6/30/1997
97-15	6/24/1997	7/25/1997
97-22	11/26/1997	12/26/1997
98-02	1/13/1998	2/13/1998
98-09	6/3/1998	7/30/1998
99-03	4/12/1999	5/4/2000
98-25	11/24/1998	12/25/1998
98-15	11/23/1998	1/19/2000
98-16	11/23/1998	1/19/2000
98-17	11/23/1998	1/19/2000
98-18	11/23/1998	1/19/2000
98-19	11/23/1998	12/28/1999
00-09	5/4/2000	6/26/2000
00-16	9/8/2000	9/5/2096
00-22	11/7/2000	12/28/2000
01 24	12/18/2001	1/18/2002
02 02, 03, 04, 05, 06	1/10/2002	3/27/2002
02-02	12/31/2002	1/2/2003
03 01, 02, 03, 04, 05, 06, 07	1/8/2003	4/1/2003
03 12	5/8/2003	6/6/2003
00-16, 02-02, 03-01	12/23/2003	1/1/2004
03 36	12/16/2003	3/15/2004
04 14	6/2/2004	12/7/2004
04-13	6/22/2004	10/28/2004

Please see Policy 1.1.6 of the Lee Plan for additional information regarding special restrictions, overlays, or allowances in addition to the requirements of the land use categories.

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

Chapter XII 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

CARLTON PROPERTY
EXHIBIT #01 - FLUM CURRENT
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE | REVISIONS

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

VALID ONLY WITH EMBOSSED SEAL
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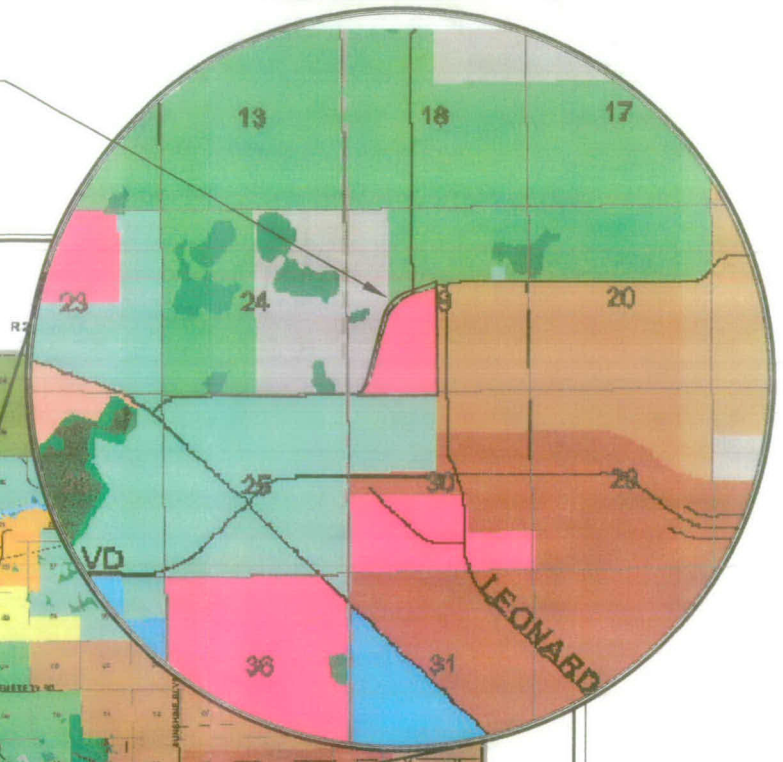
EX. 01
1 OF 11

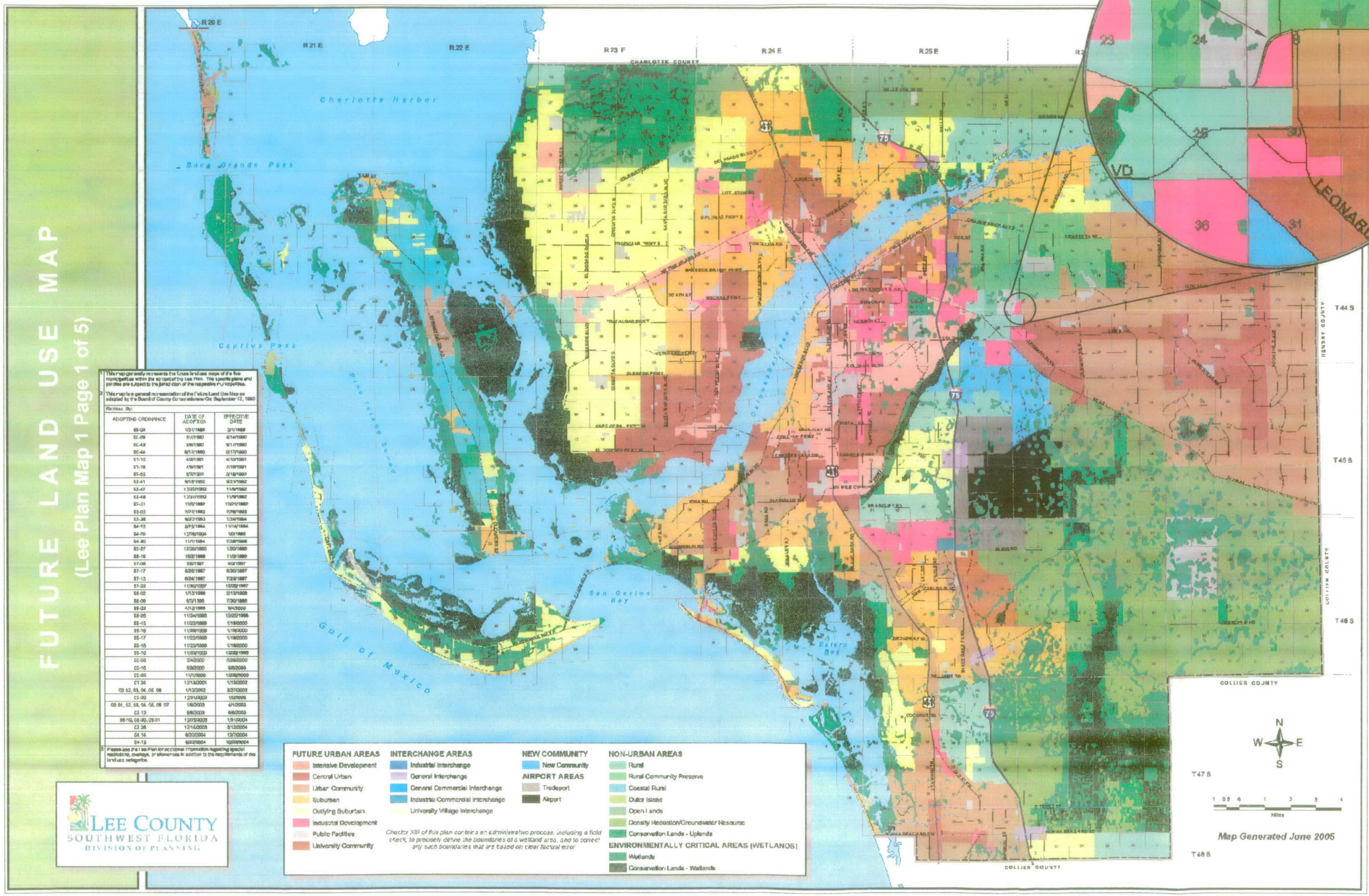
605918 FLUM.DWG

FUTURE LAND USE MAP

(Lee Plan Map 1 Page 1 of 5)

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES





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Revised By:

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91-10	4/3/1991	4/10/1991
91-19	7/9/1991	7/19/1991
91-53	9/30/1991	9/18/1991
92-41	9/16/1992	9/21/1992
92-47	11/23/1992	11/9/1992
92-48	12/2/1992	11/9/1992
93-31	10/5/1993	10/21/1993
93-03	5/21/1993	7/28/1993
93-36	9/27/1993	12/4/1994
94-15	5/31/1994	11/14/1994
94-09	12/28/1994	1/01/1995
94-30	11/1/1994	7/28/1995
95-27	12/28/1995	1/29/1996
96-10	10/2/1996	11/3/1996
97-06	3/5/1997	4/2/1997
97-17	6/24/1997	6/30/1997
97-13	6/24/1997	7/23/1997
97-22	11/26/1997	12/23/1997
98-02	1/13/1998	2/13/1998
98-09	6/3/1998	7/30/1998
99-03	4/21/1999	5/4/2000
98-05	11/24/1998	12/25/1998
99-15	11/22/1999	1/19/2000
99-16	11/29/1999	1/19/2000
99-17	11/22/1999	1/19/2000
99-18	11/22/1999	1/19/2000
99-19	11/29/1999	12/29/1999
CC-08	2/4/2000	3/24/2000
CC-16	5/8/2000	5/8/2000
CC-22	11/1/2000	12/28/2000
CI 24	12/13/2001	1/13/2002
02-02, 03, 04, 05, 06	1/13/2002	3/27/2002
CC-20	12/16/2002	1/3/2003
03-01, 02, 03, 04, 05, 06, 07	1/6/2003	4/1/2003
CI 13	5/6/2003	6/6/2003
03-10, 03-02, 03-01	12/23/2003	1/1/2004
CI 36	12/15/2003	3/12/2004
CI 16	6/30/2004	12/7/2004
04-12	9/22/2004	10/28/2004

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.

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

Chapter XII 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.

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

CARLTON PROPERTY
EXHIBIT #02 - FLUM PROPOSED
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE | REVISIONS

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number 9465

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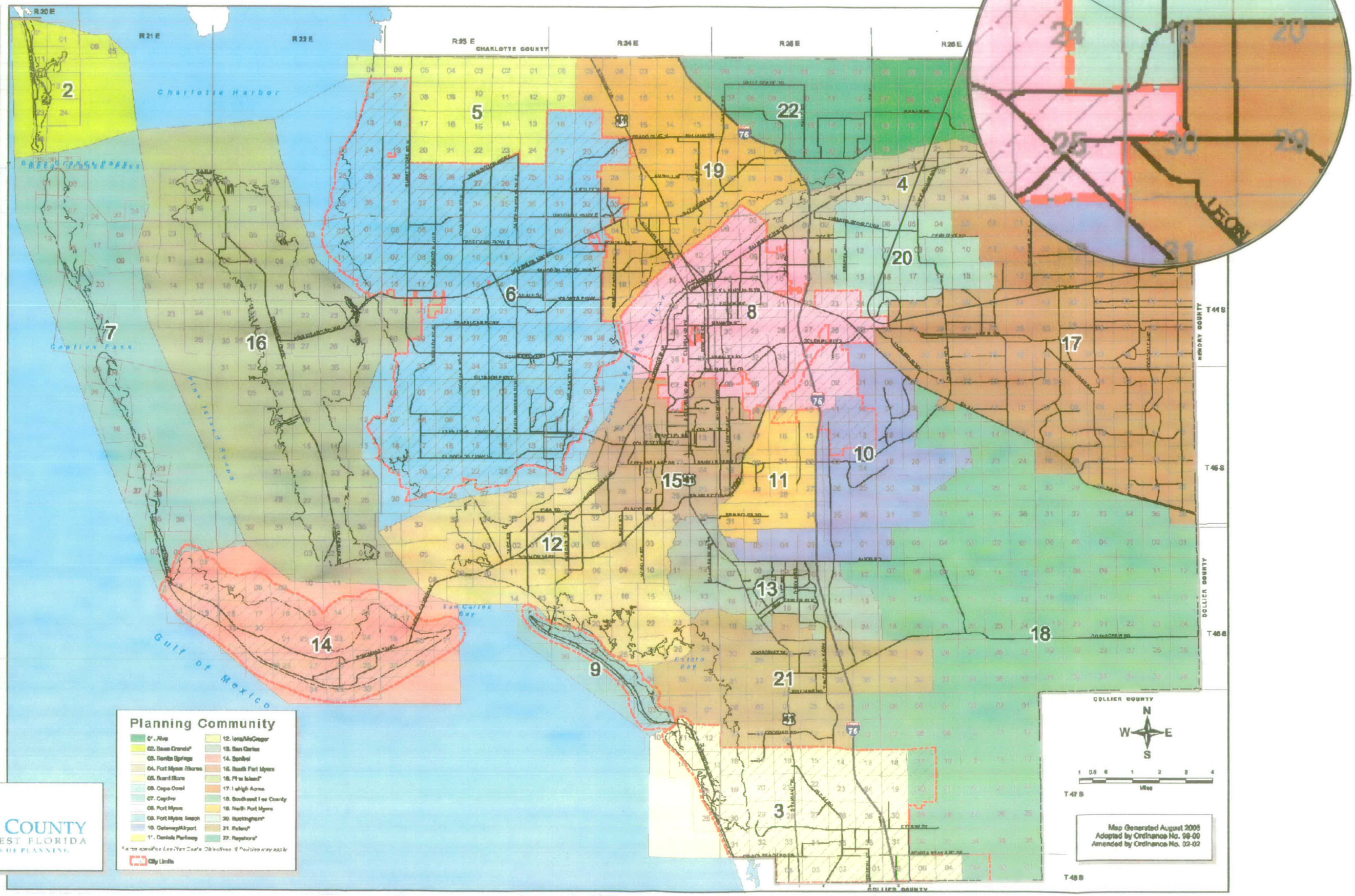
SHEET
EX. 02
2 OF 11

050918 FLUM.DWG

LEE COUNTY PLANNING COMMUNITIES

(Lee Plan Map 16)

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES


R20E
R21E
R23E
R25E
R24E
R26E
R27E
CHARLOTTE COUNTY
Charlotte Harbor
Captiva Pass
Blind Pass
San Carlos Bay
Estero Bay
Gulf of Mexico
Estero River
Imperial River
Mullock Creek
Spring Creek
Halfway Creek
Hickory Creek
Mullock Creek Canal
Imperial River Canal
Spring Creek Canal
Halfway Creek Canal
Hickory Creek Canal

AG-2

AG-2
VACANT

AG-2
PARTIALLY
DEVELOPED
1+ ACRE TRACTS

AG-2
PARTIALLY
DEVELOPED
1+ ACRE TRACTS

AG-2
PARTIALLY
DEVELOPED
1+ ACRE TRACTS

VACANT

CF-2

BUCKINGHAM ROAD

AG-2

CITY OF FORT MYERS
ZONING - A
SINGLE FAMILY
VACANT

IPD
LEE COUNTY
INCINERATOR

BUCKINGHAM
PARK

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES

ALVIN AVENUE

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

RM-2
PARTIALLY
DEVELOPED

RM-2
PARTIALLY
DEVELOPED

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

ALVIN AVENUE

BUCKINGHAM ROAD

CITY OF FORT MYERS
ZONING - MU
VACANT

CITY OF FORT MYERS
ZONING - MU
SINGLE FAMILY
UNDER
CONSTRUCTION

REC
VACANT
FORMER LAND FILL

CITY OF FORT MYERS
ZONING - MU
VACANT

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

SR 82 (IMMOKALEE RD)

CS-2

C-2

LEE BOULEVARD

ZONING - MU
PUBLIX SHOPPING
CENTER

CC

CPD

NORTH

400' 800'

SCALE 1"=400'

CARLTON PROPERTY
EXHIBIT #03 - ZONING & LAND USE
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

REVISIONS

DATE

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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TUE. 9-27-2005 11:06 PM

SHEET
EX. 03
3 OF 11

050918.DWG

050918.DWG

PLOTTED BY: sl
TUE, 9-27-2005 11:03 PM

SHEET
EX. 04
4 OF 11

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Certificate of Authorization Number: 9465

CARLTON PROPERTY
EXHIBIT #04 - PROJECT AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS

080918.DWG

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TUE, 9-27-2005 11:04 PM

SHEET
EX. 05
5 OF 11

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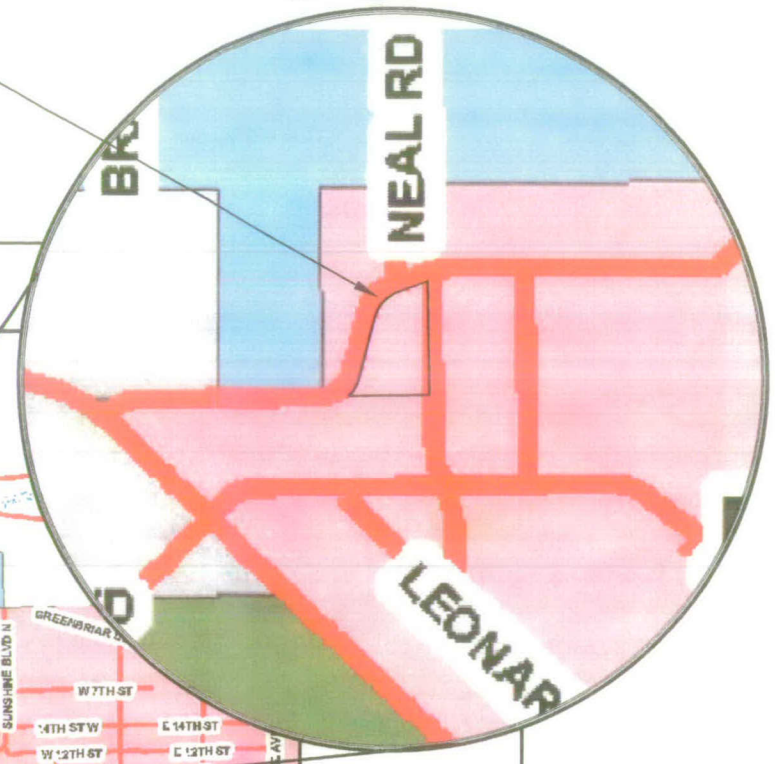
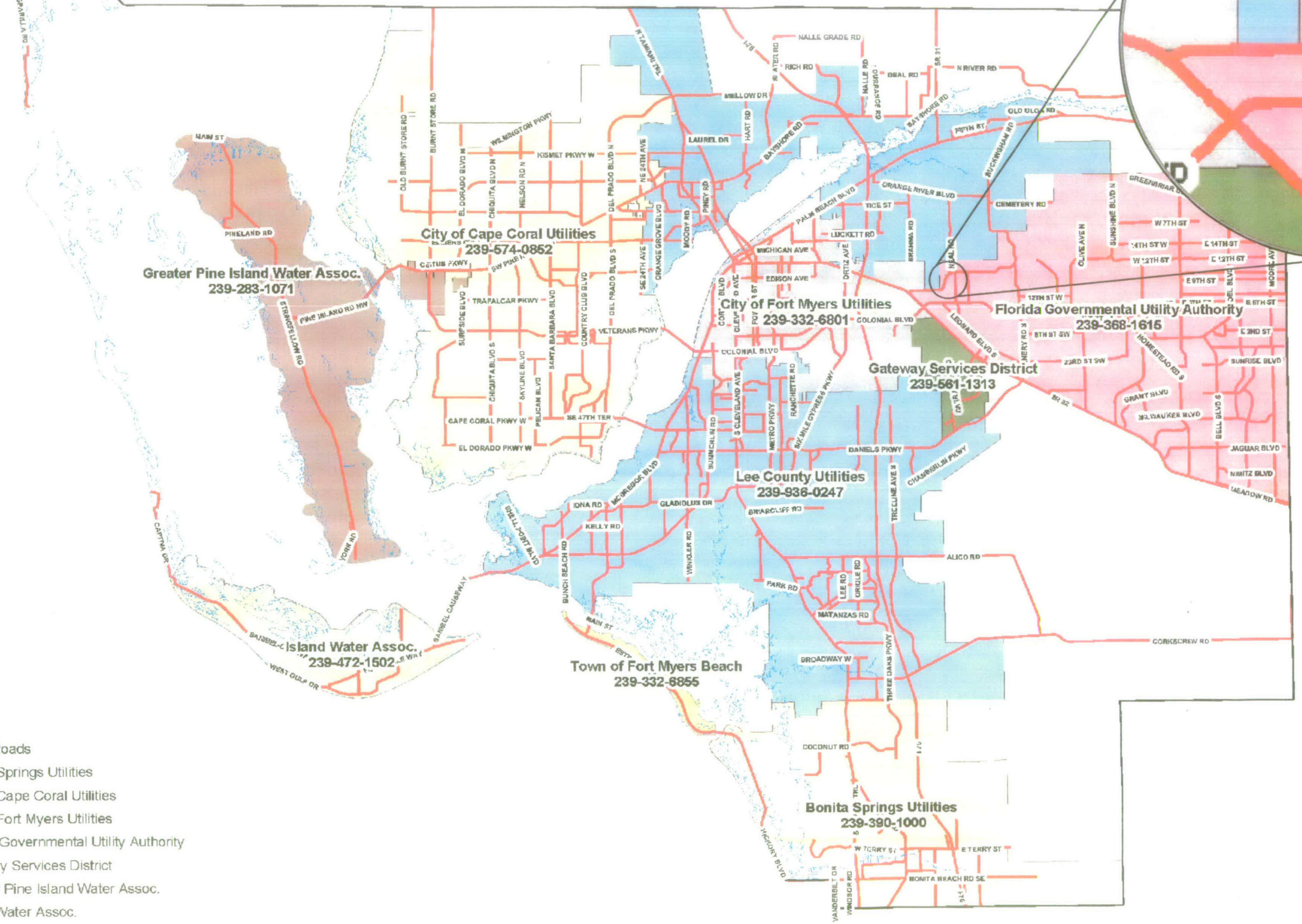
Certificate of Authorization Number: 9465

CARLTON PROPERTY
EXHIBIT #05 - VICINITY AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES





REVISIONS
DATE

CARLTON PROPERTY
EXHIBIT #06 - UTILITY FRANCHISE MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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TUE. 9-27-2005 11:49 PM

SHEET
EX. 06
6 OF 11

050915 FLUM.DWG

Attachment 2

FUTURE LAND USE MAP

(Adopted May 2, 1984 and Revised through May 2015)

Comprehensive Plan Amendment Site

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

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
90-07	1/31/1990	2/1/1990
90-09	3/7/1990	3/14/1990
90-43	9/5/1990	9/12/1990
90-44	9/12/1990	9/12/1990
91-13	4/3/1991	4/10/1991
91-19	7/9/1991	7/16/1991
92-05	2/7/1992	2/16/1992
92-41	9/15/1992	9/21/1992
92-47	10/27/1992	11/5/1992
92-48	10/27/1992	11/5/1992
92-51	12/9/1992	12/21/1992
93-05	2/22/1993	2/25/1993
93-25	9/20/1993	1/24/1994
94-23	6/28/1994	11/14/1994
94-29	10/26/1994	1/9/1995
94-30	11/1/1994	2/25/1995
95-27	12/20/1995	1/30/1996
96-10	10/2/1996	11/2/1996
97-05	3/5/1997	4/2/1997
97-17	8/25/1997	8/30/1997
97-13	8/24/1997	2/25/1997
97-22	11/25/1997	12/26/1997
98-02	1/13/1998	2/13/1998
98-09	6/3/1998	7/30/1998
98-02	4/13/1998	2-4/2000
98-26	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
00-09	8/4/2000	8/29/2000
00-16	8/8/2000	8/8/2000
00-22	11/1/2000	12/29/2000
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	1/6/2003
03-01, 02, 03, 04, 05, 06, 07	1/6/2003	4/10/2003
03-12	5/6/2003	8/5/2003
03-19, 03-20, 03-21	10/23/2003	1/21/2004
03-26	11/13/2003	3/12/2004
04-14	9/20/2004	12/7/2004
04-15	9/20/2004	10/22/2004
05-19, 05-21	10/12/2005	01/09/2006

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

LEE COUNTY
SOUTHWEST FLORIDA
DEPARTMENT OF PLANNING

R 20 E R 21 E R 22 E R 23 E R 24 E R 25 E R 26 E R 27 E

CHARLOTTE COUNTY

Charlotte Harbor

Boca Grande Pass

Captive Pass

Gasparilla Sound

Pine Island Sound

San Carlos Bay

Gulf of Mexico

Caloosahatchee River

Estero Bay

T 43 S

T 44 S

T 45 S

T 46 S

T 47 S

T 48 S

HENDRY COUNTY

COLLIER COUNTY

41 75

N W E S

0 0.5 0 1 2 3 4 Miles

Map Generated June 2006

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

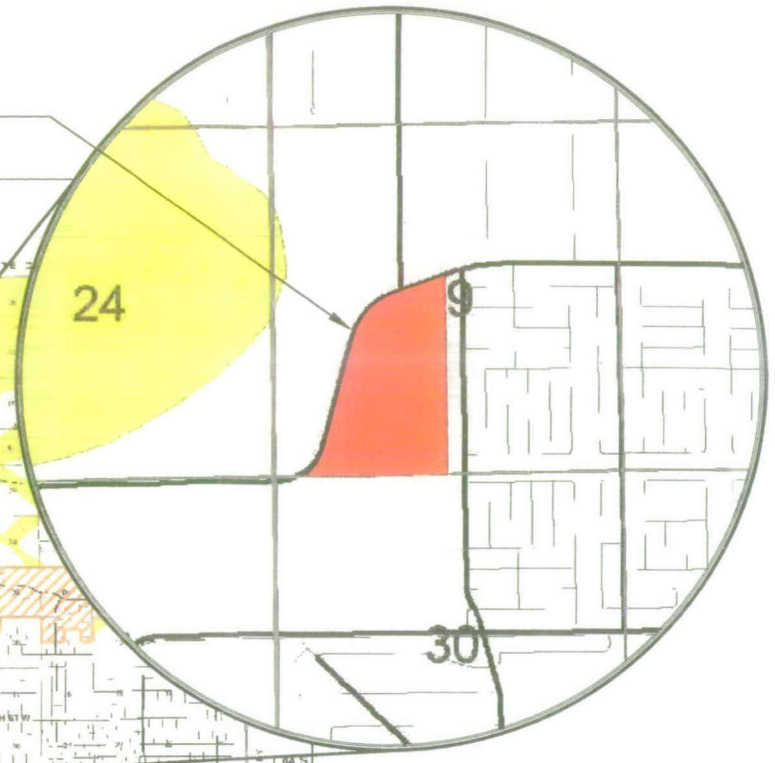
AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

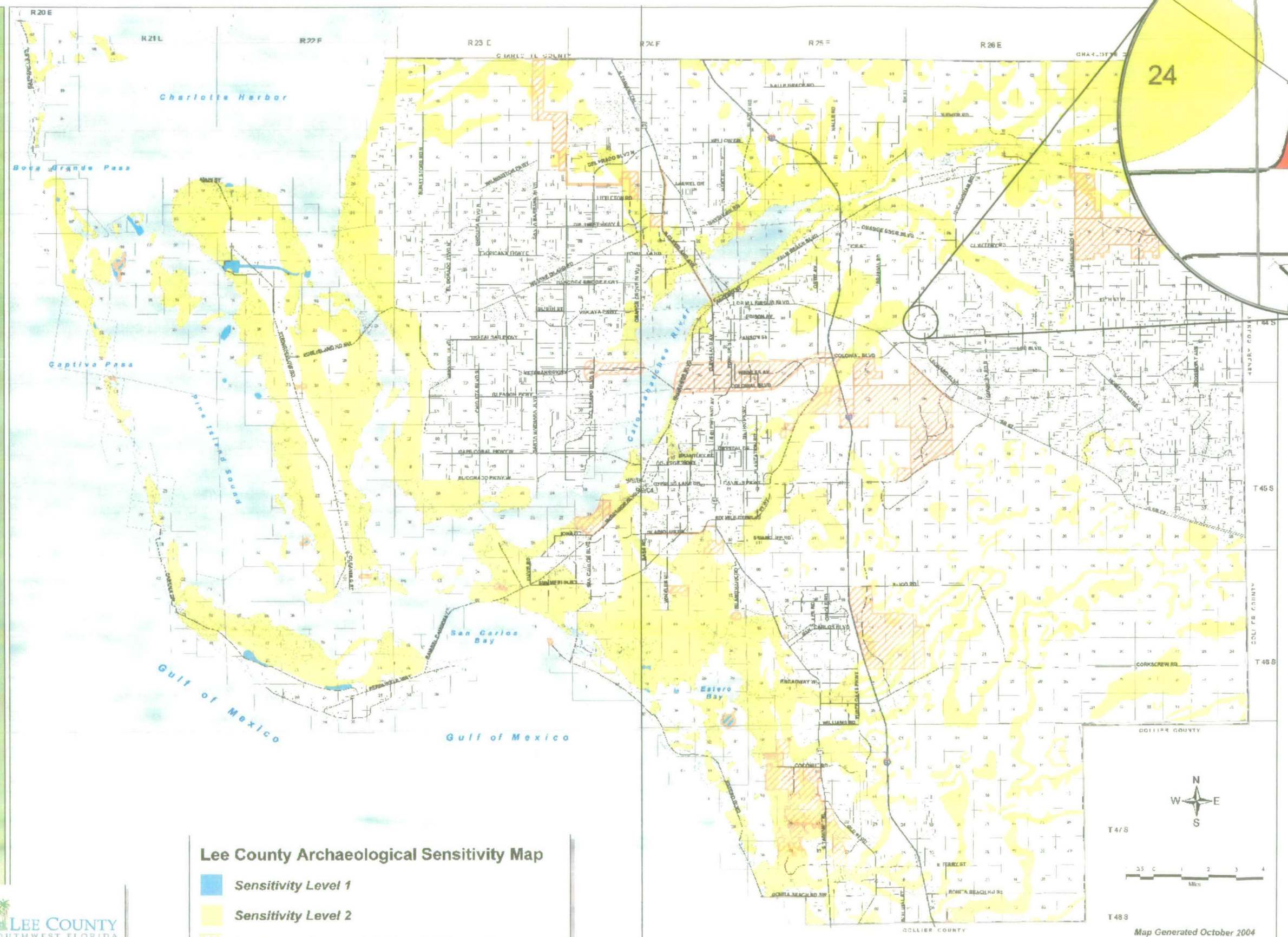
ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

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.

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES



ARCHAEOLOGICAL SENSITIVITY MAP



Lee County Archaeological Sensitivity Map

- *Sensitivity Level 1*
- *Sensitivity Level 2*
- *Previously Surveyed & Sites Addressed*

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

CARLTON PROPERTY
EXHIBIT # 11
ARCHAEOLOGICAL SENSITIVITY MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

REVISIONS | DATE

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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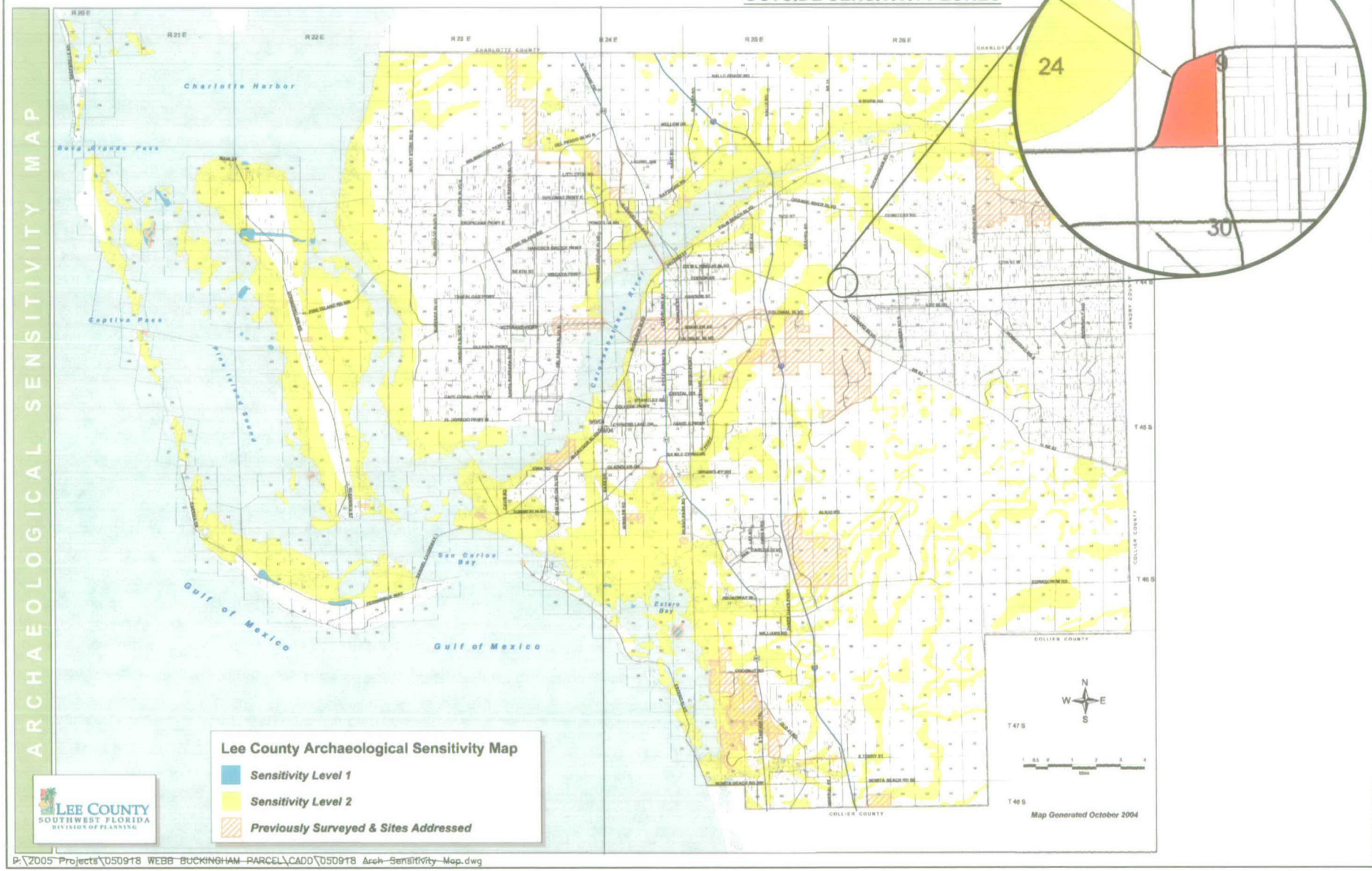
PLOTTED BY: al
TUE. 9-27-2005 11:23 PM

SHEET
EX. 11
11 OF 11

050918 SENSITIVITY MAP.DWG

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
OUTSIDE SENSITIVITY ZONES



WEBB BUCKINGHAM CPA
EXHIBIT D-1
ARCHEOLOGICAL SENSITIVITY MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

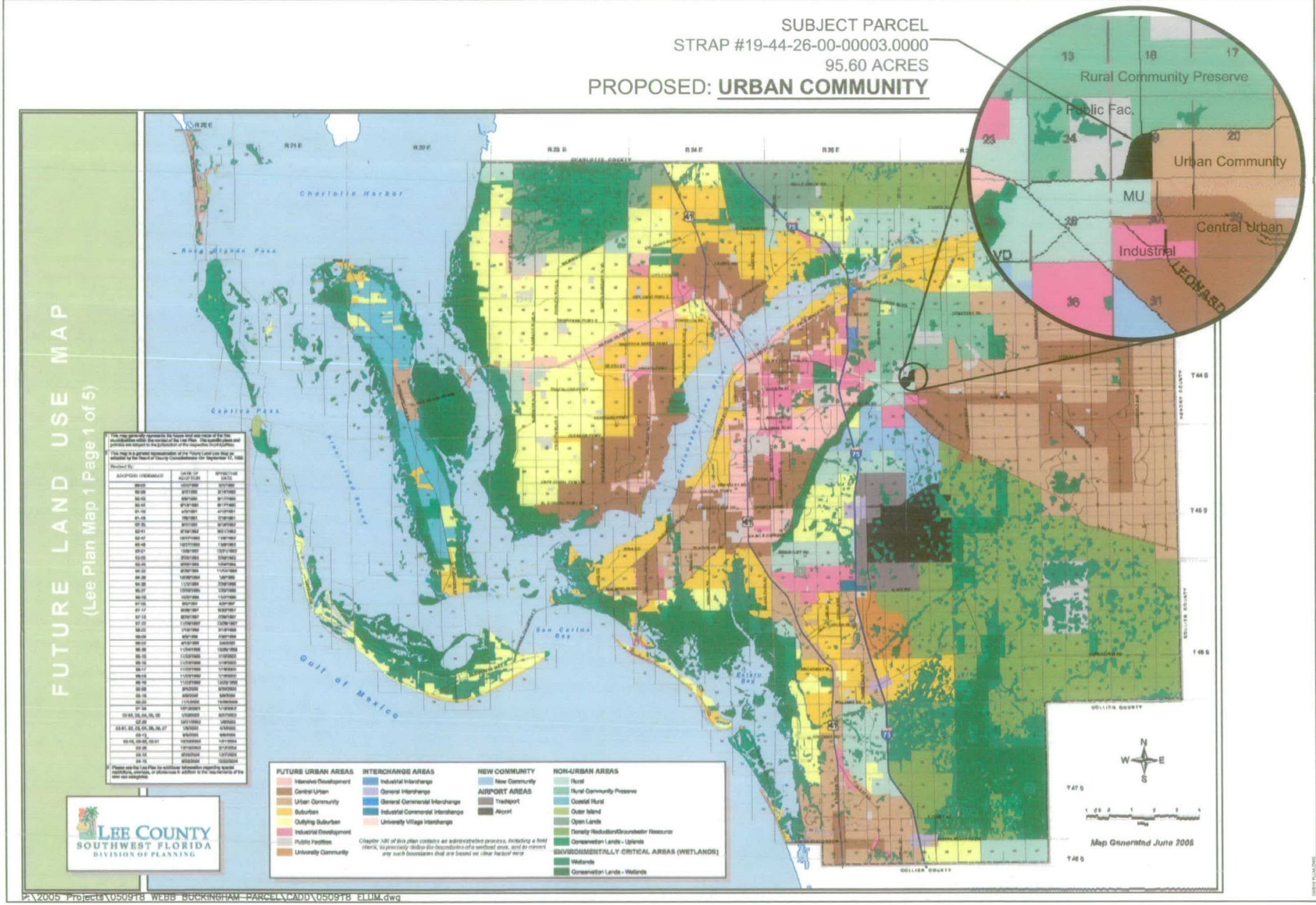
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number 9665

PLOTTED BY: fred
FRI, 5-5-2006 8:50 AM

D-1

P:\2005 Projects\050918 WEBB BUCKINGHAM PARCEL\CADD\050918 Arch Sensitivity Map.dwg

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
PROPOSED: **URBAN COMMUNITY**



FUTURE LAND USE MAP

(Lee Plan Map 1 Page 1 of 5)

ADOPTED ORDINANCE	DATE OF ADOPTION	EFFECTIVE DATE
89-03	1/31/1989	2/1/1989
90-08	3/21/1990	3/19/1990
90-10	5/9/1990	5/11/1990
90-44	9/18/1990	9/17/1990
91-19	4/5/1991	4/10/1991
91-19	7/9/1991	7/19/1991
92-35	8/31/1992	9/18/1992
92-51	9/18/1992	9/21/1992
92-47	10/21/1992	11/6/1992
93-48	10/27/1993	11/8/1993
93-01	1/25/1993	1/31/1993
93-23	2/23/1993	3/29/1993
93-25	6/30/1993	12/9/1994
93-23	8/30/1993	11/30/1994
94-30	10/26/1994	1/9/1995
94-30	11/2/1994	2/28/1995
95-27	11/22/1995	1/29/1996
96-15	10/9/1996	1/27/1997
97-05	3/5/1997	4/21/1997
97-17	8/26/1997	9/30/1997
97-13	9/24/1997	12/9/1997
97-23	11/26/1997	12/9/1997
98-03	1/13/1998	3/18/1998
98-09	6/5/1998	7/30/1998
98-09	4/13/1998	5/6/1998
98-26	11/16/1998	12/30/1998
99-15	11/23/1999	1/19/2000
99-17	11/23/1999	1/19/2000
99-15	11/23/1999	1/19/2000
99-16	11/23/1999	12/31/1999
00-09	8/5/2000	8/30/2000
00-16	8/8/2000	8/8/2000
00-22	11/14/2000	12/28/2000
01-08	10/1/2001	1/18/2002
02-02, 03, 04, 05, 06	1/28/2003	3/31/2003
02-28	5/21/2002	6/6/2002
03-01, 02, 03, 04, 05, 06, 07	1/6/2003	4/9/2003
03-12	9/8/2003	9/8/2003
03-16, 04-05, 03-01	10/15/2003	1/21/2004
03-20	12/10/2003	3/1/2004
04-15	6/23/2004	12/7/2004
04-16	6/30/2004	12/22/2004

* Please see the Lee Plan for additional information regarding special applications, overlays, or otherwise in addition to the requirements of the new use categories.

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands
- Conservation Lands - Uplands

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.

WEBB BUCKINGHAM CPA
EXHIBIT A-2 PROPOSED FLUM
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number 9465

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FRI, 5-5-2006 8:09 AM

A-2
2 OF 2

P:\2005 Projects\050918 WEBB BUCKINGHAM PARCEL\CADD\050918 FLUM.dwg

Florida Department of State, Division of Corporations

Corporations Online

www.sunbiz.org Public Inquiry

Florida Profit

ARBORCARE BY WILSON, INC.

PRINCIPAL ADDRESS
27411 ELWOOD DR.
BONITA SPRINGS FL 34135

MAILING ADDRESS
27411 ELWOOD DR.
BONITA SPRINGS FL 34135

Document Number	FEI Number	Date Filed
P97000089945	593477761	10/20/1997
State	**Status**	**Effective Date**
FL	ACTIVE	NONE

Registered Agent

Name & Address
WILSON, MICHAEL W 27411 ELWOOD DR. BONITA SPRINGS FL 34135

Officer/Director Detail

Name & Address	Title
WILSON, MICHAEL W 27411 ELWOOD DRIVE BONITA SPRINGS FL 34135	P
WILSON, SHEILA M 27411 ELWOOD DRIVE BONITA SPRINGS FL 34135	D

Annual Reports

Report Year	Filed Date
2003	04/14/2003
2004	04/19/2004
2005	06/13/2005

Previous Filing | Return to List | Next Filing

No Events

No Name History Information

Document Images

Listed below are the images available for this filing.

06/13/2005 -- ANNUAL REPORT
04/19/2004 -- ANN REP/UNIFORM BUS REP
04/14/2003 -- ANN REP/UNIFORM BUS REP
04/29/2002 -- COR - ANN REP/UNIFORM BUS REP
05/01/2001 -- ANN REP/UNIFORM BUS REP
05/04/2000 -- ANN REP/UNIFORM BUS REP
06/04/1999 -- ANNUAL REPORT
05/14/1998 -- ANNUAL REPORT

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry | Corporations Help

2005 FOR PROFIT CORPORATION ANNUAL REPORT

FILED
Jun 13, 2005
Secretary of State

DOCUMENT# P97000089945

Entity Name: ARBORCARE BY WILSON, INC.

Current Principal Place of Business:

27411 ELWOOD DR.
BONITA SPRINGS, FL 34135

New Principal Place of Business:

Current Mailing Address:

27411 ELWOOD DR.
BONITA SPRINGS, FL 34135

New Mailing Address:

FEI Number: 59-3477761 **FEI Number Applied For ( )** **FEI Number Not Applicable ( )** **Certificate of Status Desired (X)**

Name and Address of Current Registered Agent:

WILSON, MICHAEL W
27411 ELWOOD DR.
BONITA SPRINGS, FL 34135 US

Name and Address of New Registered Agent:

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent — Date

In accordance with s. 607.193(2)(b), F.S., the corporation did not receive the prior notice.
Election Campaign Financing Trust Fund Contribution ( ).

OFFICERS AND DIRECTORS:

Title: P ( ) Delete
Name: WILSON, MICHAEL W
Address: 27411 ELWOOD DRIVE
City-St-Zip: BONITA SPRINGS, FL 34135

Title: D ( ) Delete
Name: WILSON, SHEILA M
Address: 27411 ELWOOD DRIVE
City-St-Zip: BONITA SPRINGS, FL 34135

ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS:

Title: ( ) Change ( ) Addition
Name:
Address:
City-St-Zip:

Title: ( ) Change ( ) Addition
Name:
Address:
City-St-Zip:

I hereby certify that the information supplied with this filing does not qualify for the for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with an address, with all other like empowered.

SIGNATURE: SHIELA WILSON D 06/13/2005

Electronic Signature of Signing Officer or Director — Date

Florida Department of State, Division of Corporations

Public Inquiry

www.sunbiz.org

Florida Profit

ANNE MARIE DEVITO, INCORPORATED

PRINCIPAL ADDRESS
8841 WEST TERRY STREET
BONITA SPRINGS FL 34135
Changed 02/15/2005

Same Address As Application

MAILING ADDRESS
PO BOX 2491
BONITA SPRINGS FL 34133
Changed 04/25/2003

Document Number	FEI Number	Date Filed
P95000041528	650581192	05/26/1995
State	**Status**	**Effective Date**
FL	ACTIVE	NONE

Registered Agent

Name & Address
WEBB, KEVIN 12201 HAMMOCK CREEK WAY FORT MYERS FL 33905
Name Changed: 04/25/2003
Address Changed: 01/17/2006

Officer/Director Detail

Name & Address	Title
WILSON, MICHAEL W 2741 1 ELWOOD DRIVE BONITA SPRINGS FL 34135	T

WEBB, KEVIN 12201 HAMMOCK CREEK WAY FORT MYERS FL 33905	P
RISTIC, RANDY 12021 BRAMBLE COVE DR FORT MYERS FL 33905	VP

Annual Reports

Report Year	Filed Date
2004	04/29/2004
2005	02/15/2005
2006	01/17/2006

Previous Filing | Return to List | Next Filing

No Events

No Name History Information

Document Images

Listed below are the images available for this filing.

01/17/2006 -- ANNUAL REPORT
02/15/2005 -- ANNUAL REPORT
04/29/2004 -- ANN REP/UNIFORM BUS REP
04/25/2003 -- ANN REP/UNIFORM BUS REP
04/26/2002 -- COR - ANN REP/UNIFORM BUS REP
10/25/2001 -- Off/Dir Resignation
04/29/2001 -- Annual Report
02/12/2001 -- Annual Report
01/29/2001 -- Annual Report
04/28/2000 -- ANN REP/UNIFORM BUS REP
03/25/1999 -- ANNUAL REPORT
04/28/1998 -- ANNUAL REPORT
04/10/1997 -- ANNUAL REPORT
05/01/1996 -- 1996 ANNUAL REPORT
04/16/1996 -- 1996 ANNUAL REPORT

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry | Corporations Help

P95000041528

Kevin C. Webb
Requester's Name

P.O. Box 2491
Address

Bonita Springs, Fl 34133
City/State/Zip Phone #

Office Use Only

CORPORATION NAME(S) & DOCUMENT NUMBER(S), (if known):

1. _____
(Corporation Name) (Document #)

2. _____
(Corporation Name) (Document #)

300004653428--
-10/25/01--01062--001
*****35.00 *****35.(

3. _____
(Corporation Name) (Document #)

4. _____
(Corporation Name) (Document #)

☐ Walk in ☐ Pick up time _____ ☐ Certified Copy

☐ Mail out ☐ Will wait ☐ Photocopy ☐ Certificate of Status

NEW FILINGS

☐ Profit
☐ Not for Profit
☐ Limited Liability
☐ Domestication
☐ Other

AMENDMENTS

☐ Amendment
☐ Resignation of R.A., Officer/Director
☐ Change of Registered Agent
☐ Dissolution/Withdrawal
☐ Merger

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
01 OCT 25 PM 2:19

OTHER FILINGS

☐ Annual Report
☐ Fictitious Name

REGISTRATION/QUALIFICATION

☐ Foreign
☐ Limited Partnership
☐ Reinstatement
☐ Trademark
☐ Other

OD/Reo.

Examiner's Initials (10)

10/29/01

(10)

CR2E031(7/97)

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
01 OCT 25 PM 2:19

OFFICER / DIRECTOR RESIGNATION

I, Kevin C. Webb, hereby resign as Secretary
(Title)

of AnneMarie DeVito, Incorporated - Document # P95000041528
(Name of Corporation)

a corporation organized under the laws of the State of Florida

and affirm that the corporation has been notified in writing of the resignation.

Kevin C. Webb
(Signature of resigning officer/director)

FILING FEE IS $35.00

Make checks payable to Florida Department of State and mail to:
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

CR2E044(9/98)

2006 FOR PROFIT CORPORATION ANNUAL REPORT

FILED
Jan 17, 2006
Secretary of State

DOCUMENT# P95000041528

Entity Name: ANNE MARIE DEVITO, INCORPORATED

Current Principal Place of Business:

8841 WEST TERRY STREET
BONITA SPRINGS, FL 34135

New Principal Place of Business:

Current Mailing Address:

PO BOX 2491
BONITA SPRINGS, FL 34133

New Mailing Address:

FEI Number: 65-0581192 **FEI Number Applied For ( )** **FEI Number Not Applicable ( )** **Certificate of Status Desired ( )**

Name and Address of Current Registered Agent:

WEBB, KEVIN
9112 BONITA PRESERVE CT
BONITA SPRINGS, FL 34135 US

Name and Address of New Registered Agent:

WEBB, KEVIN
12201 HAMMOCK CREEK WAY
FORT MYERS, FL 33905 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: KEVIN WEBB 01/17/2006
Electronic Signature of Registered Agent Date

Election Campaign Financing Trust Fund Contribution ( ).

OFFICERS AND DIRECTORS:

Title: T ( ) Delete
Name: WILSON, MICHAEL W
Address: 27411 ELWOOD DRIVE
City-St-Zip: BONITA SPRINGS, FL 34135

Title: P ( ) Delete
Name: WEBB, KEVIN
Address: 9112 BONITA PRESERVE CT
City-St-Zip: BONITA SPRINGS, FL 34135

Title: VP ( ) Delete
Name: RISTIC, RANDY
Address: 9112 BONITA PRESERVE CT
City-St-Zip: BONITA SPRINGS, FL 34135

ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS:

Title: ( ) Change ( ) Addition
Name:
Address:
City-St-Zip:

Title: P (X) Change ( ) Addition
Name: WEBB, KEVIN
Address: 12201 HAMMOCK CREEK WAY
City-St-Zip: FORT MYERS, FL 33905

Title: VP (X) Change ( ) Addition
Name: RISTIC, RANDY
Address: 12021 BRAMBLE COVE DR
City-St-Zip: FORT MYERS, FL 33905

I hereby certify that the information supplied with this filing does not qualify for the for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with an address, with all other like empowered.

SIGNATURE: RANDY RISTIC VP 01/17/2006
Electronic Signature of Signing Officer or Director Date

Florida Department of State, Division of Corporations

Corporations Online

www.sunbiz.org Public Inquiry

Florida Limited Liability

AIM 2 PLEASE, LLC

PRINCIPAL ADDRESS
8841 W TERRY ST.
BONITA SPRINGS FL 34135 US

MAILING ADDRESS
8841 W TERRY ST.
BONITA SPRINGS FL 34135 US

Document Number L04000031722	**FEI Number** NONE	**Date Filed** 04/26/2004
State FL	**Status** INACTIVE	**Effective Date** 04/22/2004
Last Event ADMIN DISSOLUTION FOR ANNUAL REPORT	**Event Date Filed** 09/16/2005	**Event Effective Date** NONE
Total Contribution 0.00		

Registered Agent

Name & Address
RISTIC, RANDY D 8841 W TERRY ST. BONITA SPRINGS FL 34135

Manager/Member Detail

Name & Address	Title
HOUGHTEN, BRENT A 8841 W TERRY ST. BONITA SPRINGS FL 34135 US	MGR

WEBB, KEVIN 9112 BRENDAN PRESERVE CT. BONITA SPRINGS FL 34135 US	MGRM

Annual Reports

Report Year	Filed Date

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No Name History Information

Document Images

Listed below are the images available for this filing.

04/26/2004 -- Florida Limited Liability

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry | Corporations Help

Electronic Articles of Organization
For
Florida Limited Liability Company

L04000031722
FILED 8:00 AM
April 26, 2004
Sec. Of State
alunt

Article I

The name of the Limited Liability Company is:

AIM 2 PLEASE, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

8841 W TERRY ST.
BONITA SPRINGS, FL. US 34135

The mailing address of the Limited Liability Company is:

8841 W TERRY ST.
BONITA SPRINGS, FL. US 34135

Article III

The purpose for which this Limited Liability Company is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The name and Florida street address of the registered agent is:

RANDY D RISTIC
8841 W TERRY ST.
BONITA SPRINGS, FL. 34135

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: RANDY RISTIC

L04000031722
FILED 8:00 AM
April 26, 2004
Sec. Of State
alunt

Article V

The name and address of managing members/managers are:

Title: MGR
BRENT A HOUGHTEN
8841 W TERRY ST.
BONITA SPRINGS, FL. 34135 US

Title: MGRM
KEVIN WEBB
9112 BRENDAN PRESERVE CT.
BONITA SPRINGS, FL. 34135 US

Article VI

The effective date for this Limited Liability Company shall be:

04/22/2004

Signature of member or an authorized representative of a member

Signature: BRENT HOUGHTEN

Florida Department of State, Division of Corporations

Corporations Online

www.sunbiz.org Public Inquiry

AIM 2 PLEASE, LLC

Document Number	Date Filed	Effective Date	Status
L04000031722	04/26/2004	04/22/2004	Inactive

ADMIN DISSOLUTION 09/16/2005
FOR ANNUAL REPORT

EVENT TYPE	FILED DATE	EFFECTIVE DATE	DESCRIPTION

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry Corporations Help

Florida Department of State, Division of Corporations
www.sunbiz.org Public Inquiry

Florida Limited Liability

CARLTON LAND HOLDINGS, LLC

PRINCIPAL ADDRESS
8841 WEST TERRY ST
BONITA SPRINGS FL 34135 US

MAILING ADDRESS
P.O. BOX 2491
BONITA SPRINGS FL 33413-3 US

Document Number	FEI Number	Date Filed
L03000020617	320115175	06/09/2003
State	**Status**	**Effective Date**
FL	ACTIVE	NONE

Total Contribution
0.00

Registered Agent

Name & Address
RISTIC, RANDY D 12021 BRAMBLE COVE DR FORT MYERS FL 33905
Address Changed: 01/17/2006

Manager/Member Detail

Name & Address	Title
WEBB, KEVIN M 12201 HAMMOCK CREEK WAY FORT MYERS FL 33905 US	MGR
RISTIC, RANDY D 12021 BRAMBLE COVE DR FORT MYERS FL 33905	MGRM

Annual Reports

Report Year	Filed Date
2004	04/30/2004
2005	02/15/2005
2006	01/17/2006

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

01/17/2006 -- ANNUAL REPORT
02/15/2005 -- ANNUAL REPORT
04/30/2004 -- ANN REP/UNIFORM BUS REP
06/09/2003 -- Florida Limited Liability

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry | Corporations Help

2006 LIMITED LIABILITY COMPANY ANNUAL REPORT

FILED
Jan 17, 2006
Secretary of State

DOCUMENT# L03000020617

Entity Name: CARLTON LAND HOLDINGS, LLC

Current Principal Place of Business:

8841 WEST TERRY ST
BONITA SPRINGS, FL 34135 US

New Principal Place of Business:

Current Mailing Address:

P.O. BOX 2491
BONITA SPRINGS, FL 334133 US

New Mailing Address:

FEI Number: 32-0115175 **FEI Number Applied For ( )** **FEI Number Not Applicable ( )** **Certificate of Status Desired ( )**

Name and Address of Current Registered Agent:

RISTIC, RANDY D
9112 BRENDAN PRESERVE CT.
BONITA SPRINGS, FL 34133 US

Name and Address of New Registered Agent:

RISTIC, RANDY D
12021 BRAMBLE COVE DR
FORT MYERS, FL 33905 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: RANDY RISTIC 01/17/2006
Electronic Signature of Registered Agent Date

MANAGING MEMBERS/MANAGERS:

Title: MGR ( ) Delete
Name: WEBB, KEVIN M
Address: 9112 BRENDAN PRESERVE CT.
City-St-Zip: BONITA SPRINGS, FL 34135 US

Title: MGRM ( ) Delete
Name: RISTIC, RANDY D
Address: 23560 WALDEN CENTER DR. #110
City-St-Zip: BONITA SPRINGS, FL 34135

ADDITIONS/CHANGES:

Title: MGR (X) Change ( ) Addition
Name: WEBB, KEVIN M
Address: 12201 HAMMOCK CREEK WAY
City-St-Zip: FORT MYERS, FL 33905 US

Title: MGRM (X) Change ( ) Addition
Name: RISTIC, RANDY D
Address: 12021 BRAMBLE COVE DR
City-St-Zip: FORT MYERS, FL 33905

BOTH ADDRESSES IN FORT MYERS, APPLICATION HAS A BONITA SPRINGS ADDRESS

I hereby certify that the information supplied with this filing does not qualify for the for the exemption stated in Chapter 119, Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: RANDY RISTIC MGRM 01/17/2006
Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date

Electronic Articles of Organization For Florida Limited Liability Company

L03000020617
FILED 8:00 AM
June 09, 2003
Sec. Of State

Article I

The name of the Limited Liability Company is:

CARLTON LAND HOLDINGS, LLC

Article II

The street address of the principal office of the Limited Liability Company is:

8841 WEST TERRY ST
BONITA SPRINGS, FL. US 34135

The mailing address of the Limited Liability Company is:

P.O. BOX 2491
BONITA SPRINGS, FL. US 334133

Article III

The purpose for which this Limited Liability Company is organized is:

ANY AND ALL LAWFUL BUSINESS.

Article IV

The name and Florida street address of the registered agent is:

RANDY D RISTIC
9112 BRENDAN PRESERVE CT.
BONITA SPRINGS, FL. 34133

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: RANDY RISTIC

Article V

L03000020617
FILED 8:00 AM
June 09, 2003
Sec. Of State

The name and address of managing members/managers are:

Title: MGR
KEVIN M WEBB
9112 BRENDAN PRESERVE CT.
BONITA SPRINGS, FL. 34135 US

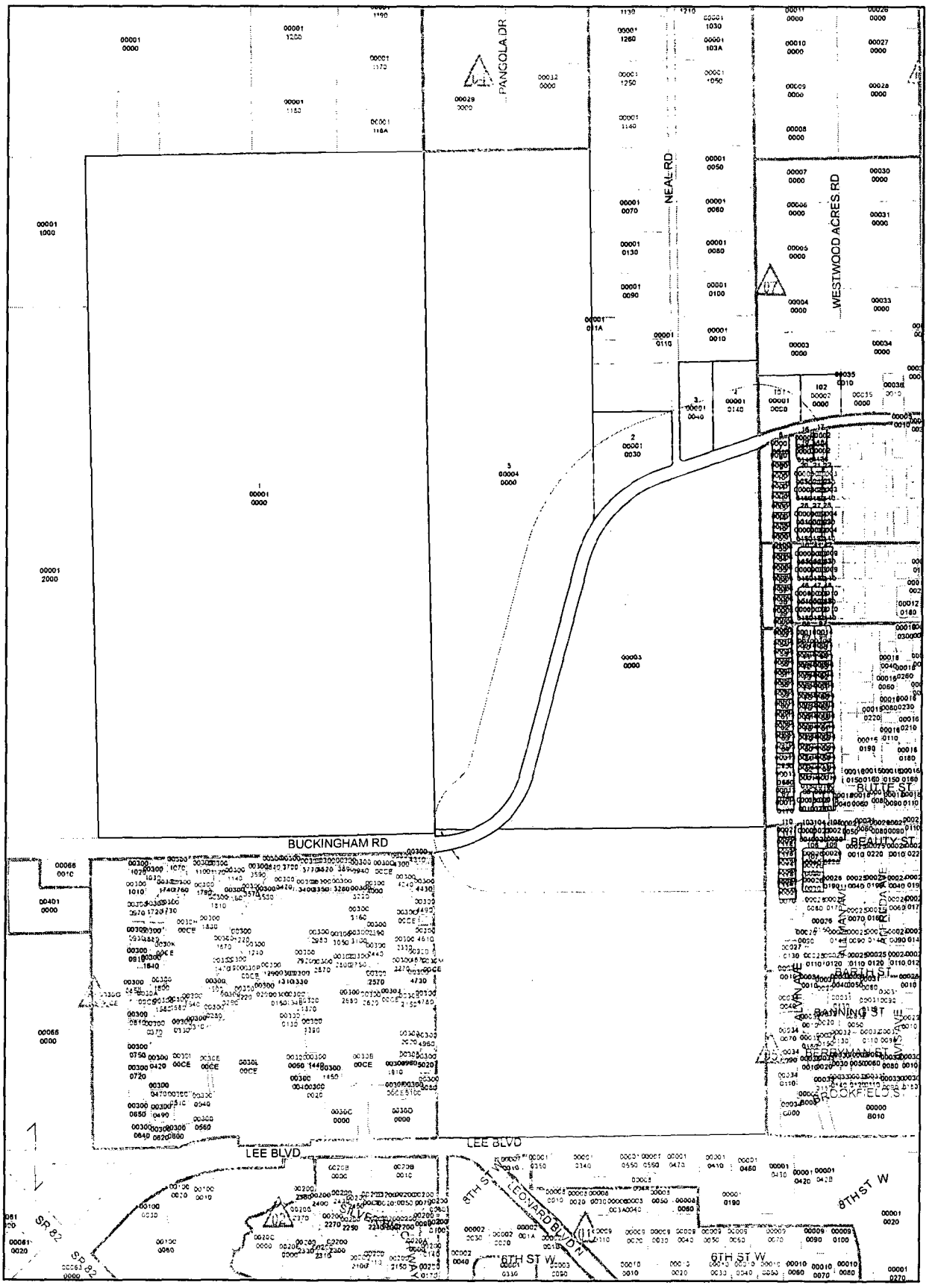
Signature of member or an authorized representative of a member

Signature: RANDY RISTIC

VARIANCE REPORT

6/16/2006

Subject Parcels : 1 Affected Parcels : 117 Buffer Distance : 300 ft



19-44-26-00-00003.0000

1,300 650 0 1,300 Feet

Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: June 16, 2006
Buffer Distance: 500 ft
Parcels Affected: 117
Subject Parcel: 19-44-26-00-00003.0000

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	**24-44-25-00-00001.0000** 10500-550 BUCKINGHAM RD FORT MYERS FL 33905	E 1/2 OF SEC 24 + E 1/2 OF SEC 25 LYING N OF BUCKINGHAM RD DESC OR 2305/4037
MOON KAP NAE + UN JAE 3212 RIVER GROVE CIR FT MYERS FL 33905	**19-44-26-00-00001.0030** 9660 BUCKINGHAM RD FORT MYERS FL 33905	PARL IN SE 1/4 OF NW 1/4 SEC 19 TWP 44 R 26 DESC IN OR 1168 PG 915
NIPPER LARRY P O OBOX 398 LEHIGH ACRES FL 33970	**19-44-26-00-00001.0040** 9560 BUCKINGHAM RD FORT MYERS FL 33905	PARL IN S E 1/4 OF N W 1/4 SEC 19 TWP 44 R 26 DESC IN OR 1223 PG 710
MORALES DEL CASTILLO FAMILY 4048 EVANS AV SUITE 209 FORT MYERS FL 33901	**19-44-26-00-00001.0140** 9530 BUCKINGHAM RD FORT MYERS FL 33905	PARL IN E 1/2 OF W 1/2 LYING N OF BUCKINGHAM RD DESC IN OR 1680 PG 0467 AKA LOT 47 PINE FOREST FARMS UNREC
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	**19-44-26-00-00004.0000** 9800 BUCKINGHAM RD FORT MYERS FL 33905	THE W 1/2 OF W 1/2 N OF BUCKINGHAM RD.
ABDEL-MASSIH MOUNIER 747 W BAGNALL ST GLENDORA CA 91740	**19-44-26-01-00001.0010** 1133 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 1
LAMBERT WAYNE M + 7308 IDEAL AVE FORT WAYNE IN 46809	**19-44-26-01-00001.0020** 1131 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 2
ARONI ROSSANA + 1502 SE 1ST PLACE CAPE CORAL FL 33990	**19-44-26-01-00001.0030** 1129 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 3
PRICE FLORENCE L 1128 MELVIN DR PORTSMOUTH VA 23701	**19-44-26-01-00001.0040** 1127 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 4
HERCULES CIELRA + CHRISTILA 1125 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-01-00001.0050** 1125 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 5
KROL CONRAD + HOLLY 928 72ND AVE N PENSACOLA FL 32506	**19-44-26-01-00001.0060** 1123 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 6
BAKER FREDERICK R + 1121 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-01-00001.0070** 1121 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 7
BECK TODD R 2724 VIA DEL NOGAL CAMARILLO CA 93010	**19-44-26-01-00001.0080** 1119 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 8

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
JESSICA CORP 6635 WILLOW PARK DR NAPLES FL 34109	**19-44-26-01-00001.0090** 1117 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 9
LAZARRE MARCELLUS + MARTHA 1115 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-01-00001.0100** 1115 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 1 PB 26 PG 22 LOT 10
ARCE JUAN C + CALLE MUNICIPAL # 46 BRISAS DE CEIBA DEIBA PR 00735	**19-44-26-01-00002.0010** 9381 BUCKINGHAM RD FORT MYERS FL 33905	LEHIGH ACRES UNIT 1 BLK 2 PB 26 PG 22 LOT 1
LUULY REALTY INVESTMENTS INC 4925 SKATES CIR FORT MYERS FL 33905	**19-44-26-01-00002.0020** 9361 BUCKINGHAM RD FORT MYERS FL 33905	LEHIGH ACRES UNIT 1 BLK 2 PB 26 PG 22 LOT 2
SOLORZANO RAQUEL B 18722 SW 27TH ST MIRAMAR FL 33029	**19-44-26-01-00002.0130** 5568 BILLINGS ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 2 PB 26 PG 22 LOT 13
SMITH EDWARD J + 5570 BILLINGS ST LEHIGH ACRES FL 33971	**19-44-26-01-00002.0140** 5570 BILLINGS ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 2 PB 26 PG 22 LOT 14
JRG LLC GUTIERREZ 5407 NE 31ST AVE FORT LAUDERDALE FL 33308	**19-44-26-01-00003.0010** 5571 BILLINGS ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 26 PG 22 LOT 1
RENZENBRINK G WM + PATRICE A 8246 LAKEVALLEY DR CINCINNATI OH 45247	**19-44-26-01-00003.0020** 5569 BILLINGS ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 26 PG 22 LOT 2
HOLOWKA CHERYL LYNN 883 RALEIGH DR TOMS RIVER NJ 08753	**19-44-26-01-00003.0030** 5567 BILLINGS ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 26 PG 22 LOT 3
ESTRADA ANA 320 17TH ST NW NAPLES FL 34120	**19-44-26-01-00003.0140** 5566 BECK ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 26 PG 22 LOT 14
LAUREN DEVELOPMENT CORPORATION 6635 WILLOW PARK DR NAPLES FL 34109	**19-44-26-01-00003.0150** 5568 BECK ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 26 PG 22 LOT 15
SIMAO MANUEL 9202 YELLOW LAKE DR NEW PORT RICHEY FL 34654	**19-44-26-01-00003.0160** 5570 BECK ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 3 PB 26 PG 22 LOT 16
MONROE VIRGINIA D 5571 BECK ST LEHIGH ACRES FL 33971	**19-44-26-01-00004.0010** 5571 BECK ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 4 PB 26 PG 22 LOT 1
VANSLYKE MARK C + CORRI 320 SE 16TH TER CAPE CORAL FL 33990	**19-44-26-01-00004.0020** 5569 BECK ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 4 PB 26 PG 22 LOT 2
RODRIGUEZ MARIA T + 5567 BECK ST LEHIGH ACRES FL 33971	**19-44-26-01-00004.0030** 5567 BECK ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 4 PB 26 PG 22 LOT 3
JULIEN ARNOLD + ALIETTE 2954 CALVIN BLVD FORT MYERS FL 33901	**19-44-26-01-00004.0140** 5566 BELROSE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 4 PB 26 PG 22 LOT 14
HILL ADRIENNE R 498 PARKWAY AVE TRENTON NJ 08618	**19-44-26-01-00004.0150** 5568 BELROSE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 4 PB 26 PG 22 LOT 15
SIMAO JOAQUIM 2 CAROLINE DR SOUTH RIVER NJ 08882	**19-44-26-01-00004.0160** 5570 BELROSE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 1 BLK 4 PB 26 PG 22 LOT 16

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
CHERMONT LUCIA 1805 LINHART AVE #121 FORT MYERS FL 33901	**19-44-26-02-00008.0010** 1113 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 1
PHAM SUONG NGUYET 7936 SANDELWOOD CIR W FORT MYERS FL 33908	**19-44-26-02-00008.0020** 1111 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 2
JAJO INVESTMENTS 11994 HIDDEN LINKS DR FORT MYERS FL 33913	**19-44-26-02-00008.0030** 1109 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 3
PELAEZ MERCEDES + 7813 NW 193RD TER HIALEAH FL 33015	**19-44-26-02-00008.0040** 1107 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 4
WRIGHT LEE A 1322 PINGREE RD TOLEDO OH 43612	**19-44-26-02-00008.0050** 1105 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 5
ADKINS MATTHEW + ERIKA 1103 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-02-00008.0060** 1103 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 6
FERRY WILLIAM J + 22 HANOVER CT LANGHORNE PA 19047	**19-44-26-02-00008.0070** 1101 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 7
PIRES SIRLENIA 1035 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-02-00008.0080** 1035 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 8 PB 26 PG 23 LOT 8
ESTUPINAN JULIO CESAR 141 AMARYLLIS CT SAN RAMON CA 94583	**19-44-26-02-00009.0010** 5571 BELROSE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 9 PB 26 PG 23 LOT 1
GUQUELIN JANAINA F 5569 BELROSE ST LEHIGH ACRES FL 33971	**19-44-26-02-00009.0020** 5569 BELROSE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 9 PB 26 PG 23 LOT 2
LONGO CRISTIAN M 5567 BELROSE ST LEHIGH ACRES FL 33971	**19-44-26-02-00009.0030** 5567 BELROSE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 9 PB 26 PG 23 LOT 3
KING RONALD S + CAROL D 5566 BENTON ST SW LEHIGH ACRES FL 33971	**19-44-26-02-00009.0140** 5566 BENTON ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 9 PB 26 PG 23 LOT 14
PASSLEY LLOYD E BOX 5539 RFD LONG GROVE IL 60047	**19-44-26-02-00009.0150** 5568 BENTON ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 9 PB 26 PG 23 LOT 15
VALERIANO ANA LUCIA + 13 KINGSMAN RD #1 SOMERVILLE MA 02143	**19-44-26-02-00009.0160** 5570 BENTON ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 9 PB 26 PG 23 LOT 16
PRUTZMAN CLARENCE B JR 2 SPRING AVE TEMPLE PA 19560	**19-44-26-02-00010.0010** 5571 BENTON ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 10 PB 26 PG 23 LOT 1
MORAIS HAMILTON 5569 BENTON ST LEHIGH ACRES FL 33971	**19-44-26-02-00010.0020** 5569 BENTON ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 10 PB 26 PG 23 LOT 2
SANTANA WANDELL + 7835 REGAL HERON CIR #202 NAPLES FL 34104	**19-44-26-02-00010.0030** 5567 BENTON ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 10 PB 26 PG 23 LOT 3
RAMOS ANGEL 14 LIVINGSTON AV YONKERS NY 10705	**19-44-26-02-00010.0140** 5566 BURR ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 10 PB 26 PG 23 LOT 14

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
RICHARDSON KEVIN L 13428 HAMPTON PARK CT FORT MYERS FL 33913	**19-44-26-02-00010.0150** 5568 BURR ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 10 PB 26 PG 23 LOT 15
DILLON JAMES F + GAYLE M 1005 SE KITCHING COVE LANE PORT ST LUCIE FL 34952	**19-44-26-02-00010.0160** 5570 BURR ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 2 BLK 10 PB 26 PG 23 LOT 16
LANHAM TRACEY 1033 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00013.0010** 1033 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 1
COSTA LUIZ ANTONIO 26777 STARDUST DR BONITA SPRINGS FL 34135	**19-44-26-03-00013.0020** 1031 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 2
TAYLOR JEFFREY D + CARRIE 1029 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-03-00013.0030** 1029 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 3
CORTEZ JOSE S + IDOLINA G 1027 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00013.0040** 1027 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 4
BENEL CENEL + 1025 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-03-00013.0050** 1025 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 5
DRUE CORPORATION 6635 WILLOW PARK DR NAPLES FL 34109	**19-44-26-03-00013.0060** 1023 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 6
BROWN CHAD E + RENEE H 1021 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-03-00013.0070** 1021 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 7
WHEELER CHARLES H 4607 86TH ST LUBBOCK TX 79424	**19-44-26-03-00013.0080** 1019 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 8
ST LAGUERRE MURIELLE 1017 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00013.0090** 1017 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 9
VAN HORNE LANCE E 1015 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00013.0100** 1015 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 10
ADAMS KENNETH A + LIVIA J 1013 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00013.0110** 1013 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 11
HERWIG AARON 19542 SW 39TH ST MIRAMAR FL 33029	**19-44-26-03-00013.0120** 1011 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 12
SHIPMAN JAMES L+ KATHERINE TR 18470 SCHABACK DR WESTON MO 64098	**19-44-26-03-00013.0130** 1009 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 13
KHAN SAEED A + DIANA L 1007 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00013.0140** 1007 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOTS 14 + 15
BELCHER C I + CAROLYN A 734 E WOODSIDE ST SOUTH BEND IN 46614	**19-44-26-03-00013.0160** 1003 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 16
FREDERICK THOMAS O + MIRNA Y 1557 ALTON RD PORT CHARLOTTE FL 33952	**19-44-26-03-00013.0170** 1001 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 13 PB 26 PG 24 LOT 17
WILKE CHARLOTTE ANN TR P O BOX 61134 FORT MYERS FL 33906	**19-44-26-03-00014.0010** 1032 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 1

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
PAUL JEAN + ILNESSE 1030 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0020** 1030 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 2
VERLANEY JOHN A ETAL 8925 STARLIGHT DR MACEDONIA OH 44056	**19-44-26-03-00014.0030** 1028 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 3
SANCHEZ SONIA 1026 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00014.0040** 1026 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 4
BOESCH JOAN 19709 VINTAGE TRACE CIR FORT MYERS FL 33912	**19-44-26-03-00014.0050** 1024 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 5
INFIESTO CINDI 18441 TELEGRAPH CREEK LN ALVA FL 33920	**19-44-26-03-00014.0060** 1022 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 6
PASTORIZA ILIANA D + 12804 SW 48TH TER MIAMI FL 33175	**19-44-26-03-00014.0070** 1020 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 7
BYRD BOBBY L + LISA P 1016 ALVIN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0080** 1018 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 8
ALVES JOAO C 1016 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00014.0090** 1016 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 9
MORELAND WILBUR L + 2918 PRINCE GEORGE RD HATTIESBURG MS 39402	**19-44-26-03-00014.0100** 1014 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 10
MORELAND WILBUR L + 2918 PRINCE GEORGE RD HATTIESBURG MS 39402	**19-44-26-03-00014.0110** 1012 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 11
FORTUNATO DEBORA 1010 ALVIN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00014.0120** 1010 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 12
BAKER PHILIP GARY + DEBORAH 211 BEECH RIDGE RD LITTLETON NC 27850	**19-44-26-03-00014.0130** 1008 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 13
GUERRA RAFAEL R 10620 ROSEMARY DR BONITA SPRINGS FL 34135	**19-44-26-03-00014.0140** 1006 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 14
HENDRY REBECCA 5570 BUTTE ST LEHIGH ACRES FL 33971	**19-44-26-03-00014.0150** 5570 BUTTE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 15
TEIXEIRA SERGIO DE OLLVEIRA 1005 ALLMAN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00014.0160** 1005 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 16
LOPEZ AMADOR 1007 ALLMAN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00014.0170** 1007 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 17
DASILVA PAULO R 1026 ALLMAN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0180** 1009 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 18
ANTOINE ESPERANCE + 1011 ALLMAN AVE LEHIGH ACRES FL 33971	**19-44-26-03-00014.0190** 1011 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 19

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
MADDIE CORP 6635 WILLOW PARK DR NAPLES FL 34109	**19-44-26-03-00014.0200** 1013 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 20
NICELY SUZETTE D + 910 NW 140TH ST MIAMI FL 33168	**19-44-26-03-00014.0210** 1015 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 21
GARZA ANTHONY + 1017 ALLMAN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0220** 1017 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 22
GARZA ANTHONY 1017 ALLMAN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0230** 1019 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 23
CHING JAIME 11760 NW 1ST ST CORAL SPRINGS FL 33071	**19-44-26-03-00014.0240** 1021 ALLMAN AVE LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 24
WEDDERBURN ELARIO L + 1229 SEBRING LN LEXINGTON KY 40513	**19-44-26-03-00014.0250** 1023 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 25
KOCO MAKSIM + MIMOZA 4808 ESCOBAR AVE NAPLES FL 34103	**19-44-26-03-00014.0260** 1025 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 26
DAVIS WILLIE E + MIRIAM R 1027 ALLMAN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0270** 1027 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 27
PASCHAL MICHAEL B + PATRICIA 1029 ALLMAN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0280** 1029 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 28
QUINTANA JOSE A 1418 ALWYNNE DR LEHIGH ACRES FL 33936	**19-44-26-03-00014.0290** 1031 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 29
WILKE ROBIN L TR 1033 ALLMAN AV LEHIGH ACRES FL 33971	**19-44-26-03-00014.0300** 1033 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 14 PB 26 PG 24 LOT 30
ESCAANDELL MANUEL + CAROLINA 4478 28TH PL NAPLES FL 34116	**19-44-26-03-00018.0010** 5571 BUTTE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 18 PB 26 PG 24 LOT 1
RUEDISUELI JOHN P + BETTY A 5569 BUTTE ST LEHIGH ACRES FL 33971	**19-44-26-03-00018.0020** 5569 BUTTE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 18 PB 26 PG 24 LOT 2
ANDERSON GEORGE L 5155 COLD SPRINGS RD WEST PADUCAH KY 42086	**19-44-26-03-00018.0030** 5567 BUTTE ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 3 BLK 18 PB 26 PG 24 LOT 3
OVERBEE TONY R + MARILYN T 9430 BUCKINGHAM RD FT MYERS FL 33905	**19-44-26-07-00001.0000** 9430 BUCKINGHAM RD FORT MYERS FL 33905	WESTWOOD ACRES UNREC OR 596 PG 581 LOT 1
OVERBEE TONY R + MARILYN T 9430 BUCKINGHAM RD FT MYERS FL 33905	**19-44-26-07-00002.0000** 9370 BUCKINGHAM RD FORT MYERS FL 33905	WESTWOOD ACRES UNREC OR 596 PG 581 LOT 2
SIANOS EVANGELOS MARONIOUS 21 ATHENS 104-44 GREECE	**30-44-26-04-00021.0010** 5552 BEAUTY ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 21 PB 26 PG 54 LOT 1
COSTA LUIS + ROSALINA 26777 STAROUST DR BONITA SPRINGS FL 34135	**30-44-26-04-00021.0020** 5550 BEAUTY ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 21 PB 26 PG 54 LOT 2
ANDRADE OSORIO R 5548 BEAUTY ST LEHIGH ACRES FL 33971	**30-44-26-04-00021.0030** 5548 BEAUTY ST LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 21 PB 26 PG 54 LOTS 3 + 4

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION
CAMACHO YVETTE N + 4484 SADDLEWORTH CIR ORLANDO FL 32826	**30-44-26-04-00026.0010** 922 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 26 PB 26 PG 54 LOT 1
BAKER RONNIE L + ZELMA M 920 ALVIN AVE LEHIGH ACRES FL 33971	**30-44-26-04-00026.0020** 920 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 26 PB 26 PG 54 LOT 2
KETCHUM LYNN D 918 ALVIN AVE LEHIGH ACRES FL 33971	**30-44-26-04-00026.0030** 918 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 26 PB 26 PG 54 LOTS 3 + 4
SOSA RAFAEL + CONCEPCION F P 921 ALLMAN AV LEHIGH ACRES FL 33971	**30-44-26-04-00026.0220** 921 ALLMAN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 26 PB 26 PG 54 LOT 22
WINTERS ALVIN + 12025 WANDWORTH DR TAMPA FL 33626	**30-44-26-04-00027.0010** 927 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 1
NONIS ATHINA JOANNA NONIS BARNETT 19669 PLAYER CT ASHBURN VA 20147	**30-44-26-04-00027.0020** 925 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 2
COSTA LUIZ A + ROSALINA 26777 STARDUST DR BONITA SPRINGS FL 34135	**30-44-26-04-00027.0030** 923 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 3
FERREIRA MAISA S + 3773 CANTON ST FORT MYERS FL 33912	**30-44-26-04-00027.0040** 921 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 4
BRADY ROLLAND J + MAXINE M 700 18TH ST SE AUSTIN MN 55912	**30-44-26-04-00027.0050** 919 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 5
GOLUEKE WILLIAM J + VIRGINIA T 1584 DECKNER AVE GREEN BAY WI 54302	**30-44-26-04-00027.0060** 917 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 6
ADAMS HOMES OF NW FLORIDA INC 3000 GULF BREEZE PKWY STE 229 GULF BREEZE FL 32561	**30-44-26-04-00027.0070** 915 ALVIN AVE LEHIGH ACRES FL 33971	LEHIGH ACRES UNIT 4 BLK 27 PB 26 PG 54 LOT 7
CITY OF FORT MYERS FINANCE DEPT PO DRAWER 2217 FORT MYERS FL 33902	**30-44-26-P1-00001.0000** 5600 LEE BLVD LEHIGH ACRES FL 33971	NW 1/4 LESS STRIP 206 FT WIDE ALG S BDRY LES R/W OR 2771/1426

117 RECORDS PRINTED

24-44-25-00-00001.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-26-00-00001.0030
MOON KAP NAE + UN JAE
3212 RIVER GROVE CIR
FT MYERS, FL 33905

19-44-26-00-00001.0040
NIPPER LARRY
P O OBOX 398
LEHIGH ACRES, FL 33970

19-44-26-00-00001.0140
MORALES DEL CASTILLO FAMILY
4048 EVANS AV
SUITE 209
FORT MYERS, FL 33901

19-44-26-00-00004.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-26-01-00001.0010
ABDEL-MASSIH MOUNIER
747 W BAGNALL ST
GLENDORA, CA 91740

19-44-26-01-00001.0020
LAMBERT WAYNE M +
7308 IDEAL AVE
FORT WAYNE, IN 46809

19-44-26-01-00001.0030
ARONI ROSSANA +
1502 SE 1ST PLACE
CAPE CORAL, FL 33990

19-44-26-01-00001.0040
PRICE FLORENCE L
1128 MELVIN DR
PORTSMOUTH, VA 23701

19-44-26-01-00001.0050
HERCULES CIELRA + CHRISTILA
1125 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00001.0060
KROL CONRAD + HOLLY
928 72ND AVE N
PENSACOLA, FL 32506

19-44-26-01-00001.0070
BAKER FREDERICK R +
1121 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00001.0080
BECK TODD R
2724 VIA DEL NOGAL
CAMARILLO, CA 93010

19-44-26-01-00001.0090
JESSICA CORP
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-01-00001.0100
LAZARRE MARCELLUS + MARTHA
1115 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00002.0010
ARCE JUAN C +
CALLE MUNICIPAL # 46
BRISAS DE CEIBA
DEIBA, PR 00735

19-44-26-01-00002.0020
LUULY REALTY INVESTMENTS INC
4925 SKATES CIR
FORT MYERS, FL 33905

19-44-26-01-00002.0130
SOLORZANO RAQUEL B
18722 SW 27TH ST
MIRAMAR, FL 33029

19-44-26-01-00002.0140
SMITH EDWARD J +
5570 BILLINGS ST
LEHIGH ACRES, FL 33971

19-44-26-01-00003.0010
JRG LLC
GUTIERREZ
5407 NE 31ST AVE
FORT LAUDERDALE, FL 33308

All data is current at time of printing and subject to change without notice.

19-44-26-01-00003.0020
RENZENBRINK G WM + PATRICE A
8246 LAKEVALLEY DR
CINCINNATI, OH 45247

19-44-26-01-00003.0030
HOLOWKA CHERYL LYNN
883 RALEIGH DR
TOMS RIVER, NJ 08753

19-44-26-01-00003.0140
ESTRADA ANA
320 17TH ST NW
NAPLES, FL 34120

19-44-26-01-00003.0150
LAUREN DEVELOPMENT CORPORATION
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-01-00003.0160
SIMAO MANUEL
9202 YELLOW LAKE DR
NEW PORT RICHEY, FL 34654

19-44-26-01-00004.0010
MONROE VIRGINIA D
5571 BECK ST
LEHIGH ACRES, FL 33971

19-44-26-01-00004.0020
VANSLYKE MARK C + CORRI
320 SE 16TH TER
CAPE CORAL, FL 33990

19-44-26-01-00004.0030
RODRIGUEZ MARIA T +
5567 BECK ST
LEHIGH ACRES, FL 33971

19-44-26-01-00004.0140
JULIEN ARNOLD + ALIETTE
2954 CALVIN BLVD
FORT MYERS, FL 33901

19-44-26-01-00004.0150
HILL ADRIENNE R
498 PARKWAY AVE
TRENTON, NJ 08618

19-44-26-01-00004.0160
SIMAO JOAQUIM
2 CAROLINE DR
SOUTH RIVER, NJ 08882

19-44-26-02-00008.0010
CHERMONT LUCIA
1805 LINHART AVE #121
FORT MYERS, FL 33901

19-44-26-02-00008.0020
PHAM SUONG NGUYET
7936 SANDELWOOD CIR W
FORT MYERS, FL 33908

19-44-26-02-00008.0030
JAJO INVESTMENTS
11994 HIDDEN LINKS DR
FORT MYERS, FL 33913

19-44-26-02-00008.0040
PELAEZ MERCEDES +
7813 NW 193RD TER
HIALEAH, FL 33015

19-44-26-02-00008.0050
WRIGHT LEE A
1322 PINGREE RD
TOLEDO, OH 43612

19-44-26-02-00008.0060
ADKINS MATTHEW + ERIKA
1103 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-02-00008.0070
FERRY WILLIAM J +
22 HANOVER CT
LANGHORNE, PA 19047

19-44-26-02-00008.0080
PIRES SIRLENIA
1035 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0010
ESTUPINAN JULIO CESAR
141 AMARYLLIS CT
SAN RAMON, CA 94583

All data is current at time of printing and subject to change without notice.

19-44-26-02-00009.0020
GUQUELIN JANAINA F
5569 BELROSE ST
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0030
LONGO CRISTIAN M
5567 BELROSE ST
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0140
KING RONALD S + CAROL D
5566 BENTON ST SW
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0150
PASSLEY LLOYD E
BOX 5539 RFD
LONG GROVE, IL 60047

19-44-26-02-00009.0160
VALERIANO ANA LUCIA +
13 KINGSMAN RD #1
SOMERVILLE, MA 02143

19-44-26-02-00010.0010
PRUTZMAN CLARENCE B JR
2 SPRING AVE
TEMPLE, PA 19560

19-44-26-02-00010.0020
MORAIS HAMILTON
5569 BENTON ST
LEHIGH ACRES, FL 33971

19-44-26-02-00010.0030
SANTANA WANDELL +
7835 REGAL HERON CIR #202
NAPLES, FL 34104

19-44-26-02-00010.0140
RAMOS ANGEL
14 LIVINGSTON AV
YONKERS, NY 10705

19-44-26-02-00010.0150
RICHARDSON KEVIN L
13428 HAMPTON PARK CT
FORT MYERS, FL 33913

19-44-26-02-00010.0160
DILLON JAMES F + GAYLE M
1005 SE KITCHING COVE LANE
PORT ST LUCIE, FL 34952

19-44-26-03-00013.0010
LANHAM TRACEY
1033 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0020
COSTA LUIZ ANTONIO
26777 STARDUST DR
BONITA SPRINGS, FL 34135

19-44-26-03-00013.0030
TAYLOR JEFFREY D + CARRIE
1029 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0040
CORTEZ JOSE S + IDOLINA G
1027 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0050
BENEL CENEL +
1025 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0060
DRUE CORPORATION
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-03-00013.0070
BROWN CHAD E + RENEE H
1021 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0080
WHEELER CHARLES H
4607 86TH ST
LUBBOCK, TX 79424

19-44-26-03-00013.0090
ST LAGUERRE MURIELLE
1017 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0100
VAN HORNE LANCE E
1015 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0110
ADAMS KENNETH A + LIVIA J
1013 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0120
HERWIG AARON
19542 SW 39TH ST
MIRAMAR, FL 33029

19-44-26-03-00013.0130
SHIPMAN JAMES L+ KATHERINE TR
18470 SCHABACK DR
WESTON, MO 64098

19-44-26-03-00013.0140
KHAN SAEED A + DIANA L
1007 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0160
BELCHER C I + CAROLYN A
734 E WOODSIDE ST
SOUTH BEND, IN 46614

19-44-26-03-00013.0170
FREDERICK THOMAS O + MIRNA Y
1557 ALTON RD
PORT CHARLOTTE, FL 33952

19-44-26-03-00014.0010
WILKE CHARLOTTE ANN TR
P O BOX 61134
FORT MYERS, FL 33906

19-44-26-03-00014.0020
PAUL JEAN + ILNESSE
1030 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0030
VERLANEY JOHN A ETAL
8925 STARLIGHT DR
MACEDONIA, OH 44056

19-44-26-03-00014.0040
SANCHEZ SONIA
1026 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0050
BOESCH JOAN
19709 VINTAGE TRACE CIR
FORT MYERS, FL 33912

19-44-26-03-00014.0060
INFIESTO CINDI
18441 TELEGRAPH CREEK LN
ALVA, FL 33920

19-44-26-03-00014.0070
PASTORIZA ILIANA D +
12804 SW 48TH TER
MIAMI, FL 33175

19-44-26-03-00014.0080
BYRD BOBBY L + LISA P
1016 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0090
ALVES JOAO C
1016 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0100
MORELAND WILBUR L +
2918 PRINCE GEORGE RD
HATTIESBURG, MS 39402

19-44-26-03-00014.0110
MORELAND WILBUR L +
2918 PRINCE GEORGE RD
HATTIESBURG, MS 39402

19-44-26-03-00014.0120
FORTUNATO DEBORA
1010 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0130
BAKER PHILIP GARY + DEBORAH
211 BEECH RIDGE RD
LITTLETON, NC 27850

All data is current at time of printing and subject to change without notice.

19-44-26-03-00014.0140
GUERRA RAFAEL R
10620 ROSEMARY DR
BONITA SPRINGS, FL 34135

19-44-26-03-00014.0150
HENDRY REBECCA
5570 BUTTE ST
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0160
TEIXEIRA SERGIO DE OLLVEIRA
1005 ALLMAN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0170
LOPEZ AMADOR
1007 ALLMAN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0180
DASILVA PAULO R
1026 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0190
ANTOINE ESPERANCE +
1011 ALLMAN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0200
MADDIE CORP
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-03-00014.0210
NICELY SUZETTE D +
910 NW 140TH ST
MIAMI, FL 33168

19-44-26-03-00014.0220
GARZA ANTHONY +
1017 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0230
GARZA ANTHONY
1017 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0240
CHING JAIME
11760 NW 1ST ST
CORAL SPRINGS, FL 33071

19-44-26-03-00014.0250
WEDDERBURN ELARIO L +
1229 SEBRING LN
LEXINGTON, KY 40513

19-44-26-03-00014.0260
KOCO MAKSIM + MIMOZA
4808 ESCOBAR AVE
NAPLES, FL 34103

19-44-26-03-00014.0270
DAVIS WILLIE E + MIRIAM R
1027 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0280
PASCHAL MICHAEL B + PATRICIA
1029 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0290
QUINTANA JOSE A
1418 ALWYNNE DR
LEHIGH ACRES, FL 33936

19-44-26-03-00014.0300
WILKE ROBIN L TR
1033 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00018.0010
ESCAANDELL MANUEL + CAROLINA
4478 28TH PL
NAPLES, FL 34116

19-44-26-03-00018.0020
RUEDISUELI JOHN P + BETTY A
5569 BUTTE ST
LEHIGH ACRES, FL 33971

19-44-26-03-00018.0030
ANDERSON GEORGE L
5155 COLD SPRINGS RD
WEST PADUCAH, KY 42086

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19-44-26-07-00001.0000
OVERBEE TONY R + MARILYN T
9430 BUCKINGHAM RD
FT MYERS, FL 33905

19-44-26-07-00002.0000
OVERBEE TONY R + MARILYN T
9430 BUCKINGHAM RD
FT MYERS, FL 33905

30-44-26-04-00021.0010
SIANOS EVANGELOS
MARONIOUS 21
ATHENS 104-44,
GREECE

30-44-26-04-00021.0020
COSTA LUIS + ROSALINA
26777 STAROUST DR
BONITA SPRINGS, FL 34135

30-44-26-04-00021.0030
ANDRADE OSORIO R
5548 BEAUTY ST
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0010
CAMACHO YVETTE N +
4484 SADDLEWORTH CIR
ORLANDO, FL 32826

30-44-26-04-00026.0020
BAKER RONNIE L + ZELMA M
920 ALVIN AVE
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0030
KETCHUM LYNN D
918 ALVIN AVE
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0220
SOSA RAFAEL + CONCEPCION F P
921 ALLMAN AV
LEHIGH ACRES, FL 33971

30-44-26-04-00027.0010
WINTERS ALVIN +
12025 WANDWORTH DR
TAMPA, FL 33626

30-44-26-04-00027.0020
NONIS ATHINA
JOANNA NONIS BARNETT
19669 PLAYER CT
ASHBURN, VA 20147

30-44-26-04-00027.0030
COSTA LUIZ A + ROSALINA
26777 STARDUST DR
BONITA SPRINGS, FL 34135

30-44-26-04-00027.0040
FERREIRA MAISA S +
3773 CANTON ST
FORT MYERS, FL 33912

30-44-26-04-00027.0050
BRADY ROLLAND J + MAXINE M
700 18TH ST SE
AUSTIN, MN 55912

30-44-26-04-00027.0060
GOLUEKE WILLIAM J + VIRGINIA T
1584 DECKNER AVE
GREEN BAY, WI 54302

30-44-26-04-00027.0070
ADAMS HOMES OF NW FLORIDA INC
3000 GULF BREEZE PKWY STE 229
GULF BREEZE, FL 32561

30-44-26-P1-00001.0000
CITY OF FORT MYERS
FINANCE DEPT
PO DRAWER 2217
FORT MYERS, FL 33902

24-44-25-00-00001.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-26-00-00001.0030
MOON KAP NAE + UN JAE
3212 RIVER GROVE CIR
FT MYERS, FL 33905

19-44-26-00-00001.0040
NIPPER LARRY
P O OBOX 398
LEHIGH ACRES, FL 33970

19-44-26-00-00001.0140
MORALES DEL CASTILLO FAMILY
4048 EVANS AV
SUITE 209
FORT MYERS, FL 33901

19-44-26-00-00004.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-26-01-00001.0010
ABDEL-MASSIH MOUNIER
747 W BAGNALL ST
GLENDORA, CA 91740

19-44-26-01-00001.0020
LAMBERT WAYNE M +
7308 IDEAL AVE
FORT WAYNE, IN 46809

19-44-26-01-00001.0030
ARONI ROSSANA +
1502 SE 1ST PLACE
CAPE CORAL, FL 33990

19-44-26-01-00001.0040
PRICE FLORENCE L
1128 MELVIN DR
PORTSMOUTH, VA 23701

19-44-26-01-00001.0050
HERCULES CIELRA + CHRISTILA
1125 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00001.0060
KROL CONRAD + HOLLY
928 72ND AVE N
PENSACOLA, FL 32506

19-44-26-01-00001.0070
BAKER FREDERICK R +
1121 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00001.0080
BECK TODD R
2724 VIA DEL NOGAL
CAMARILLO, CA 93010

19-44-26-01-00001.0090
JESSICA CORP
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-01-00001.0100
LAZARRE MARCELLUS + MARTHA
1115 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00002.0010
ARCE JUAN C +
CALLE MUNICIPAL # 46
BRISAS DE CEIBA
DEIBA, PR 00735

19-44-26-01-00002.0020
LUULY REALTY INVESTMENTS INC
4925 SKATES CIR
FORT MYERS, FL 33905

19-44-26-01-00002.0130
SOLORZANO RAQUEL B
18722 SW 27TH ST
MIRAMAR, FL 33029

19-44-26-01-00002.0140
SMITH EDWARD J +
5570 BILLINGS ST
LEHIGH ACRES, FL 33971

19-44-26-01-00003.0010
JRG LLC
GUTIERREZ
5407 NE 31ST AVE
FORT LAUDERDALE, FL 33308

All data is current at time of printing and subject to change without notice.

19-44-26-01-00003.0020
RENZENBRINK G WM + PATRICE A
8246 LAKEVALLEY DR
CINCINNATI, OH 45247

19-44-26-01-00003.0030
HOLOWKA CHERYL LYNN
883 RALEIGH DR
TOMS RIVER, NJ 08753

19-44-26-01-00003.0140
ESTRADA ANA
320 17TH ST NW
NAPLES, FL 34120

19-44-26-01-00003.0150
LAUREN DEVELOPMENT CORPORATION
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-01-00003.0160
SIMAO MANUEL
9202 YELLOW LAKE DR
NEW PORT RICHEY, FL 34654

19-44-26-01-00004.0010
MONROE VIRGINIA D
5571 BECK ST
LEHIGH ACRES, FL 33971

19-44-26-01-00004.0020
VANSLYKE MARK C + CORRI
320 SE 16TH TER
CAPE CORAL, FL 33990

19-44-26-01-00004.0030
RODRIGUEZ MARIA T +
5567 BECK ST
LEHIGH ACRES, FL 33971

19-44-26-01-00004.0140
JULIEN ARNOLD + ALIETTE
2954 CALVIN BLVD
FORT MYERS, FL 33901

19-44-26-01-00004.0150
HILL ADRIENNE R
498 PARKWAY AVE
TRENTON, NJ 08618

19-44-26-01-00004.0160
SIMAO JOAQUIM
2 CAROLINE DR
SOUTH RIVER, NJ 08882

19-44-26-02-00008.0010
CHERMONT LUCIA
1805 LINHART AVE #121
FORT MYERS, FL 33901

19-44-26-02-00008.0020
PHAM SUONG NGUYET
7936 SANDELWOOD CIR W
FORT MYERS, FL 33908

19-44-26-02-00008.0030
JAJO INVESTMENTS
11994 HIDDEN LINKS DR
FORT MYERS, FL 33913

19-44-26-02-00008.0040
PELAEZ MERCEDES +
7813 NW 193RD TER
HIALEAH, FL 33015

19-44-26-02-00008.0050
WRIGHT LEE A
1322 PINGREE RD
TOLEDO, OH 43612

19-44-26-02-00008.0060
ADKINS MATTHEW + ERIKA
1103 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-02-00008.0070
FERRY WILLIAM J +
22 HANOVER CT
LANGHORNE, PA 19047

19-44-26-02-00008.0080
PIRES SIRLENIA
1035 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0010
ESTUPINAN JULIO CESAR
141 AMARYLLIS CT
SAN RAMON, CA 94583

All data is current at time of printing and subject to change without notice.

19-44-26-02-00009.0020
GUQUELIN JANAINA F
5569 BELROSE ST
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0030
LONGO CRISTIAN M
5567 BELROSE ST
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0140
KING RONALD S + CAROL D
5566 BENTON ST SW
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0150
PASSLEY LLOYD E
BOX 5539 RFD
LONG GROVE, IL 60047

19-44-26-02-00009.0160
VALERIANO ANA LUCIA +
13 KINGSMAN RD #1
SOMERVILLE, MA 02143

19-44-26-02-00010.0010
PRUTZMAN CLARENCE B JR
2 SPRING AVE
TEMPLE, PA 19560

19-44-26-02-00010.0020
MORAIS HAMILTON
5569 BENTON ST
LEHIGH ACRES, FL 33971

19-44-26-02-00010.0030
SANTANA WANDELL +
7835 REGAL HERON CIR #202
NAPLES, FL 34104

19-44-26-02-00010.0140
RAMOS ANGEL
14 LIVINGSTON AV
YONKERS, NY 10705

19-44-26-02-00010.0150
RICHARDSON KEVIN L
13428 HAMPTON PARK CT
FORT MYERS, FL 33913

19-44-26-02-00010.0160
DILLON JAMES F + GAYLE M
1005 SE KITCHING COVE LANE
PORT ST LUCIE, FL 34952

19-44-26-03-00013.0010
LANHAM TRACEY
1033 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0020
COSTA LUIZ ANTONIO
26777 STARDUST DR
BONITA SPRINGS, FL 34135

19-44-26-03-00013.0030
TAYLOR JEFFREY D + CARRIE
1029 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0040
CORTEZ JOSE S + IDOLINA G
1027 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0050
BENEL CENEL +
1025 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0060
DRUE CORPORATION
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-03-00013.0070
BROWN CHAD E + RENEE H
1021 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0080
WHEELER CHARLES H
4607 86TH ST
LUBBOCK, TX 79424

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1026 ALVIN AVE
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PASTORIZA ILIANA D +
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MORELAND WILBUR L +
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HATTIESBURG, MS 39402

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LEHIGH ACRES, FL 33971

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NAPLES, FL 34116

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5155 COLD SPRINGS RD
WEST PADUCAH, KY 42086

All data is current at time of printing and subject to change without notice.

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OVERBEE TONY R + MARILYN T
9430 BUCKINGHAM RD
FT MYERS, FL 33905

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9430 BUCKINGHAM RD
FT MYERS, FL 33905

30-44-26-04-00021.0010
SIANOS EVANGELOS
MARONIOUS 21
ATHENS 104-44,
GREECE

30-44-26-04-00021.0020
COSTA LUIS + ROSALINA
26777 STAROUST DR
BONITA SPRINGS, FL 34135

30-44-26-04-00021.0030
ANDRADE OSORIO R
5548 BEAUTY ST
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0010
CAMACHO YVETTE N +
4484 SADDLEWORTH CIR
ORLANDO, FL 32826

30-44-26-04-00026.0020
BAKER RONNIE L + ZELMA M
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LEHIGH ACRES, FL 33971

30-44-26-04-00026.0030
KETCHUM LYNN D
918 ALVIN AVE
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0220
SOSA RAFAEL + CONCEPCION F P
921 ALLMAN AV
LEHIGH ACRES, FL 33971

30-44-26-04-00027.0010
WINTERS ALVIN +
12025 WANDWORTH DR
TAMPA, FL 33626

30-44-26-04-00027.0020
NONIS ATHINA
JOANNA NONIS BARNETT
19669 PLAYER CT
ASHBURN, VA 20147

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COSTA LUIZ A + ROSALINA
26777 STARDUST DR
BONITA SPRINGS, FL 34135

30-44-26-04-00027.0040
FERREIRA MAISA S +
3773 CANTON ST
FORT MYERS, FL 33912

30-44-26-04-00027.0050
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700 18TH ST SE
AUSTIN, MN 55912

30-44-26-04-00027.0060
GOLUEKE WILLIAM J + VIRGINIA T
1584 DECKNER AVE
GREEN BAY, WI 54302

30-44-26-04-00027.0070
ADAMS HOMES OF NW FLORIDA INC
3000 GULF BREEZE PKWY STE 229
GULF BREEZE, FL 32561

30-44-26-P1-00001.0000
CITY OF FORT MYERS
FINANCE DEPT
PO DRAWER 2217
FORT MYERS, FL 33902

All data is current at time of printing and subject to change without notice.

State-Designated Brownfield Areas

Total Areas: 133

Area ID	*Area Name*	*City*	*County*	*DEP District*	*Resolution Date*	***Acreage*
BF529701000	Clearwater Area	Clearwater	Pinellas	Southwest	10/17/1997	1,100
BF139801000	Miami Area	Miami	Miami-Dade	Southeast	03/10/1998	3,932
BF429801000	Ocala Area #1	Ocala	Marion	Central	03/24/1998	329
BF139901000	Opa-Locka Area	Opa-Locka	Miami-Dade	Southeast	02/24/1999	1,286
BF369901000	Ft Myers Coal Gasification Area	Ft. Myers	Lee	South	04/19/1999	7
BF209901000	Quincy Area	Quincy	Gadsden	Northwest	04/27/1999	4,890
BF429901000	Ocala Area #2 (N Magnolia Ave)	Ocala	Marion	Central	05/11/1999	1
BF489901000	Orlando-Sunterra Area	Orlando	Orange	Central	05/24/1999	14
BF429902000	Ocala Area #3 (NW 10th Street)	Ocala	Marion	Central	06/08/1999	1
BF139908000	Sweetwater C Area		Miami-Dade	Southeast	07/13/1999	648
BF139913000	Redlands\Leasure City Area		Miami-Dade	Southeast	07/13/1999	4,862
BF139912000	South Dade Area		Miami-Dade	Southeast	07/13/1999	6,081
BF139911000	Perrine Area		Miami-Dade	Southeast	07/13/1999	4,271
BF139909000	South Miami Area		Miami-Dade	Southeast	07/13/1999	72
BF139902000	Carol City Area		Miami-Dade	Southeast	07/13/1999	4,098
BF139906000	Sweetwater A Area		Miami-Dade	Southeast	07/13/1999	454
BF139910000	Richmond Heights Area		Miami-Dade	Southeast	07/13/1999	642
BF139905000	Central Miami Area		Miami-Dade	Southeast	07/13/1999	4,321
BF139904000	Model City\Brownsville Area		Miami-Dade	Southeast	07/13/1999	9,308
BF139903000	Dade-Opa-Locka Area		Miami-Dade	Southeast	07/13/1999	3,687
BF139907000	Sweetwater B Area		Miami-Dade	Southeast	07/13/1999	194
BF179901000	Palafox Corridor Redevelopment Area	Pensacola	Escambia	Northwest	09/16/1999	598
BF529901000	St. Petersburg Area	St. Petersburg	Pinellas	Southwest	10/21/1999	122
BF429903000	Ocala Area #4 (NE 14th Street)	Ocala	Marion	Central	11/09/1999	6
BF069901000	Pompano Beach Northwest Area	Pompano Beach	Broward	Southeast	11/23/1999	3,084
BF060001000	Miramar Area	Miramar	Broward	Southeast	01/05/2000	7
BF530001000	Auburndale Wal-Mart Area	Auburndale	Polk	Southwest	01/17/2000	10

Area ID	*Area Name*	*City*	*County*	*DEP District*	*Resolution Date*	***Acreage*
BF290001000	Robbins Manufacturing Storage Yard	Tampa	Hillsborough	Southwest	01/19/2000	24
BF010001000	Gainesville Area	Gainesville	Alachua	Northeast	01/24/2000	26
BF060002000	Lauderdale Lakes Area	Lauderdale Lakes	Broward	Southeast	01/25/2000	21
BF420001000	Ocala Area #5 (NW 1st Street)	Ocala	Marion	Central	02/15/2000	1
BF370002000	Gaines Street Corridor	Tallahassee	Leon	Northwest	03/22/2000	457
BF370001000	Cascade Park MGP and Landfill	Tallahassee	Leon	Northwest	03/22/2000	23
BF160001000	Pilot Project Area	Jacksonville	Duval	Northeast	03/24/2000	11,520
BF130001000	Potamkin Properties	Miami Beach	Miami-Dade	Southeast	06/07/2000	7
BF420002000	Ocala Area #6 (Silver Springs Blvd)	Ocala	Marion	Central	10/24/2000	1
BF290002000	WRB at Old Hopewell Road	Tampa	Hillsborough	Southwest	12/06/2000	9
BF050001000	Village Green Area	Rockledge	Brevard	Central	12/06/2000	10
BF060003000	Uniweld Products Area	Dania Beach	Broward	Southeast	12/12/2000	3
BF420101000	Ocala Area #7 (817 North Pine Avenue)	Ocala	Marion	Central	01/02/2001	2
BF290101000	Tampa Port Authority	Tampa	Hillsborough	Southwest	01/04/2001	600
BF170101000	Strategic Crossings Corporation	Pensacola	Escambia	Northwest	01/25/2001	2
BF160101000	Southside Generating Station (SGS) Area	Jacksonville	Duval	Northeast	04/03/2001	37
BF530101000	CSX Railyard - Lakeland	Lakeland	Polk	Southwest	04/20/2001	99
BF500101000	Former Palm Beach Lakes Golf Course	West Palm Beach	Palm Beach	Southeast	06/25/2001	96
BF060201000	US 441/SR 7 Corridor	Lauderhill	Broward	Southeast	03/11/2002	504
BF290202000	Wal-Mart Buckley-Shuler Area		Hillsborough	Southwest	03/20/2002	40
BF480201000	Winter Garden Downtown CRA	Winter Garden	Orange	Central	04/11/2002	726
BF290203000	Washington Street Crossing Area	Tampa	Hillsborough	Southwest	04/25/2002	1
BF300201000	Chipley Industrial Park Area	Chipley	Washington	Northwest	05/14/2002	NR
BF090201000	Wal-Mart Inverness	Inverness	Citrus	Southwest	07/09/2002	40
BF160201000	Riverplace Boulevard Area	Jacksonville	Duval	Northeast	09/05/2002	4
BF060202000	Liberia / Oakwood Hills Area	Hollywood	Broward	Southeast	09/18/2002	148
BF160202000	Phillips Highway	Jacksonville	Duval	Northeast	09/30/2002	43
BF410201000	Manatee Avenue West Area	Bradenton	Manatee	Southwest	10/04/2002	3
BF230201000	Port St. Joe Area	Port St. Joe	Gulf	Northwest	11/05/2002	168
BF290204000	North 56th Street Area		Hillsborough	Southwest	11/07/2002	8
BF480202000	DEEDS Orlando	Orlando	Orange	Central	11/21/2002	21
BF130201000	Biscayne Commons Area	North Miami Bch	Miami-Dade	Southeast	12/03/2002	12
BF160203000	Raven Transport Holding Area	Jacksonville	Duval	Northeast	12/05/2002	NR

Area ID	*Area Name*	*City*	*County*	*DEP District*	*Resolution Date*	***Acreage*
BF160204000	Advantus Transport Area	Jacksonville	Duval	Northeast	12/12/2002	13
BF160205000	Sunbeam Hill Area	Jacksonville	Duval	Northeast	12/16/2002	NR
BF170201000	Pensacola Mainstreet Area	Pensacola	Escambia	Northwest	12/19/2002	3
BF170301000	MidTown BF Redevelopment Area	Pensacola	Escambia	Northwest	01/23/2003	NR
BF290301000	Tampa Heights Brownfield Area	Tampa	Hillsborough	Southwest	01/30/2003	10
BF580301000	Former Workman Electronics Area	Sarasota	Sarasota	Southwest	02/26/2003	9
BF290302000	Ameristeel Brownfield Area	Tampa	Hillsborough	Southwest	04/24/2003	63
BF620301000	Taylor County Brownfield Area	Perry	Taylor	Northeast	05/05/2003	20
BF360302000	Dunbar Enterprise Zone Brownfield Area	Ft Myers	Lee	South	05/19/2003	NR
BF500301000	Belle Glade Brownfield Area	Belle Glade	Palm Beach	Southeast	05/19/2003	1,091
BF130301000	Beacons Lake Brownfield Area		Miami-Dade	Southeast	05/20/2003	436
BF060301000	Dania Motocross Brownfield Area	Dania Beach	Broward	Southeast	05/28/2003	12
BF060302000	MABB Dania Beach Brownfield Area	Dania Beach	Broward	Southeast	05/28/2003	4
BF580302000	Fruitville Brownfields Area		Sarasota	Southwest	07/23/2003	122
BF570302000	Milton Brownfield Redevelopment Area	Milton	Santa Rosa	Northwest	09/09/2003	NR
BF160301000	Cecil Brownfields Area	Jacksonville	Duval	Northeast	09/17/2003	NR
BF290304000	12th Street Operations Yard	Tampa	Hillsborough	Southwest	10/02/2003	NR
BF290303000	Centro Asturiano Place Brownfield Area	Tampa	Hillsborough	Southwest	10/02/2003	7
BF130302000	City of Hialeah Brownfield Area	Hialeah	Miami-Dade	Southeast	10/28/2003	NR
BF570301000	Santa Rosa Brownfield Redevelopment Area		Santa Rosa	Northwest	11/13/2003	NR
BF170302000	3415 Barrancas Avenue BF Area	Pensacola	Escambia	Northwest	11/17/2003	1
BF360301000	Ft. Myers Wellfield Area	Ft. Myers	Lee	South	11/17/2003	870
BF500302000	W.P.B. Downtown Northwood/Pleasant City CRA Areas	West Palm Beach	Palm Beach	Southeast	11/24/2003	NR
BF050301000	Kirby Industrial Park 1 Brownfield Area	Palm Bay	Brevard	Central	12/04/2003	36
BF500303000	Westgate/Belvedere Homes CRA Area		Palm Beach	Southeast	12/16/2003	NR
BF050401000	Cocoa Brownfield Area	Cocoa	Brevard	Central	01/13/2004	NR
BF520401000	Young-Rainey Star Center Area		Pinellas	Southwest	03/09/2004	96
BF110401000	Immokalee Airport Area	Immokalee	Collier	South	03/24/2004	211
BF640401000	Daytona Beach Area	Daytona Beach	Volusia	Central	04/07/2004	NR
BF580402000	Wireman Property, aka Sarasota Dreambuilders	Sarasota	Sarasota	Southwest	04/19/2004	2
BF240401000	Hamilton County EZ Area		Hamilton	Northeast	04/20/2004	NR
BF170401000	1123 West Scott Street		Escambia	Northwest	05/06/2004	1

Area ID	*Area Name*	*City*	*County*	*DEP District*	*Resolution Date*	***Acreage*
BF580401000	Marion Anderson Place Ubraculture Area	Sarasota	Sarasota	Southwest	05/06/2004	NR
BF500401000	Lake Worth CRA District	Lake Worth	Palm Beach	Southeast	06/01/2004	NR
BF060401000	Harbour Cove Brownfield Area	Hallandale Beach	Broward	Southeast	06/15/2004	NR
BF130401000	Aguaclara Brownfield Area	Miami	Miami-Dade	Southeast	06/24/2004	NR
BF520402000	Sod Farm Site	St. Petersburg	Pinellas	Southwest	07/15/2004	122
BF500402000	W P B Downtown Northwood/Pleasant City CR Expanded Area	West Palm Beach	Palm Beach	Southeast	07/19/2004	NR
BF480401000	DEEDS Orlando Expanded	Orlando	Orange	Central	10/11/2004	NR
BF080401000	Enterprise Charlotte Airport Park		Charlotte	South	10/26/2004	2,820
BF350401000	Eustis Downtown & East Town Brownfield Area	Eustis	Lake	Central	11/18/2004	NR
BF370401000	Former Bayliner Facility Area	Tallahassee	Leon	Northwest	12/14/2004	31
BF520403000	Alps Brownfield Area		Pinellas	Southwest	12/21/2004	NR
BF100501000	Cecil Field, I.I. Park & Phillips Hwy Corridor	Jacksonville	Duval	Northeast	01/25/2005	NR
BF420501000	West Ocala Expansion Area	Ocala	Marion	Central	02/01/2005	NR
BF500501000	Lake Worth Closed Municipal Landfill	Lake Worth	Palm Beach		02/01/2005	65
BF290502000	4010 North Lois Avenue (former Borden property)	Tampa	Hillsborough	Southwest	02/10/2005	NR
BF290501000	W.T. Edwards Facility	Tampa	Hillsborough	Southwest	02/10/2005	26
BF130501000	Homestead CRA Area	Homestead	Miami-Dade	Southeast	02/22/2005	1,188
BF130502000	Miami EZ Expansion Area	Miami	Miami-Dade	Southeast	02/24/2005	NR
BF130503000	Dedicated Transportation	Miami	Miami-Dade	Southeast	03/01/2005	NR
BF100501000	Greater Green Cove Springs Area	Green Cove Sprin	Clay	Northeast	03/01/2005	NR
BF520501000	Community Waterfront Park Area	St. Petersburg	Pinellas	Southwest	03/22/2005	3
BF290503000	1010-1026 North 19th Street	Tampa	Hillsborough	Southwest	05/26/2005	8
BF010501000	University Corners Brownfield Area	Gainesville	Alachua	Northeast	06/27/2005	4
BF160502000	Insteel Wire Products Area	Jacksonville	Duval	Northeast	07/05/2005	NR
BF170501000	929 Masschuestts Avenue Area	Pensacola	Escambia	Northwest	08/04/2005	8
BF420502000	Southeast Brownfield Expansion Area	Ocala	Marion	Central	08/09/2005	27
BF160503000	Kings Avenue Brownfield Area	Jacksonville	Duval	Northeast	08/15/2005	1
BF160504000	Southside Community Redevelopment Area	Jacksonville	Duval	Northeast	08/15/2005	NR
BF160505000	1915 Wigmore Street (Jacksonville Maritime Partners)	Jacksonville	Duval	Northeast	09/13/2005	95
BF170502000	603 West Romana Street Area	Pensacola	Escambia	Northwest	09/15/2005	1

Area ID	*Area Name*	*City*	*County*	*DEP District*	*Resolution Date*	***Acreage*
BF520502000	Pinellas County Lealman Area-Wide Brownfield Area		Pinellas	Southwest	09/20/2005	1,500
BF060501000	Turner Envirologic Area	Deerfield Beach	Broward	Southeast	10/18/2005	5
BF160506000	Hughes Electrical Brownfield Area	Jacksonville	Duval	Northeast	11/08/2005	1
BF170503000	501 North Navy Boulevard	Pensacola	Escambia	Northwest	11/17/2005	NR
BF360501000	3250 Metro Parkway	Ft. Myers	Lee	South	11/21/2005	10
BF480601000	Hughes Supply Mega Center Brownfield Area	Orlando	Orange	Central	02/13/2006	NR
BF170504000	Century Town Limits Brownfield Area	Century	Escambia	Northwest	04/27/2006	NR
BF290602000	Former 43rd Street Bay Drum Site Brownfield Area	Tampa	Hillsborough	Southwest	04/27/2006	4
BF290601000	Grand Central at Kennedy Property Brownfield Area	Tamp	Hillsborough	Southwest	04/27/2006	4
BF520601000	Belleair Wastewater Treatment Plant and Town Garage		Pinellas	Southwest	05/02/2006	3
BF060601000	Sunrise Boulevard/NW 31st Avenue Brownfield Area	Lauderhill	Broward	Southeast	05/08/2006	NR
					Total Approximate Acreage:	77,614

***** Total approximate acreage includes actual contaminated and perceived contaminated properties, viable business properties, residential properties, green spaces, and parks etc. Total approximate acreage is not representative of the number of areas that may require cleanup due to contamination but properties (acres) that may be eligible for economic and regulatory incentives pursuant to the Brownfields Redevelopment Act. The determination and designation of a brownfield area is the responsibility of the municipality or county government.***

***** NR = Not Reported***

CARLTON PROPERTY

STRAP #19-44-26-00-00003.0000

LEE COUNTY, FLORIDA

APPLICATION FOR A
COMPREHENSIVE PLAN AMENDMENT

RECEIVED
SEP 29 2005
COMMUNITY DEVELOPMENT

CARLTON PROPERTY

LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D 9/29/05 REC'D BY: DKW

APPLICATION FEE $4700- TIDEMARK NO: CPA2005-00002

THE FOLLOWING VERIFIED:
Zoning ☑ Commissioner District ☑

Designation on FLUM ☑

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:
Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is:_____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9-22-05 _____
DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

CARLTON LAND HOLDINGS, LLC
APPLICANT

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	***FLORIDA***	***33413***
CITY	STATE	ZIP

TELEPHONE NUMBER FAX NUMBER

AL QUATTRONE – QUATTRONE AND ASSOCIATES, INC.
AGENT*

11000 METRO PARKWAY, SUITE 30
ADDRESS

FORT MYERS	***FLORIDA***	***33912***
CITY	STATE	ZIP

239/936-5222	***239/936-7228***
TELEPHONE NUMBER	FAX NUMBER

CARLTON LAND HOLDINGS, LLC
OWNER(s) OF RECORD

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	***FLORIDA***	***33413***
CITY	STATE	ZIP

TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

■ Text Amendment

■ Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended

B. SUMMARY OF REQUEST (Brief explanation):

Amend the Future Land Use designation for a 95.60 acre parcel of land located in the West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida from Rural to Industrial Development and prepare a text amendment to accompany the map amendment to ultimately allow the property to be rezoned from AG-2 to IPD. The intent is to create an industrial planned development that is primarily focused on light industrial and recreational type uses. The text amendment will limit the uses to light industrial and recreation type uses, require additional buffering along Buckingham Road, and prohibit heavier and more intensive type industrial uses.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location: ***Subject parcel is located on Buckingham Road approximately 1 mile east of Immokalee Road (SR82) and is approximately 3 miles from exit 138 on I-75 via Immokalee Road to Buckingham Road.***

1. Site Address: ***9711 Buckingham Road, Lehigh Acres, Florida 33971***
2. STRAP(s): ***19-44-26-00-00003.0000***

B. Property Information

Total Acreage of Property: ***95.60 Acres***

Total Acreage included in Request: ***95.60 Acres***

Area of each Existing Future Land Use Category: ***Rural – 95.60 Acres***

Total Uplands: ***95.60 Acres***

Total Wetlands: ***0.00 Acres***

Current Zoning: ***AG-2***

Current Future Land Use Designation: ***Rural***

Existing Land Use: ***Vacant Agricultural Land – former Lee County Land Fill***

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: ***No***

Airport Noise Zone 2 or 3: ***No***

Acquisition Area: ***No***

Joint Planning Agreement Area (adjoining other jurisdictional lands): ***No***

Community Redevelopment Area: ***No***

D. Proposed change for the Subject Property: ***Amend the Future Land Use designation to Industrial Development to allow a light industrial park and/or properly buffered recreational uses (i.e. bowling alley, arcade, miniature golf, batting range, etc).***

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density:	***95 Units / 1 unit per acre***
Commercial intensity:	***0 Acres***
Industrial intensity:	***0 Acres***

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density:	***0 Units***
Commercial intensity:	***9.56 Acres***
Industrial intensity:	***95.60 Acres***

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data

and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps
NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
See attached.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
See Attached FLUM.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

The subject property is located with the Buckingham Planning Community with a Future Land Use Designation of Rural and is zoned AG-2. The subject property is currently vacant and is being used for cattle grazing. The site was used back in the early to mid 1970' as a county land fill and has remained vacant since ceasing the land fill operation in approximately 1976. Although the property is located with the Buckingham Planning Community and has a FLU designation of Rural, the prior use of the land which renders the land unusable for residential use was more consistent with a commercial or industrial type use. Given the type of uses to the west and south and the separation between the subject parcel and the residential lots to the east, it is unlikely the proposed land use change would adversely affect the adjacent parcels or the character of the Buckingham area.

The property to the east is part of the Lehigh Acres Planning Community with a Future Land Use designation of Urban Community and is zoned RS-1. Of the 35 residential lots adjacent to the subject parcel's east property line, less than half the residential lots are improved. The residential lots are separated from the subject parcel by a 120' wide East Canal Water Control District canal right-of-way and by a 100' wide FP&L easement located along the easterly 100' of the subject parcel.

The property to the south is within the City of Fort Myers city limits with a Future Land Use designation of Rural and is zoned MU, which allows

wide range of uses. Although located in the Rural Land Use category the City's zoning and land use control the type of development which would be allowed on these properties.

Directly west of the site is the County owned Buckingham Park which consists of multiple football and baseball fields, a community playground, hiking trails, and recreational facilities for dogs. West of the park is the county incinerator. Both parcels have a Future Land Use designation of Public Facilities. The park is zoned CF-2 and the incinerator is zoned IPD.

There are three parcels located directly north of the site and they are part of the Rural Community Preserve Planning Community with a Future Land Use designation of Rural and are zoned AG-2. Two of the three parcels have improvements on them.

4. Map and describe existing zoning of the subject property and surrounding properties.
   Subject parcel is zoned AG-2
   East of subject parcel is zoned RS-1
   North of subject parcel is zoned AG-2
   West of subject parcel is zoned CF-2
   South of subject parcel is zoned MU & REC (City of Fort Myers)

5. The legal description(s) for the property subject to the requested change.
   West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida

6. A copy of the deed(s) for the property subject to the requested change.
   See Attached.

7. An aerial map showing the subject property and surrounding properties.
   See Attached.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.
   Applicant is the owner.

B. Public Facilities Impacts
   NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis
   The analysis is intended to determine the effect of the land use change on the

Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
The applicant will coordinate with Lee County Planning Division to identify the traffic analysis zone following submittal of this application. It is anticipated the zone of interest will be the area from the subject property west towards I-75 and the major links connecting the site to Lehigh Acres.

b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
To be determined upon coordination with Lee County Planning Division.

c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
It is not anticipated that further analysis will be required.

d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
It is not anticipated that further analysis will be required.

e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;

f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediate development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
It is anticipated that the subject parcel will have an immediate development plan prepared upon approval of the Future Land Use Amendment. The major roads within a 3-mile radius are as follows:

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*		
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
None of the above mentioned roads are in the 5 Year CIP.

c. Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
To be provided upon identifying the traffic analysis zone.

d. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
To be provided upon identifying the traffic analysis zone.

d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
To be determined if necessary.

2. Provide an existing and future conditions analysis for:
   a. Sanitary Sewer
   b. Potable Water

   Currently the subject parcel is not located within one of the water and sewer franchise areas. However the Lee County Incinerator located directly west of the site is service by the City of Fort Myers Utility although that property is also in the unincorporated portion of Lee County. The City has an existing 6" Force Main and an existing 12" Water Main located adjacent to the site.

   c. Surface Water/Drainage Basins

   The subject parcel is located in the Orange River Drainage Basin and is located directly adjacent to an existing East County Water Control District canal. Typically ECWCD is willing to bring in additional parcels into their drainage district if the applicant is agreeable to paying the associated ECWCD assessments.

   d. Parks, Recreation, and Open Space.

   The subject parcel is located directly across from the Buckingham Park.

   Analysis should include (but is not limited to) the following:
   - Franchise Area, Basin, or District in which the property is located;
   - Current LOS, and LOS standard of facilities serving the site;
   - Projected 2020 LOS under existing designation;
   - Projected 2020 LOS under proposed designation;
   - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
   - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions;
   c. Law enforcement;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

   Letters from the above listed agencies will be forwarded to the County upon receipt.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
   See attached map.

2. A map and description of the soils found on the property (identify the source of the information).
   See attached map.

3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
   See attached map.

4. A map delineating wetlands, aquifers recharge areas, and rare & unique uplands.
   The site does not have any wetlands, rare & unique uplands and is not within an aquifers recharge area. As previously indicated the site was once a county land fill and as such has been previously disturbed.

5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).
   Due to the sites previous disturbed status it is unlikely that there are any protected or listed species located on the property.

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
   Due to the sites previous disturbed status it is unlikely that there are any historical resources located on the property.

2. A map showing the subject property location on the archeological sensitivity map for Lee County.
   Due to the sites previous disturbed status it is unlikely that there are any archeological resources located on the property. In addition the subject parcel is not located in one of the two sensitivity areas.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
   Since the land use amendment will convert potential residential land to industrial land it is unlikely the amendment will affect population projects.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
   See attached.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
   The subject property is located within the unincorporated portion of Lee County and is bound on the south by the City of Fort Myers. The adjacent City property although currently vacant is zoned MU which allows a wide variety of use upon approval through a public hearing process. The proposed amendment is unlikely to have an adverse impact on the City's properties.

4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.
   State and Regional Policy Plans are consistent with the Lee County Comprehensive Plan and as such have been addressed.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

   a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
      The subject parcel is located on a 2-lane arterial road (Buckingham Road) with direct access to SR 82 and I-75.

   b. Provide data and analysis required by Policy 2.4.4,
      With the growth rates of Lehigh Acres and new residential developments being constructed within the adjacent City of Fort Myers there is a growing need for light industrial uses to serve these areas. The closest industrial park to the subject site is the Westgate Airpark Center which is located south of the subject parcel on the south side of Lee Boulevard. This industrial park has seen tremendous development activity within the last five years and is close to build out.

c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
The proposed land use amendment will further the goal of policy 7.1.4. by providing light industrial related manufacturing uses that will serve primarily the Lehigh Acres area.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

   a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
   Although the subject parcel is located in the Rural Land use category in the Buckingham Planning District the proposed land use amendment is appropriate in that the parcel is located on the western fringe of the Rural Land use category and is directly adjacent to Urban Community land use on the east side. In addition there is industrial zoned property (Lee County Incinerator) located directly west of the subject parcel. This industrial property is served by an existing City of Fort Myers water and force main which has adequate capacity to serve the subject parcel. An industrial land use designation is also appropriate for the subject parcel given the fact that it was formerly a land fill and would not be best suited for even low density residential.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
   Not applicable.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
   Not applicable.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	$2,000.00 each
Map Amendment > 20 Acres	$2,000.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Small Scale Amendment (10 acres or less)	$1,500.00 each
Text Amendment Flat Fee	$2,500.00 each

AFFIDAVIT

I, _____, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize 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 through this application.

Kevin Webb - Manag. / Carthom Land Holding LLC — 9-22-05

Signature of owner or owner-authorized agent — Date

Kevin Webb

Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 22nd day of Sept. 2005, by Kevin Webb, who is personally known to me or who has produced FL Driv. Lic. W100-500-56-260-0 as identification.

(SEAL)

Iniavette Ramirez
Commission #DD370027
Expires: Nov 08, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Signature of notary public

Iniavette Ramirez

Printed name of notary public

WARRANTY DEED
OWNERSHIP DOCUMENTS

WARRANTY DEED

Return to: Nancy Tracey
Name: 5
Address: 4049 Del Prado Boulevard
Cape Coral, Florida 33904

This Instrument Prepared:
Nancy Tracey
5
4049 Del Prado Boulevard
Cape Coral, Florida 33904

as a necessary incident to the fulfillment of conditions contained in a title insurance commitment issued by it.

INSTR # 5885222
Official Records BK 03986 PG 4003
RECORDED 07/09/2003 05:39:46 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 6.00
DEED DOC 4,130.00
DEPUTY CLERK W Miller

Property Appraisers Parcel I.D. (Folio) Number(s):
19-44-26-00-00003.0000

File No:**1030984**

WARRANTY DEED

This Warranty Deed Made the **1st day of July, 2003,**
by **Jimmie J. Cochran and Loyce F. Cochran, Husband and Wife**, hereinafter called the grantor, whose post office address is: **PO BOX 1701, Ft. Myers, Florida 33902**

to **Carlton Land Holdings, LLC,**
whose post office address is: **POBOX 2491, Bonita Springs, Florida 34133,**
hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of $10.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, viz:

The West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida.

Subject property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside thereon.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **January 1, 2003**, reservations, restrictions and easements of record, if any.
(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)
In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
(TWO SEPARATE WITNESSES REQUIRED)

1st Witness Signature: Nancy Tracey
Printed Name: Nancy Tracey

2nd Witness Signature: Linda Schmidt
Printed Name: Linda Schmidt

Jimmie J. Cochran
Jimmie J. Cochran

Loyce F. Cochran
Loyce F. Cochran

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this **1st day of July, 2003,** by **Jimmie J. Cochran and Loyce F. Cochran, Husband and Wife,** who is/are personally known to me or who has/have produced driver license(s) as identification, and who did / did not take an oath.

My Commission Expires:

Nancy Tracey
Notary Signature
Print Name:
Serial Number

SEAL

NANCY TRACEY
Notary Public - State of Florida
My Comm. Expires Jun 12, 2006
Commission # DD125668
Bonded By National Notary Assn.

LEE COUNTY PROPERTY APPRAISER

PROPERTY DATA FOR PARCEL 19-44-26-00-00003.0000
TAX YEAR 2005 TRIM

Parcel data is available for the following tax years:
[2001 | 2002 | 2003 | 2004 | 2005 (Trim)]

[Next Lower Parcel Number | Next Higher Parcel Number
| Display Tax Bills on this Parcel | **NEW!** Tax Estimator]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2005 TRIM ROLL.

PROPERTY DETAILS

OWNER OF RECORD

CARLTON LAND HOLDINGS LLC
P O BOX 2491
BONITA SPRINGS FL 34133

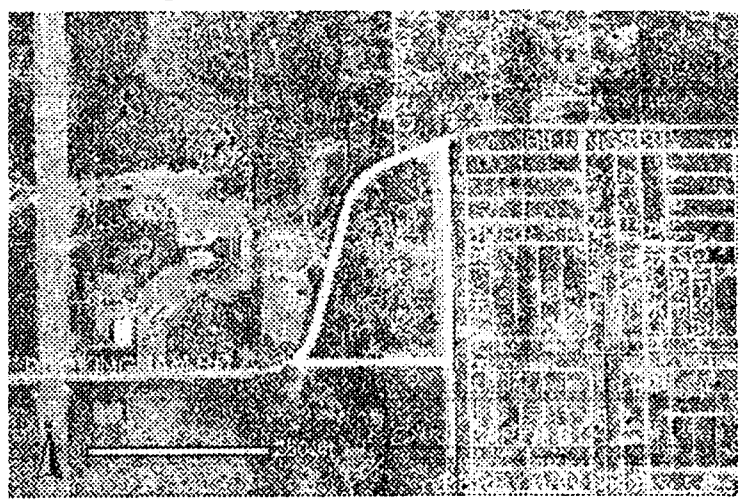
SITE ADDRESS

9711 BUCKINGHAM RD
LEHIGH ACRES FL 33971

LEGAL DESCRIPTION

W 1/2 LYING S + E OF SLY
SI BUCKINGHAM RD.

[VIEWER] TAX MAP [PRINT]



[PICTOMETRY]

TAXING DISTRICT

142 - TICE FIRE

DOR CODE

61 - GRAZING LAND CLASS II

PROPERTY VALUES (TAX ROLL 2005)[NEW! HISTORY CHART]		EXEMPTIONS		ATTRIBUTES	
JUST	1,715,060	HOMESTEAD	0	UNITS OF MEASURE	AC
ASSESSED	17,300	AGRICULTURAL	1,697,760	NUMBER OF UNITS	95.60
ASSESSED SOH	17,300	WIDOW	0	FRONTAGE	0
TAXABLE	17,300	WIDOWER	0	DEPTH	0
BUILDING	0	DISABILITY	0	BEDROOMS	
LAND	17,300	WHOLLY	0	BATHROOMS	

BUILDING FEATURES	0	**SOH DIFFERENCE**	0 **TOTAL BUILDING SQFT**
LAND FEATURES	0	**YEAR IMPROVED**	0

SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
590,000	4/1/2003	3986/4003	06	Qualified (Fair Market Value / Arms Length / One STRAP #)	V
100,000	1/1/1987	1890/2148	01	Disqualified (Doc Stamp .70 / SP less th $100 / Other DisQ) There are 2 additional parcel(s) with this document (may have been split after the transaction date)... 22-43-25-00-00017.0190, 22-43-25-02-0000A.0010	V
13,300	12/1/1970	661/353	01	Disqualified (Doc Stamp .70 / SP less th $100 / Other DisQ)	V

SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
004 - Service Area 4	-		0	0.00

ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE (FIRM FAQ)				
	RATE CODE	COMMUNITY	PANEL	VERSION	DATE
Category 4	X	125124	0225	C	031594

[Show]

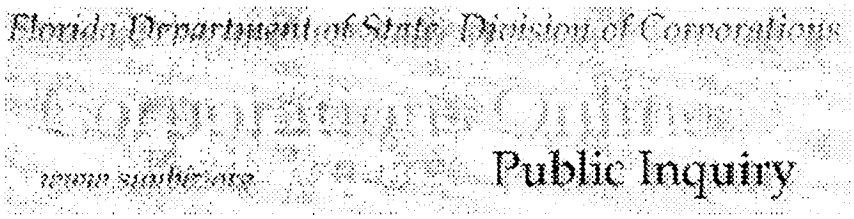
APPRAISAL DETAILS

TRIM (*proposed* tax) Notices are available for the following tax years:
[1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005]

[Next Lower Parcel Number | Next Higher Parcel Number]

[New Query | New Browse | Parcel Queries Page | Lee PA Home]

This site is best viewed with Microsoft Internet Explorer 5.5+ or Netscape Navigator 6.0+.
Page was last modified on Thursday, September 15, 2005 10:51:24 AM.



Florida Limited Liability

CARLTON LAND HOLDINGS, LLC

PRINCIPAL ADDRESS
8841 WEST TERRY ST
BONITA SPRINGS FL 34135 US

MAILING ADDRESS
P.O. BOX 2491
BONITA SPRINGS FL 33413-3 US

Document Number	FEI Number	Date Filed
L03000020617	320115175	06/09/2003
State	**Status**	**Effective Date**
FL	ACTIVE	NONE
Total Contribution		
0.00		

Registered Agent

Name & Address
RISTIC, RANDY D 9112 BRENDAN PRESERVE CT. BONITA SPRINGS FL 34133

Manager/Member Detail

Name & Address	Title
WEBB, KEVIN M 9112 BRENDAN PRESERVE CT. BONITA SPRINGS FL 34135 US	MGR
RISTIC, RANDY D 23560 WALDEN CENTER DR. #110 BONITA SPRINGS FL 34135	MGRM

Annual Reports

Report Year	Filed Date
2004	04/30/2004
2005	02/15/2005

Previous Filing | Return to List | Next Filing

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

02/15/2005 -- ANNUAL REPORT
04/30/2004 -- ANN REP/UNIFORM BUS REP
06/09/2003 -- Florida Limited Liability

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

Corporations Inquiry | Corporations Help

TEXT AMENDMENT

TEXT AMENDMENT

Proposed Text Changes

Policy 1.1.7: The Industrial Development areas

" 1. For the parcel of land described as the West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida:

a. *The property may only be developed with those light industrial uses listed in Table 34-903 (Use Regulations for Industrial Districts) of the Lee County Land Development Code and/or recreational uses defined in Section 34-622(c)(38) of the Lee County Land Development Code upon approval through the planned development zoning process. To establish a uniform development and to ensure that the project is compatible with the surrounding community, the entire parcel shall be rezoned under one IPD.*

b. *A minimum 25' wide Type 'D' vegetative buffer shall be constructed along the parcels entire frontage on Buckingham Road and a minimum 25' wide Type 'E' vegetative buffer with an 8' high wall shall be constructed along the parcels entire east property line in accordance with Section 10-416 of the Lee County Land Development Code.*

c. *Those buildings directly adjacent to Buckingham Road shall be designed in accordance with Article IV (Design Standards and Guidelines for Commercial Buildings and Developments) of the Lee County Land Development Code and shall provide building perimeter plantings in accordance with Section 10-416(b) of the Lee County Land Development Code along the Buckingham Road side of the buildings and the sides of the buildings, not including loading areas. "*

LEE PLAN GOALS & OBJECTIVES

INTERNAL CONSISTENCY WITH THE LEE PLAN
EVALUATION OF RELEVANT POLICIES

GOAL 1: FUTURE LAND USE MAP. To maintain and enforce a Future Land Use Map showing the proposed distribution, location, and extent of future land uses by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost-effective manner, and discourage urban sprawl. (Amended by Ordinance No. 94-30)

OBJECTIVE 1.1: FUTURE URBAN AREAS. Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. (The Future Land Use Map series also contains Map 2 and additional maps located in the appendix. A colored wall-size reproduction of Map 1 is also available.)

POLICY 1.1.1: The **Future Land Use Map** contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2020. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, and Sanibel arc depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a). (Amended by Ordinance No. 94-29, 98-09)

The intent is to amend the Future Land Use Map to Industrial Development to allow the subject property to be developed as a light industrial park with certain recreational uses previously discussed. Although the subject property is in the Rural Land Use Category and is within the Buckingham Planning Community, given the property's proximity to the County Incinerator to the west which is zoned IPD, medium density residential lots in the Urban Community directly to the east and the City of Fort Myers MU zoning to the south, the proposed change appears to be consistent and not detrimental to the surrounding community.

POLICY 1.1.7: The **Industrial Development** areas play an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced and sufficient tax base. These areas have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g., air, rail, and highway); industrial levels of water, sewer, fire protection, and other urban services: and locations that are convenient for employees to reach. Whereas the other Future Urban Areas will include a broad combination of residential, commercial, public, and limited industrial land uses, the Industrial Development area is to be reserved mainly for industrial activities per se, as well as for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations), and office complexes (if specifically related to adjoining industrial uses) that constitute a growing part of Florida's economic development sector. New natural resource extraction (mining) activities and fill dirt operations must he approved through the Industrial Planned Development rezoning process. Retail or wholesale of products manufactured or processed upon the premises may be allowed at a ratio of 1 square foot of commercial uses to 10 square feet of industrial use in association with a Planned

Development. Ancillary minor retail commercial uses intended to support the surrounding industrial land uses may not exceed 30,000 square feet per development; and, at buildout, may not exceed more than ten percent (10%) of the total acreage of the lands designated as Industrial Development areas in each community outlined in Map 16. Residential uses, other than bona fide caretaker residences, are not permitted in this category except to the extent provided in Chapter XIII of the Plan. (Amended by Ordinance No. 94-30, 98-09, 99-15, 02-02).

Given the subject property's location and prior use in the 70's as a County landfill, this property is ideally suited for Industrial Development and is greatly needed for the growing Lehigh Acres Community. Lehigh Acres which is comprised of over 100 square miles of medium to high density residential development has only one industrial park which is nearing complete build out. It has long been acknowledged that the Lehigh Acres Community has a severe shortage of industrial and commercial property to serve its anticipated population. Therefore, it is critical to Lehigh Acres' economic well being to look for opportunities to create additional industrial parks within its boundaries and/or adjacent to it.

The subject property fronts on a 2 lane arterial roadway (Buckingham Road) which is slated to be four laned by 2020 and is located only three miles from I-75. Currently Buckingham Road does not exceed its level of service standard and is not anticipated to do so with the conversion of this property to light industrial with limited recreational uses.

OBJECTIVE 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those areas not anticipated for urban development at this time.

POLICY 1.4.1: The Rural areas are to remain predominantly rural - that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).

Since the subject property is located in the Rural Land Use category in the Buckingham Planning Community it is necessary to amend the Land Use category to allow the desired light industrial development. The property is on the western fringe of Buckingham Community and is actually surrounded on three sides by either more intense land use categories (RS-1 in the Urban Community and City Mixed Used zoning) or more intense actual uses (the Buckingham Park and Incinerator).

GOAL 2: GROWTH MANAGEMENT. To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

POLICY 2.1.2: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan. (Amended by Ordinance No. 00-22)

To maintain the integrity of the non-urban categories and still meet the needs of the

Lehigh Acres Community, it essential to be able to amend the land use category for the subject parcel to Industrial Development with the attached restrictions and conditions.

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180. Florida Statutes and the County's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)

POLICY 2.2.1: Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network, central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses: and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30. 00-22).

The subject parcel is currently served by an adequate road system that is below the level of service standard and is also served by adequate utilities (water and sewer). A 6" diameter force main and 12" diameter water main have been extended by the City of Fort Myers to serve the Incinerator across the street. In addition the property is also across the street from the existing Buckingham Park and is served by the Tice Fire District.

OBJECTIVE 2.4: FUTURE LAND USE MAP AMENDMENTS. Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications.

POLICY 2.4.1: The County will accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Procedures, fees, and timetables for this procedure will be adopted by administrative code. (Amended by Ordinance No. 94-30).

In accordance with this policy the applicant is requesting approval to amend the Land Use Map to put in place a Land Use that is more appropriate for the subject parcel given its location and past use and is desperately needed by the Lehigh Acres Community.

POLICY 2.4.4: Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No, 00-22. 04-16)

This application is driven by the shortage of light industrial land in and near the Lehigh Acres Community. The 1,400 acres added to the Tradeport category doesn't directly benefit the Lehigh Acre Community and the existing Westgate Industrial Park is nearing complete build out.

GOAL 7: INDUSTRIAL LAND USES. To promote opportunities for well-planned industrial development at suitable locations within the county.

OBJECTIVE 7.1: All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan_ (Amended by Ordinance No. 94-30)

POLICY 7.1.1: In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:

1. The development must comply with local, state, and federal air, water, and noise pollution standards.

2. When located next to residential areas, industry must not generate noise levels incompatib le with the residential development.
3. Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.
4. Contamination of ground or surface water will not be permitted.
5. Applications for industrial development will be reviewed and evaluated as to;
   a. air emissions (rezoning and development orders);
   b. impact and effect on environmental and natural resources (rezoning and development orders);
   c. effect on neighbors and surrounding land use (rezoning);
   d. impacts on water quality and water needs (rezoning and development orders);
   e. drainage system (development orders);
   f. employment characteristics (rezoning);
   g. fire and safety (rezoning and development orders);
   h. noise and odor (rezoning and development orders);
   i. buffering and screening (planned development rezoning and development orders);
   j. impacts on transportation facilities and access points (rezoning and development orders);
   k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);
   l. Utility needs (rezoning and development orders); and
   m. Sewage collection and treatment (rezoning and development orders). (Amended by Ordinance No. 00-22)

The property is ideally suited for complying with the above standards. The property is buffered from the adjacent residential property to the east by a 120' wide East County Water Control District Canal and by a 100' wide FP&L Utility Easement. The majority of the property to the south is zoned in the City of Fort Myers as Recreational Use and the balance is zoned Mixed Use which allows a variety of uses, including uses which are potentially more intensive than the current proposal. There is only a small amount of Agriculturally zoned property to the north and the balance of the property to the west of Buckingham Road is the County Park and Incinerator.

POLICY 7.1.2: Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to

- promote compatibility and screening;
- reduce dependence on the automobile;
- promote pedestrian movement within the development;
- utilize joint parking, access and loading facilities;
- avoid negative impacts on surrounding land uses and traffic circulation;
- protect natural resources; and
- provide necessary facilities and services where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 98-09, 00-22)

Part of the self imposed conditions associated with this amendment application is to require the subject property to be rezoned under one Industrial Planned Development to ensure uniformity in the project and to meet the above conditions of this policy.

POLICY 7.1.3: Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work

trips: and utilities: greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Amended by Ordinance No. 93-25, 94-30, 00-22)

As stated above the subject property is located within 3 miles of I-75 via SR 80 (Immokalee Road) and Buckingham Road. The property is also directly adjacent to Lehigh Acres which allows it to directly serve the need of that community for industrial property. In addition, given the prior use of the property, it is not suitable or desirable for residential use.

POLICY 7.1.4: The Future Land Use Map must designate a sufficient quantity of land to accommodate industrial development that will employ 3% of the county's population in manufacturing activities by the year 2010. A report will be prepared by county staff every two years to monitor the county's progress towards this employment goal. (Amended by Ordinance No. 93-25, 94-30, 00-22)

The intent of the amendment is to further the goal of the County to reach the 3% manufacturing goal.

POLICY 7.1.5: The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. (Amended by Ordinance No. 00-22).

The need for the industrial park is immediate and the there are adequate services and facilities that can serve the property.

POLICY 7.1.6: Land that is located outside of the Industrial Development, Tradeport, and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available, the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

a. The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or

b. The parcel is located in the Intensive Development, Central Urban, Urban Community, General Interchange, Industrial Commercial Interchange, or University Village Interchange land use categories, and is zoned as a Planned Development. (Amended by Ordinance No. 94-30, 98-09, 99-18, 04-16)

The intent is to amend the land use for the subject property to Industrial Development whereby making this policy not applicable.

POLICY 7.1.8: Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Amended by Ordinance No. 00-22)

The subject property will be adequately buffered in accordance with the Lee County Land Development Code. In addition the ECWCD Canal and FP&L easement along the eastern property line will further aid in buffering the property and an enhanced buffer is being required along Buckingham Road (25 feet wide in lieu of 15 feet).

POLICY 7.1.9: Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Amended by Ordinance No. 00-22)

The subject parcel is located directly on a 2 lane arterial road and will not have direct access to any other road, including any residential local roads.

POLICY 7.1.10: All county actions relating to industrial land uses must be consistent with the goals, objectives, and policies of the Economic element of this Plan. (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22).

Amending the current land use to Industrial Development goes hand-in-hand with meeting the economic goal of the Lee Plan.

GOAL 17: BUCKINGHAM. To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. For the purposes of this plan, the precise boundaries of Buckingham are indicated on the Future Land Use Map. (Added by Ordinance No. 91-19, Amended by Ordinance No. 93-25, 94-30)

OBJECTIVE 17.1: LAND USE. The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)

POLICY 1.7.1.2: The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road is designated as the commercial node for the Buckingham area. No new commercial activities will be located outside of this commercial node. All new commercial developments in the node are required to provide a minimum of 30% open space. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard. (Amended by Ordinance No. 94-30, 98-09, 00-22)

Although the subject property is located in the Buckingham Planning Community it does not have the same characteristics as the rest of the Buckingham Community which warrants its preservation. As previously discussed, the property was used as a landfill in the 1970's, it is located directly across from the Lee County Incinerator and the Buckingham Park, it is north of City of Fort Myer's Mixed Use zoned property, and is west of residentially zoned property in the Urban Community Land Use. The property is on western most fringe of the Buckingham Community and is only 3 miles from I-75.

GOAL 53: POTABLE WATER INFRASTRUCTURE. To ensure the public health, welfare, and safety by the provision of high-quality central potable water service throughout the future urban areas of unincorporated Lee County, and to ensure that the costs of providing facilities for the supply of potable water are borne by those who benefit from them.

OBJECTIVE 53.1: The County will ensure the provision of acceptable levels of potable water service throughout the future urban areas of the unincorporated county. either directly by Lee County Utilities, or indirectly through franchised utility companies. (Amended by Ordinance No. 94-30, 00-22, 03-04)

POLICY 53.1.1: The Board of County Commissioners hereby establishes service areas for the Lee County Utilities water systems throughout which it will provide standard service as required by demand, and within which it will challenge applications by private water utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 6. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.

GOAL 56: SANITARY SEWER INFRASTRUCTURE. To protect the public ealth and environmental quality by encouraging and ensuring the provision of sanitary sewer service and wastewater treatment and disposal throughout the future urban areas of the unincorporated county and to Fort Myers Beach. (Amended by Ordinance No. 98-09)

OBJECTIVE 56.1: The comity will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies. (Amended by Ordinance No. 00-22)

POLICY 56.1.1: The Board of County Commissioners hereby establishes service areas for the Fort Myers Beach Iona sewer system, the South Fort Myers sewer system, the East Lee County sewer system, and the Matlacha sewer system throughout which it will provide standard service as required by demand, and within which it will challenge applications by private sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 7. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.

PROTECTED SPECIES / ENVIRONMENTAL REPORT

PROTECTED SPECIES / ENV. REPORT

Bagley Environmental & Planting Services, Inc.
BE&P
4850 Cedar Hammock Court
Fort Myers, Florida 33905
Ph: 239.693.3919 Fax: 239.694.5405

Proposed Carlton Holdings Development
Approximately 95.6 acres
Ft. Myers
STRAP(s) 19-44-26-00-00003.0000

FLUCCS and Protected Species Survey

General

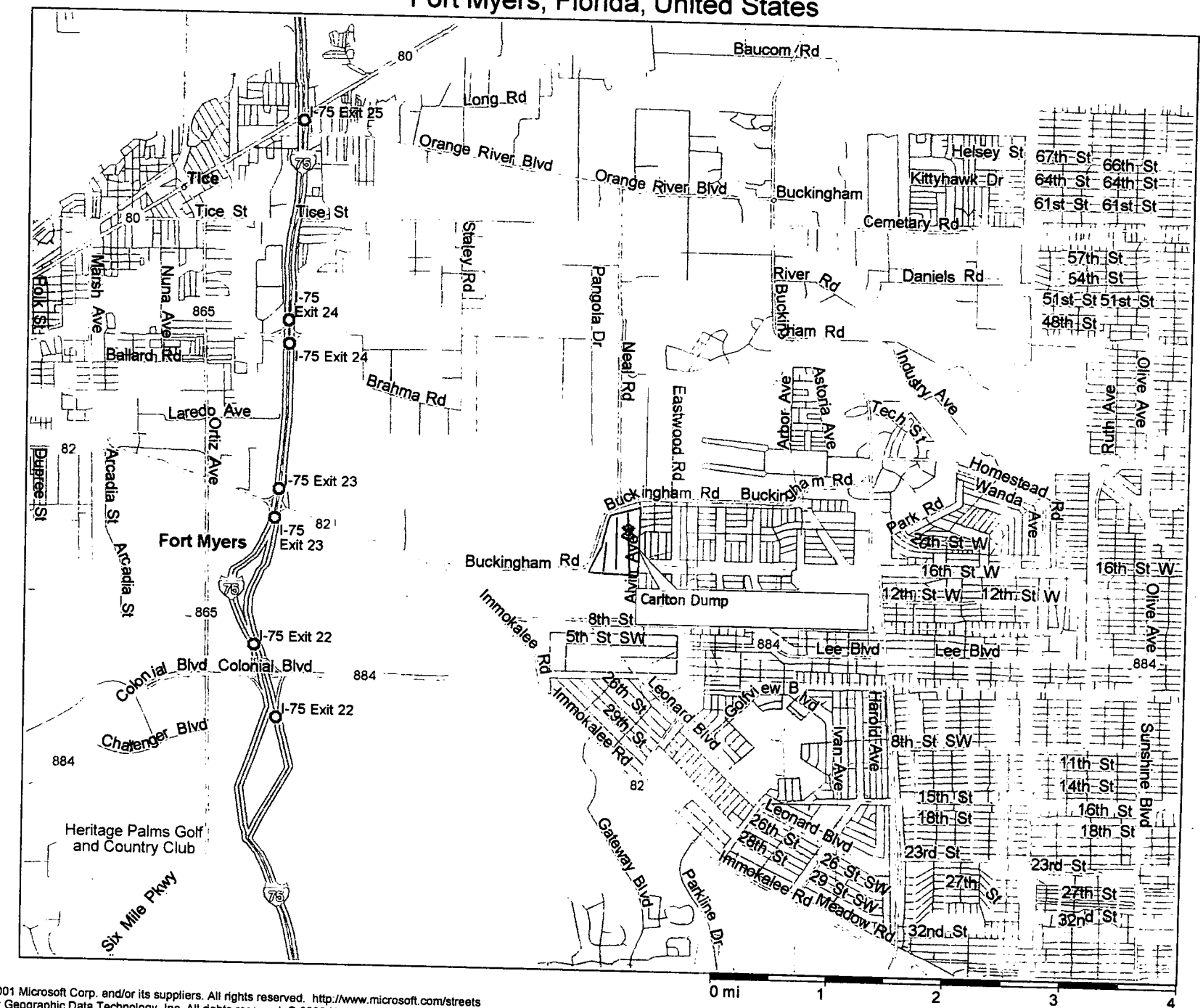
The 95.6 acre parcel, located in east Ft. Myers between Buckingham Rd and Lee Blvd. directly across the street from Buckingham park at the intersection of Neal Rd and Buckingham Rd Figure 1: Location Map. The property was transected in September 2005 by Bagley Environmental biologists Eric Brickson and Marshall Bagley. The subject parcel is comprised of one parcel STRAP ID – 19-44-26-00-00003.0000 and is generally considered and known as the old Ft. Myers landfill. The site was transected to determine the presence of protected species and to map the Florida Land Use Cover Forms Classification System types (FLUCCS).

All of the 95.6 acre tract has been cleared at least twice in the last 40 years first in relation to its use as the landfill and again in the last two years when it contained a solid hedge of pepper, lead tree and melaleuca. Numerous cabbage palms have been left undamaged and are healthy throughout the site along with a lone pine or two as the clearing was for exotics only. The site is laden with areas of trash and debris and no scarcity of nails from it's years in service as the landfill for Ft. Myers. **Care must be taken on this again overgrown weedy site to reduce the chance of injury, ie. wear dense sole protective boots and proceed cautiously.** Current use of the site is cattle grazing and deposition of horticultural waste.

Methodology

In compliance with the Lee County Endangered Species ordinance 89-34, Bagley Environmental surveyed the site for protected species by Florida Land Use, Cover Forms and Classification System (FLUCCS). First FLUCCS codes were assigned to the property as they occurred, then the given FLUCCS code areas were surveyed for the species identified within the Lee County

Fort Myers, Florida, United States



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Protected Species List per the FLUCCS code they typically occur in through pedestrian transects in combination with stop look and listen points. The intent of the survey is to visually cover 85 – 90% of the parcel scanning for spoor of species and ultimately protected species and / or their homes. Upon locating the homes of protected species they are flagged by number then sketched onto an aerial for future tracking and inventory.

Vegetation (FLUCCS) - Figure 2

According to the Florida Land Use, Cover Forms and Classification System (FLUCCS) guide the property consists of the following land types:

740/835* – Disturbed Land / Solid Waste Disposal * with numerous cabbage palms 85ac.

832 – Electrical power transmission lines 10ac.

Soil

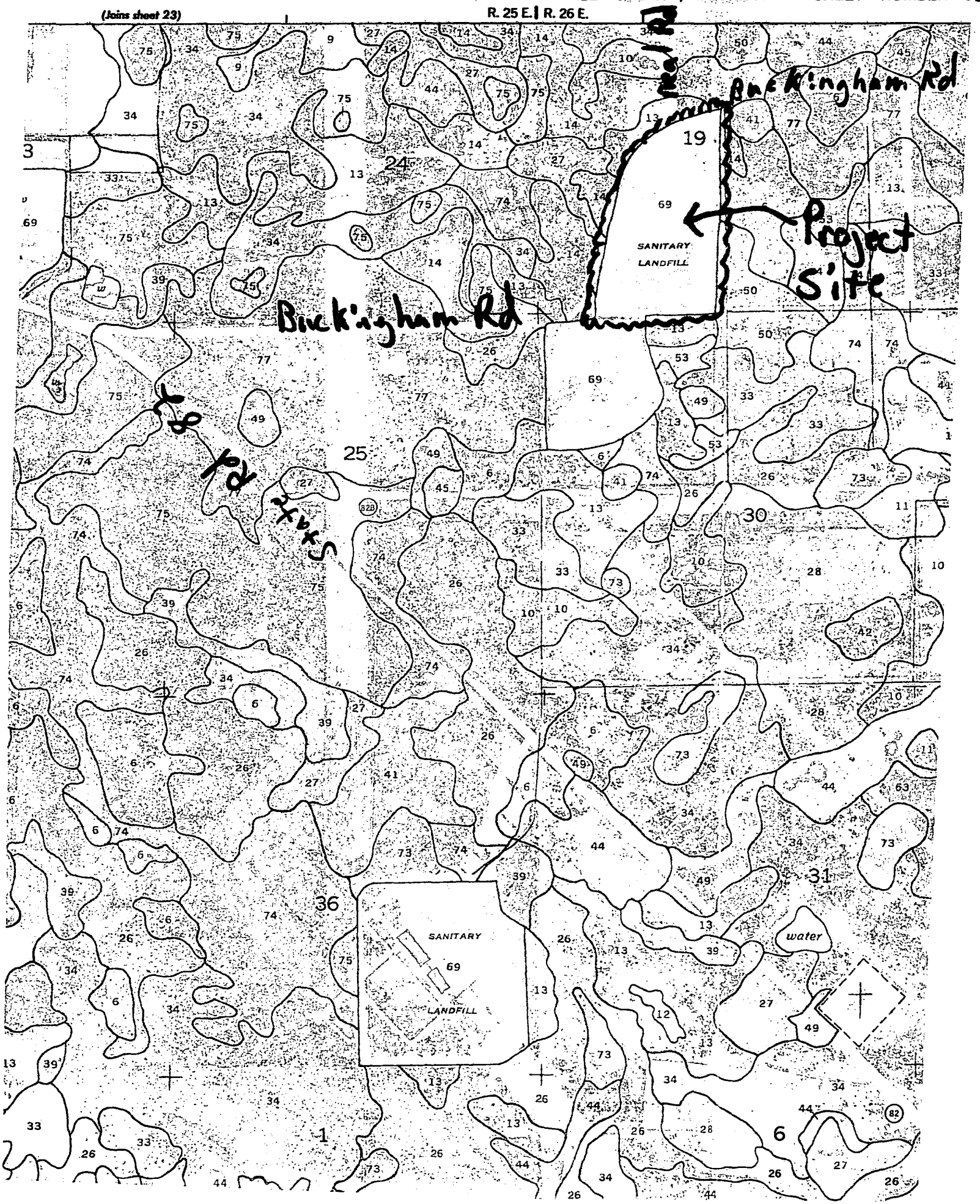
The soil types listed for this site as mapped in the USDA Soil Conservation Service *Soil Survey of Lee County* are "Sanitary Landfill" # 69 – Matlacha Gravelly Fine Sand (non-hydric) Figure 2: Soil Map pg. 32.

Wetlands

The site contains no wetlands or hydric soil and is not jurisdictional for state and federal wetlands.

Protected Species

The site was surveyed for sightings or signs of listed species of wildlife and plants. Pedestrian transects were conducted over the entire site to determine if listed species were present or utilizing the site. Marshall Bagley and Eric Brickson, both biologists of Bagley Environmental conducted the formal surveys on September 23rd, 26th and 27th for a period of 7 hours per day.


(Joins sheet 23)
R. 25 E. | R. 26 E.
Buckingham Rd
Project Site
SANITARY LANDFILL
Buckingham Rd
To Ft Myers
SANITARY LANDFILL
water
19
24
25
30
31
36
1
6

Carlton
Lee County
September 28th, 2005

The property was surveyed for protected flora and fauna according to the Lee County Protected Species List. No likely faunal species were expected within this property and no protected species or evidence of their use was observed on this project site.

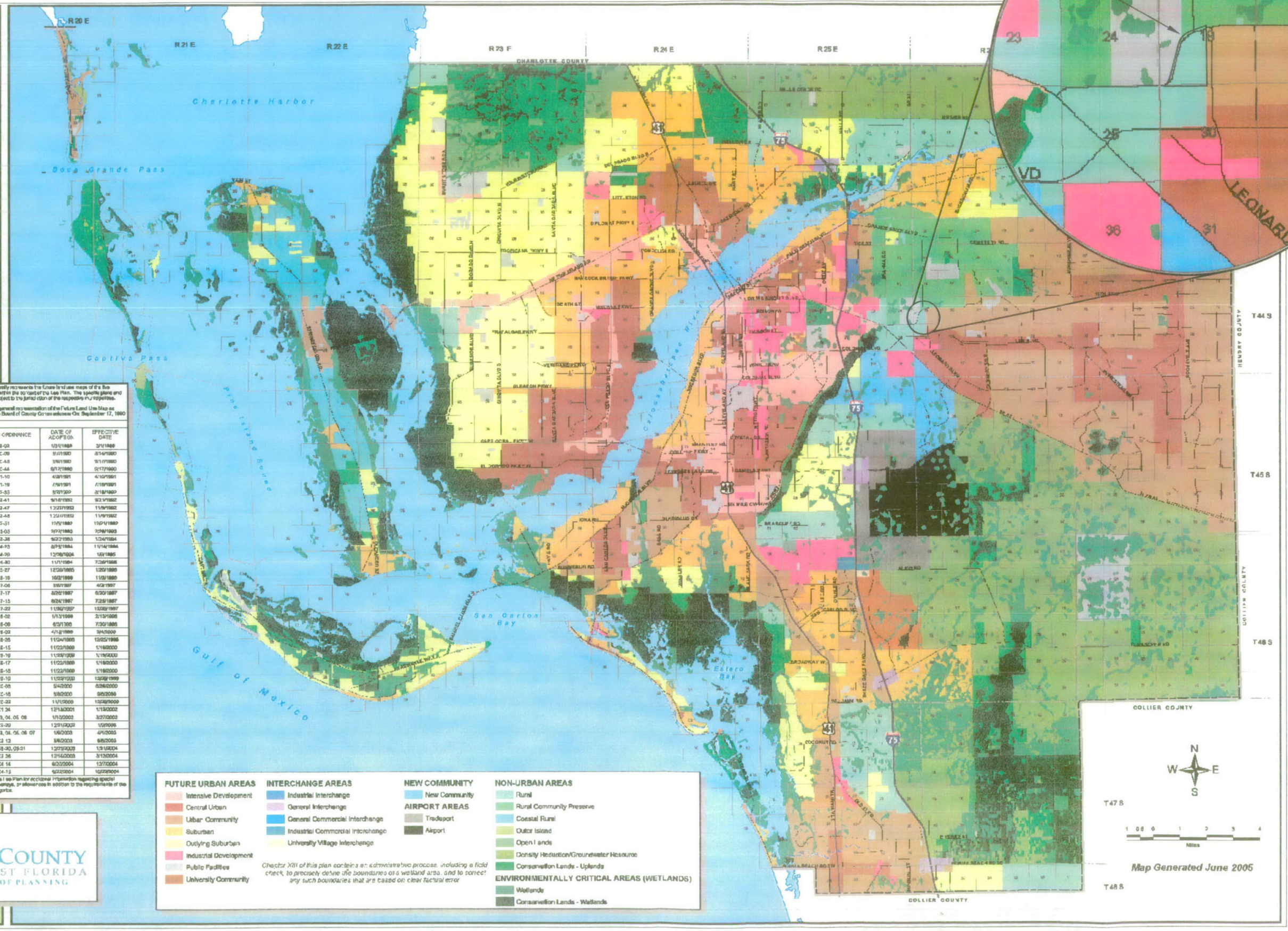
We did observe hog activity and armadillo as well as numerous wasps and honey bees.

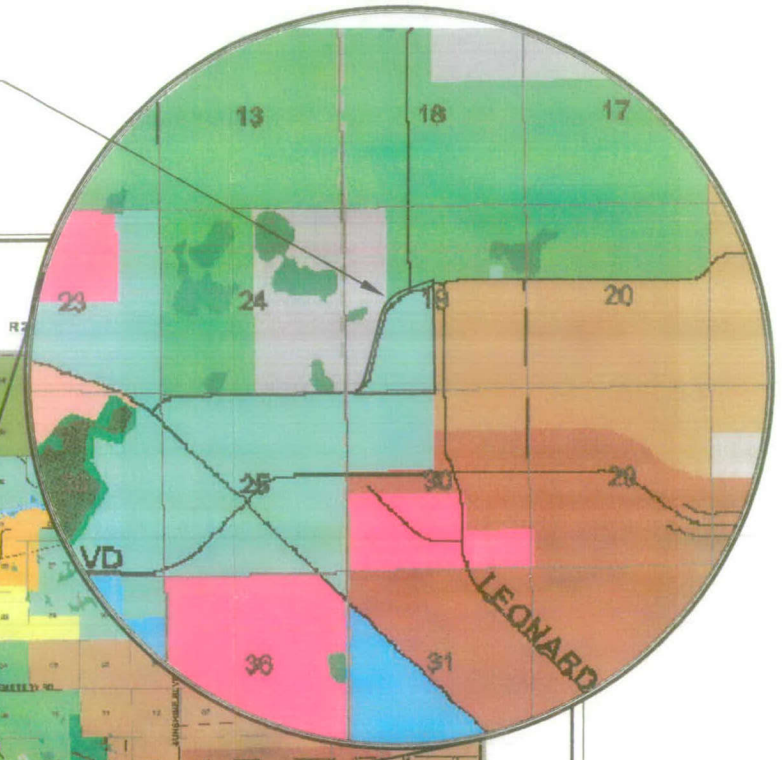
Approximately 90% of the entire parcel was directly observed in Transect.

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES

FUTURE LAND USE MAP

(Lee Plan Map 1 Page 1 of 5)





1. This map generally represents the future land use maps of the five municipalities within the scope 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 Maps as adopted by the Board of County Commissioners On September 17, 1990

Revisions By:

ADOPTING ORDINANCE	DATE OF ADOPTION	EFFECTIVE DATE
89-02	1/31/1989	2/1/1989
90-09	3/7/1990	3/14/1990
90-48	9/6/1990	9/11/1990
90-44	8/17/1990	8/17/1990
91-10	4/3/1991	4/10/1991
91-19	7/9/1991	7/16/1991
91-33	9/27/1991	9/18/1991
92-41	9/14/1992	9/21/1992
92-47	11/23/1992	11/9/1992
92-48	11/23/1992	11/9/1992
92-31	7/6/1992	10/21/1992
93-03	2/22/1993	2/26/1993
93-36	9/22/1993	1/24/1994
94-73	8/25/1994	11/14/1994
94-30	12/06/1994	1/6/1995
94-30	11/7/1994	7/26/1995
95-27	12/20/1995	1/30/1996
96-16	10/2/1996	11/3/1996
97-06	3/6/1997	4/2/1997
97-17	6/26/1997	6/30/1997
97-13	6/24/1997	7/23/1997
97-22	11/26/1997	12/22/1997
98-02	1/13/1998	2/13/1998
98-09	6/3/1998	7/30/1998
99-02	4/12/1999	5/4/1999
98-26	11/24/1998	12/25/1998
99-15	11/22/1999	1/19/2000
99-19	11/22/1999	1/19/2000
99-17	11/23/1999	1/19/2000
99-18	11/23/1999	1/19/2000
99-10	11/22/1999	12/22/1999
CC-05	5/4/2000	5/26/2000
CC-16	9/6/2000	9/6/2000
CC-22	11/1/2000	12/28/2000
CI 24	12/13/2001	1/13/2002
02 02, 03, 04, 05, 06	1/13/2002	3/27/2002
CI-20	12/11/2002	1/9/2003
03 01, 02, 03, 04, 05, 06 07	1/6/2003	4/1/2003
CI 12	5/6/2003	6/6/2003
06-10, 08-30, 09-31	12/22/2009	1/11/2004
CI 36	12/16/2003	3/12/2004
CI 14	6/23/2004	12/7/2004
04-13	9/22/2004	10/22/2004

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

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

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

CARLTON PROPERTY
EXHIBIT #01 - FLUM CURRENT
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE | REVISIONS

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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EX. 01
1 OF 11

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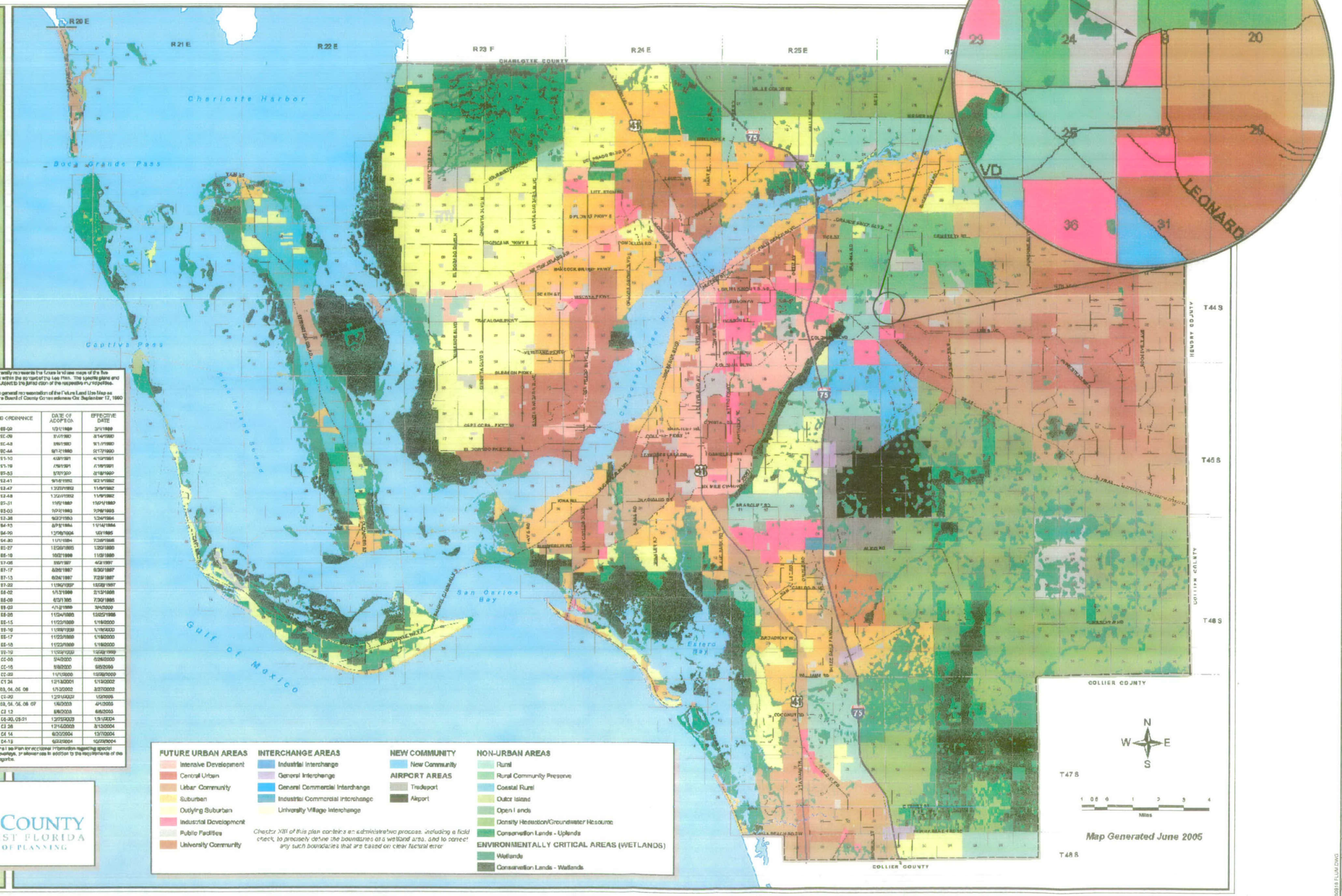
FUTURE LAND USE MAP
(Lee Plan Map 1 Page 1 of 5)

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES



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

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Revised By:

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92-48	12/2/1992	11/5/1992
93-31	11/5/1993	11/5/1993
93-03	9/21/1993	9/28/1993
93-36	9/23/1993	1/24/1994
94-15	5/31/1994	11/14/1994
94-30	12/08/1994	1/31/1995
94-30	11/01/1994	7/28/1995
95-27	12/20/1995	1/30/1996
96-10	10/2/1996	11/2/1996
97-06	3/6/1997	4/2/1997
97-17	6/26/1997	6/30/1997
97-13	6/26/1997	7/28/1997
97-22	11/26/1997	12/29/1997
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99-15	11/22/1999	1/18/2000
99-16	11/22/1999	1/18/2000
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99-18	11/22/1999	1/18/2000
99-19	11/22/1999	12/29/1999
CC-98	5/4/2000	6/26/2000
CC-16	5/8/2000	6/5/2000
CC-22	11/1/2000	12/5/2000
CI 24	12/13/2001	1/13/2002
02 02, 03, 04, 05 06	1/13/2002	3/27/2002
CI 40	12/31/2002	1/5/2003
03 01, 02, 03, 04, 05, 06 07	1/6/2003	4/1/2003
CI 12	5/6/2003	6/6/2003
03-10, 03-30, 03-31	12/23/2003	1/31/2004
CI 28	12/15/2003	2/13/2004
CI 14	6/22/2004	12/7/2004
CI 13	6/22/2004	10/28/2004

3 Please see Part 1 of the Plan for additional information regarding special residential overlays, or allowances in addition to the requirements of the land use categories.

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
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- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Islands
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

Chapter XII 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.

CARLTON PROPERTY
EXHIBIT #02 - FLUM PROPOSED
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

REVISIONS
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LEE COUNTY PLANNING COMMUNITIES

(Lee Plan Map 16)

SUBJECT PARCEL
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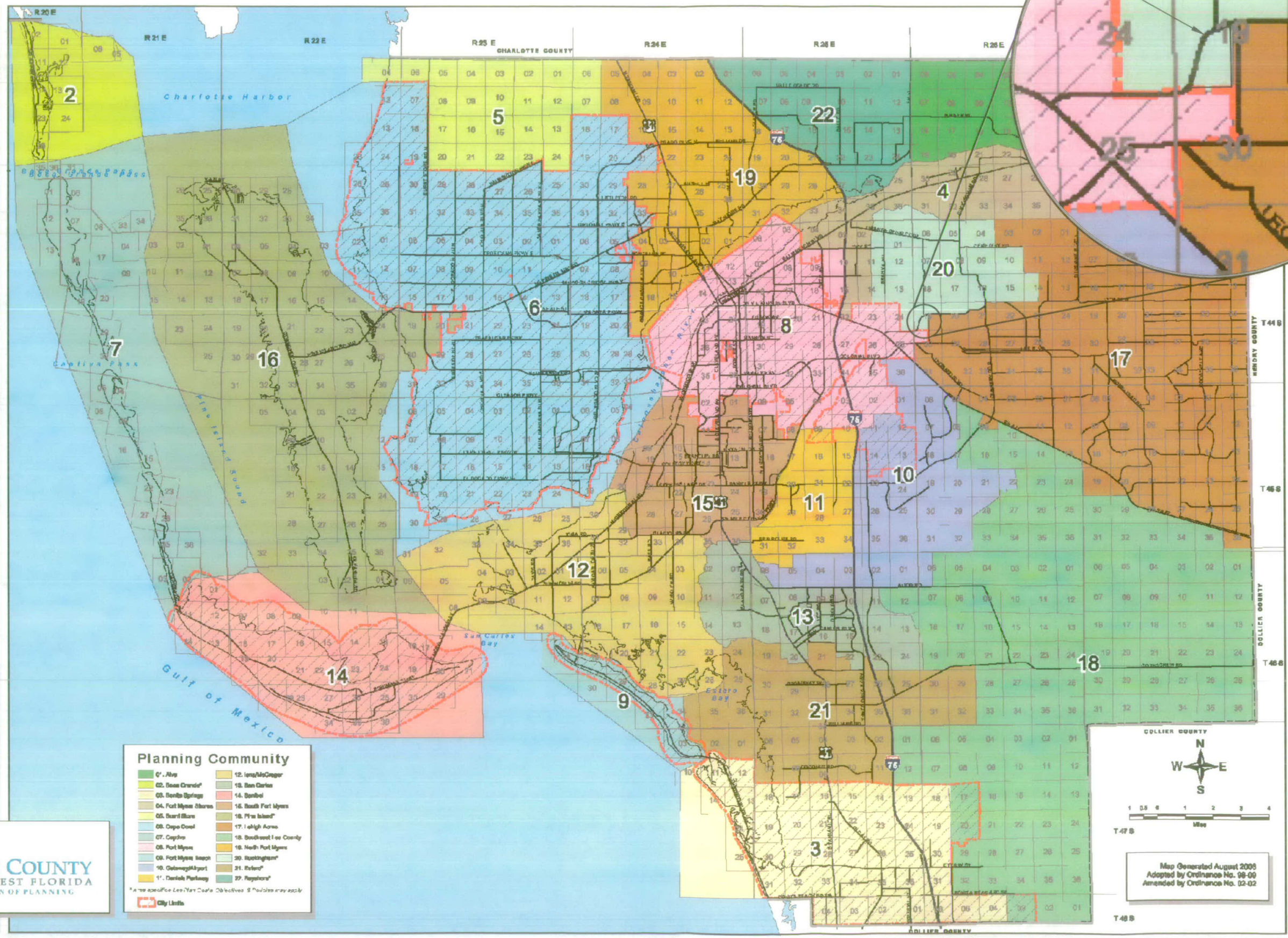
95.60 ACRES



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

CARLTON PROPERTY
EXHIBIT #02A - PLANNING COMMUNITIES
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

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AG-2

AG-2
VACANT

VACANT

CF-2

AG-2
PARTIALLY
DEVELOPED
1+ ACRE TRACTS

AG-2
PARTIALLY
DEVELOPED
1+ ACRE TRACTS

AG-2
PARTIALLY
DEVELOPED
1+ ACRE TRACTS

BUCKINGHAM ROAD

AG-2

CITY OF FORT MYERS
ZONING - A
SINGLE FAMILY
VACANT

IPD
LEE COUNTY
INCINERATOR

BUCKINGHAM
PARK

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES

ALVIN AVENUE

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

RM-2
PARTIALLY
DEVELOPED

RM-2
PARTIALLY
DEVELOPED

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

BUCKINGHAM ROAD

CITY OF FORT MYERS
ZONING - MU
VACANT

CITY OF FORT MYERS
ZONING - MU
SINGLE FAMILY
UNDER
CONSTRUCTION

REC
VACANT
FORMER LAND FILL

CITY OF FORT MYERS
ZONING - MU
VACANT

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

PLATTED SINGLE
FAMILY LOTS
ZONED - RS-1
PARTIALLY DEVELOPED

SR 82 (IMMOKALEE RD)

LEE BOULEVARD

CS-2

C-2

ZONING - MU
PUBLIX SHOPPING
CENTER

CC

CPD

NORTH

400' 800'

SCALE 1"=400'

CARLTON PROPERTY
EXHIBIT #03 - ZONING & LAND USE
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

REVISIONS

DATE

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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EX. 04
4 OF 11

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

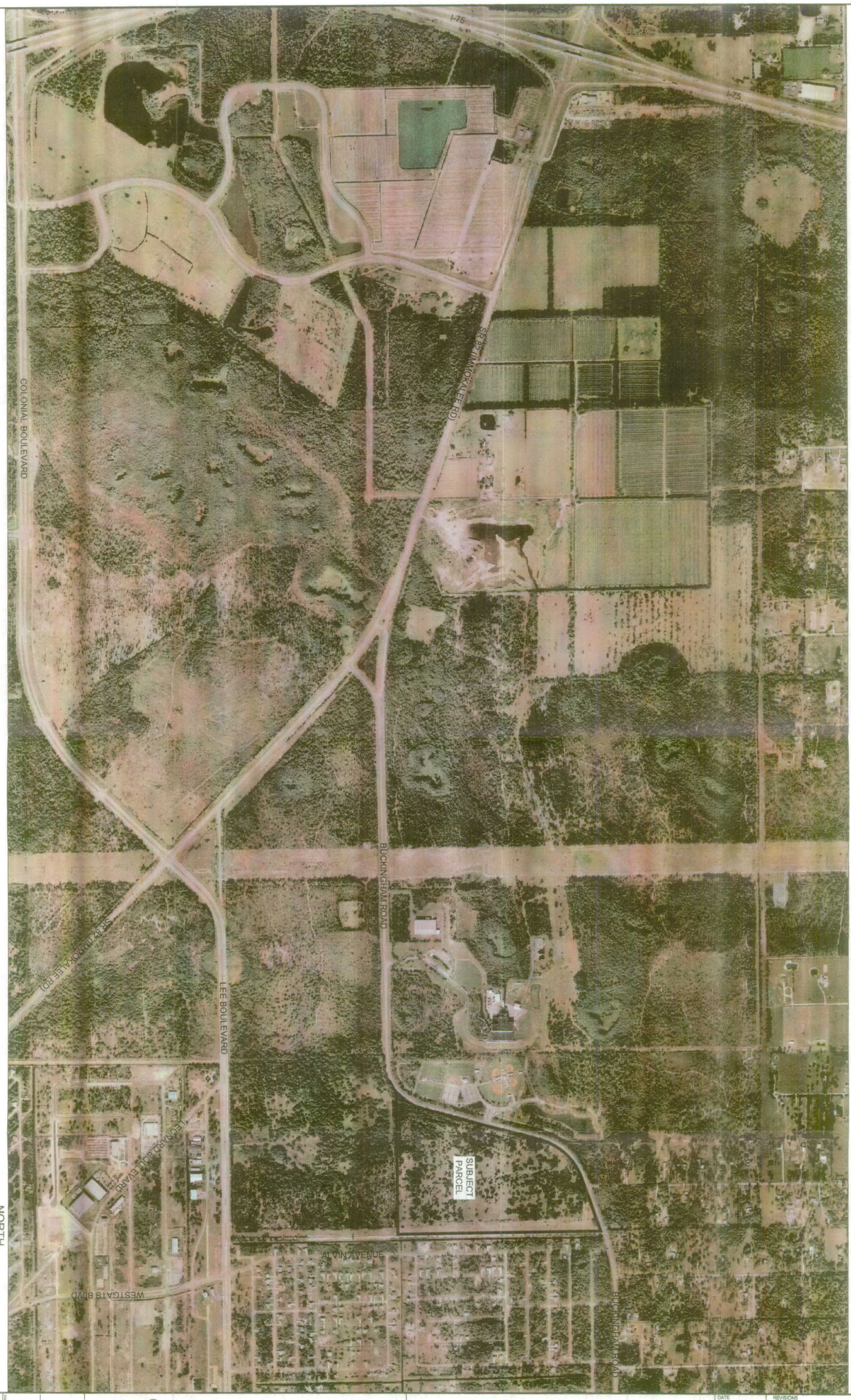
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222

Certificate of Authorization Number: 9465

CARLTON PROPERTY
EXHIBIT #04 - PROJECT AERIAL

CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS



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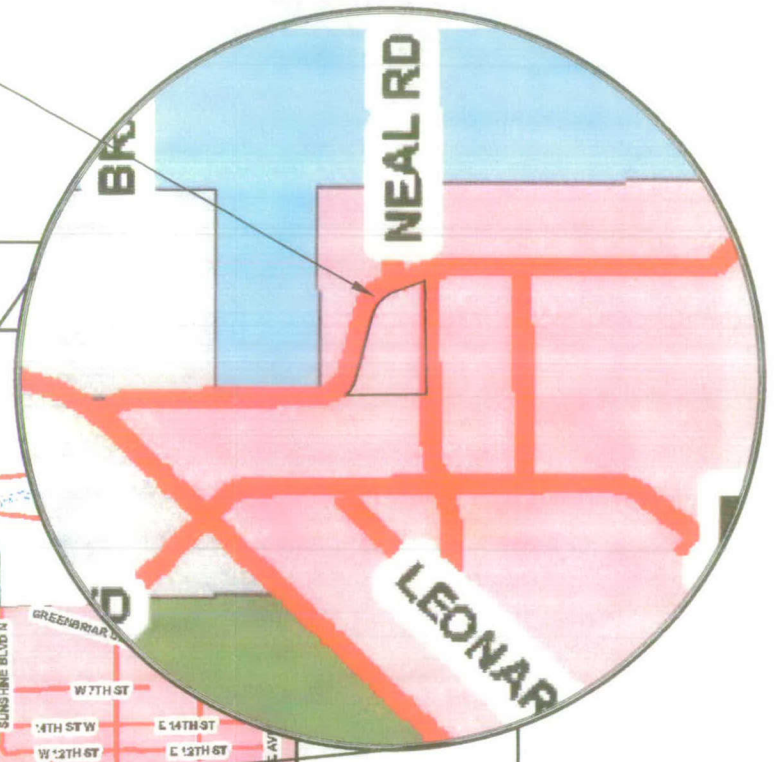
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

CARLTON PROPERTY
EXHIBIT #05 - VICINITY AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES



Greater Pine Island Water Assoc.
239-283-1071

City of Cape Coral Utilities
239-574-0852

City of Fort Myers Utilities
239-332-6801

Florida Governmental Utility Authority
239-368-1615

Gateway Services District
239-561-1313

Lee County Utilities
239-936-0247

Island Water Assoc.
239-472-1502

Town of Fort Myers Beach
239-332-6855

Bonita Springs Utilities
239-390-1000

Legend

- Major Roads
- Bonita Springs Utilities
- City of Cape Coral Utilities
- City of Fort Myers Utilities
- Florida Governmental Utility Authority
- Gateway Services District
- Greater Pine Island Water Assoc.
- Island Water Assoc.
- Lee County Utilities
- Town of Fort Myers Beach

CARLTON PROPERTY
EXHIBIT #06 - UTILITY FRANCHISE MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

REVISIONS | DATE

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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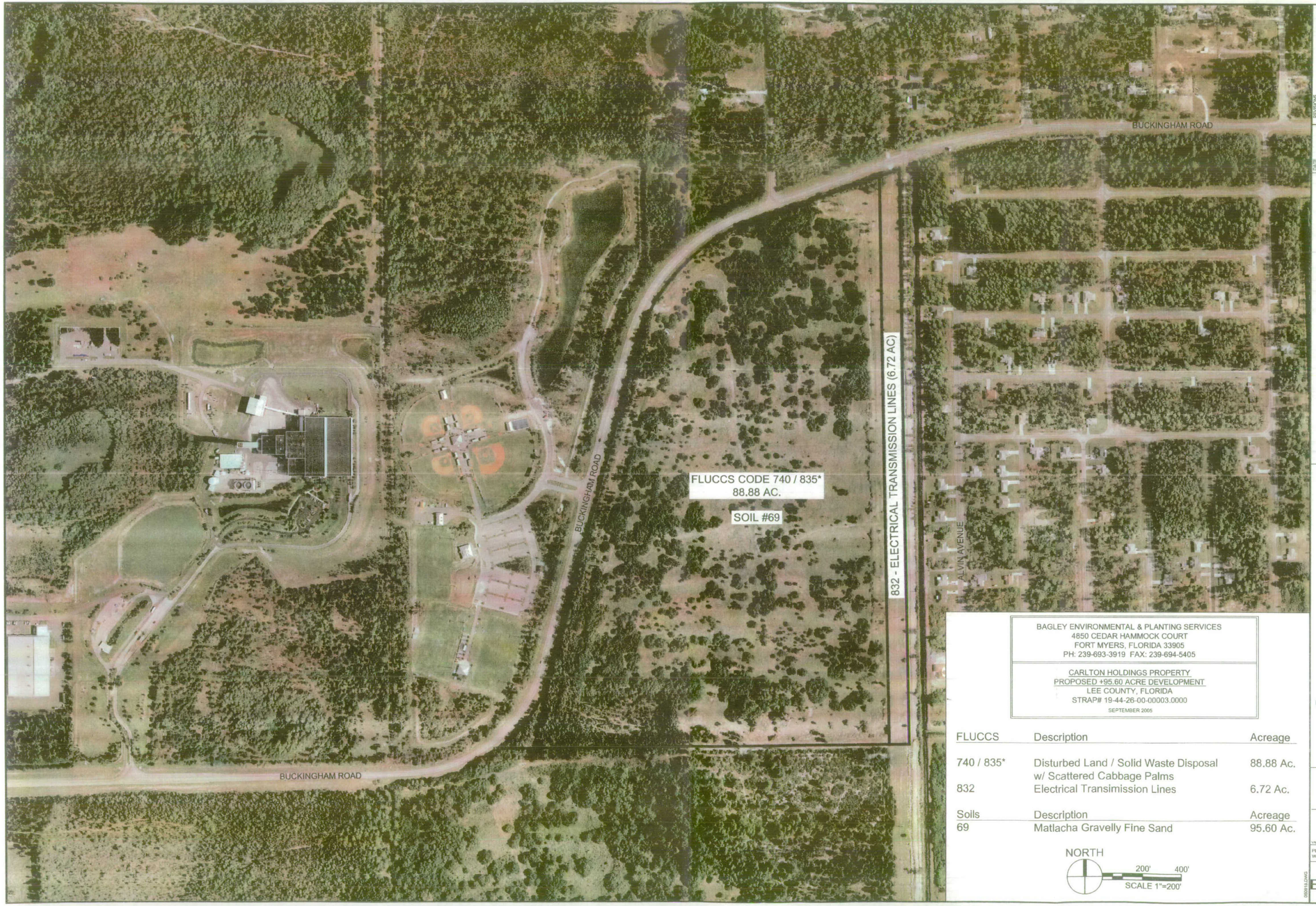

BAGLEY ENVIRONMENTAL & PLANTING SERVICES
4850 CEDAR HAMMOCK COURT
FORT MYERS, FLORIDA 33905
PH: 239-693-3919 FAX: 239-694-5405

CARLTON HOLDINGS PROPERTY
PROPOSED +95.60 ACRE DEVELOPMENT
LEE COUNTY, FLORIDA
STRAP# 19-44-26-00-00003.0000
SEPTEMBER 2005

FLUCCS	Description	Acreage
740 / 835*	Disturbed Land / Solid Waste Disposal w/ Scattered Cabbage Palms	88.88 Ac.
832	Electrical Transimission Lines	6.72 Ac.

Soils	Description	Acreage
69	Matlacha Gravelly Fine Sand	95.60 Ac.

NORTH
200' 400'
SCALE 1"=200'

CARLTON HOLDINGS PROPERTY
EXHIBIT #08 - FLUCCS / SOILS MAP

CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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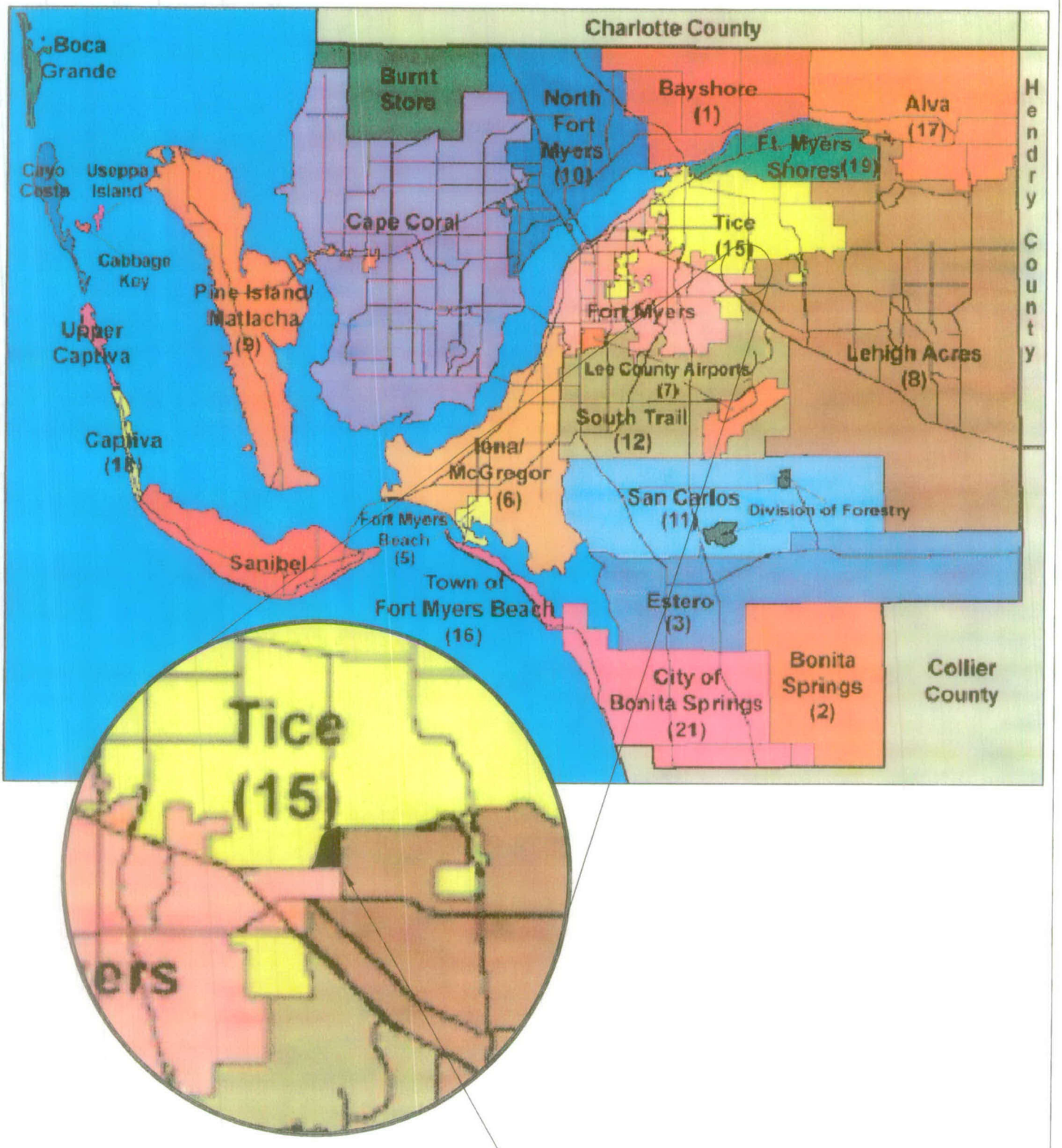
8 OF 11

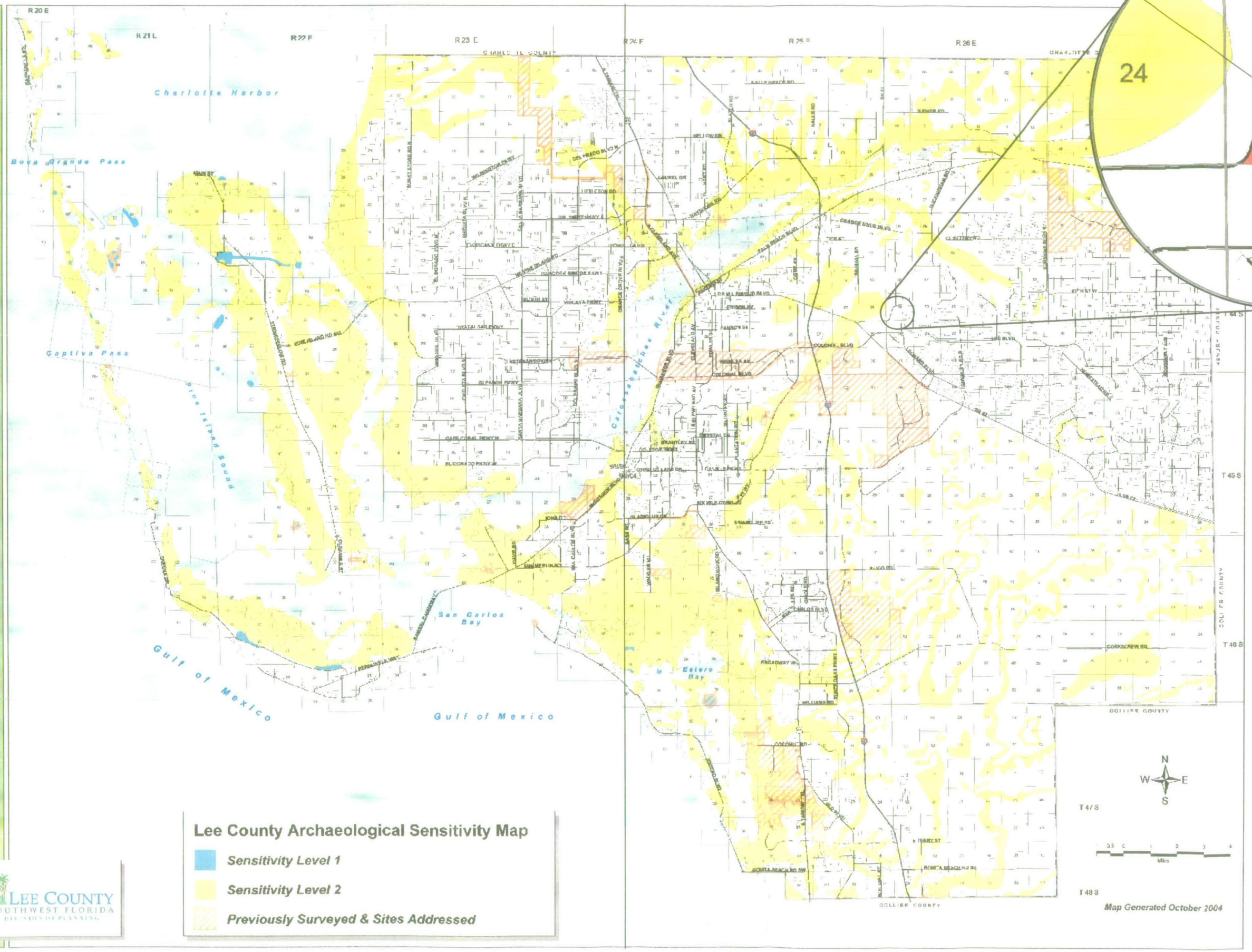
FIRE DISTRICT MAP
EXHIBIT #7

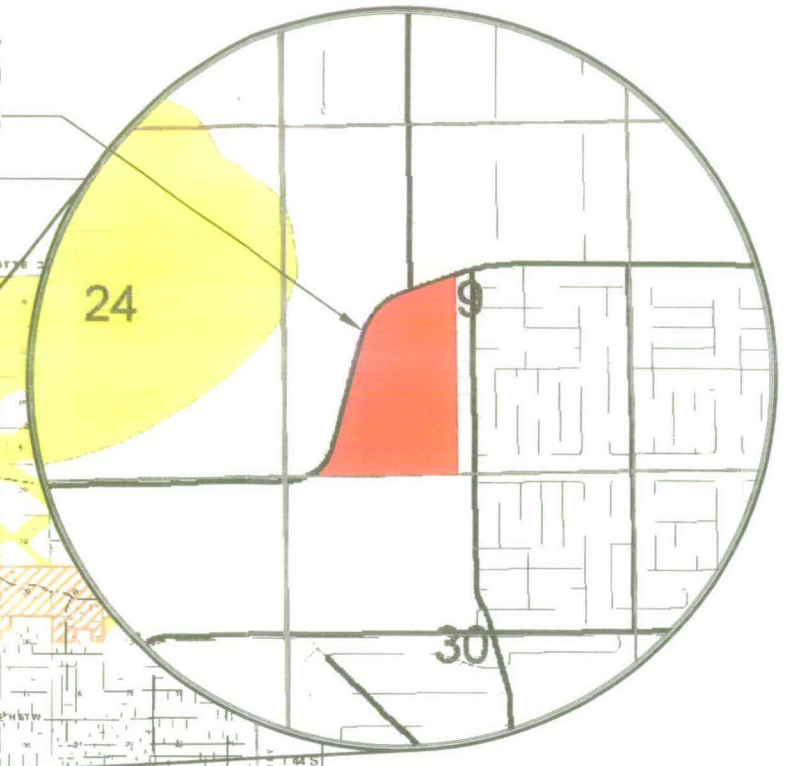


SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES

ARCHAEOLOGICAL SENSITIVITY MAP

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES





CARLTON PROPERTY
EXHIBIT # 11
ARCHAEOLOGICAL SENSITIVITY MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

REVISIONS
DATE

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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EX. 11
11 OF 11

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I. APPLICANT/AGENT/OWNER INFORMATION

CARLTON LAND HOLDINGS, LLC
APPLICANT

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	***FLORIDA***	***33413***
CITY	STATE	ZIP

TELEPHONE NUMBER | FAX NUMBER

AL QUATTRONE – QUATTRONE AND ASSOCIATES, INC.
AGENT*

11000 METRO PARKWAY, SUITE 30
ADDRESS

FORT MYERS	***FLORIDA***	***33912***
CITY	STATE	ZIP

239/936-5222	***239/936-7228***
TELEPHONE NUMBER	FAX NUMBER

CARLTON LAND HOLDINGS, LLC
OWNER(s) OF RECORD

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	***FLORIDA***	***33413***
CITY	STATE	ZIP

TELEPHONE NUMBER | FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to theapplication.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

Text Amendment ✓ Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended
Maps 1 and 16

B. SUMMARY OF REQUEST (Brief explanation):

1. Amend the Future Land Use designation (Map 1): for a 95.60 acre parcel of land located in the West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida from Rural to Urban Community.

2. Change the Planning Community Boundary (Map 16): redefining the boundary between Lehigh Acres and the Buckingham Community by moving the subject property out of Buckingham and into the Lehigh Acres Planning Community.

3. Prepare a text amendment to adjust Table 1 (b): to make changes to the commercial and industrial regulated land totals to the Lehigh Acres Planning Community.

4. Rezone from AG-2 to a combination of a Commercial Planned Development (CPD) and Industrial Planned Development (IPD). The intent is to create a commercial office, retail and recreation center, and a light industrial park that is sensitive to and compatible with the Buckingham Community and the abutting single-family houses in Lehigh Acres.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location: **Subject parcel is located on Buckingham Road approximately 1 mile east of Immokalee Road (SR82) and is approximately 3 miles from exit 138 on I-75 via Immokalee Road to Buckingham Road.**

1. Site Address: **9711 Buckingham Road, Lehigh Acres, Florida 33971**

2. STRAP(s): **19-44-26-00-00003.0000**

B. Property Information

Total Acreage of Property: **95.60 Acres**

Total Acreage included in Request **95.60 Acres**

Area of each Existing Future Land Use Category: **Rural (95.60 Acres)**

Total Uplands: **95.60 Acres**

Total Wetlands: **0.00 Acres**

Current Zoning: **AG-2**

Current Future Land Use Designation: **RURAL**

Existing Land Use: **Vacant Agricultural Land, former Lee County Land Fill**

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: **No**

Airport Noise Zone 2 or 3: **No**

Acquisition Area: **No**

Joint Planning Agreement Area (adjoining other jurisdictional lands): **No**

Community Redevelopment Area: **No**

D. Proposed change for the Subject Property: **Move the subject property into the Lehigh Acres Planning Community (Map 16) and amend the Future Land Use Map (1) designation to Urban Community to allow a commercial office, retail and recreation area (i.e. bowling alley, arcade, miniature golf, batting range, etc) and a light industrial park.**

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density:	**95 units/1 dwelling unit per acre**
Commercial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**
Industrial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density:	**573 total residential units at up to 6 du/acre (maximum of 401 single-family units - 4.2 du/acre). However, former land fill status would restrict residential developments from occurring by both the market and environmentally.**

Commercial intensity:	**742,500 sq. ft. calculating 67.5 acres developable at an intensity of 11,000 square feet of building per acre.**
Industrial intensity:	**877,500 sq. ft. calculating 67.5 acres developable at an intensity of 13,000 square feet of building per acre.**

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps
NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
See attached document – Exhibit A-1.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
See Attached Map - Exhibit A-2.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

See Attached Map - Exhibit A-3 and A-4.

The subject property is located within the Buckingham Planning Community with a Future Land Use designation of Rural and is zoned AG-2. The subject property is currently vacart and is being used for cattle grazing. The site was used back in the early to mid 1970' as a county land fill and has remained vacant since ceasing the land fill operation in approximately 1976. Although the property is located with the Buckingham Planning Community and has a FLUM designation of

Rural, the prior use of the land renders the land unusable for residential use making it more consistent with a commercial or industrial type use. Given the type of uses to the west and south and the separation between the subject parcel and the residential lots to the east, it is unlikely the proposed land use change would adversely affect the adjacent parcels or the character of the Buckingham area.

The property to the east is part of the Lehigh Acres Planning Community with a Future Land Use designation of Urban Community and is zoned RS-1. Of the 35 residential lots adjacent to the subject parcel's east property line, less than half the residential lots are improved. The residential lots are separated from the subject parcel by a 120' wide East Canal Water Control District canal rightof-way and by a 100' wide FP&L easement located along the easterly 100' of the subject parcel.

The property to the south is within the City of Fort Myers city limitswith a Future Land Use designation of Rural and is zoned MU, which allows wide range of uses. The City is in permit review with DEP for a 1224 million GPD wastewater treatment plant slated to be operational in 2009.

Directly west of the site is the County owned Buckingham Park which consists of multiple football and baseball fields, a community playground, hiking trails, and recreational facilities for dogs. West of the park is the county incinerator. Both parcels have a Future Land Use designation of Public Facilities. The park is zoned CF-2 and the incinerator is zoned IPD. South west is a dense multi-family residential development within the City named Olympiad.

There are three parcels located directly north of the site and they are part of the Rural Community Preserve Planning Community with a Future Land Use designation of Rural and are zoned AG-2. Two of the three parcels have improvements on them.

4. Map and describe existing zoning of the subject property and surrounding properties.
   See Attached Map - Exhibit A-3 and A-4.

   Subject parcel is zoned AG-2
   East of subject parcel is zoned RS-1
   North of subject parcel is zoned AG-2
   West of subject parcel is zoned CF-2
   South of subject parcel is zoned MU & REC (City of Fort Myers)

5. The legal description(s) for the property subject to the requested change.

   West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida.

6. A copy of the deed(s) for the property subject to the requested change.
   See Attached.

7. An aerial map showing the subject property and surrounding properties.
   See Attached Map – Exhibit A-7.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.
   Applicant is the owner.

B. Public Facilities Impacts
NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

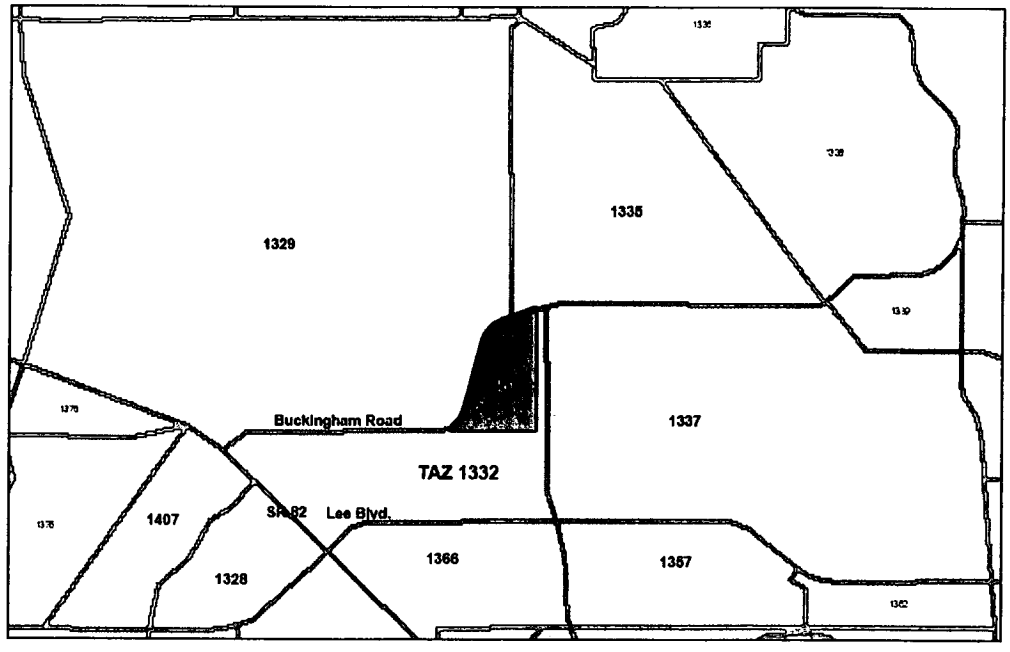
1. Traffic Circulation Analysis
   The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

   Long Range – 20-year Horizon:

   a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
      See Attached Document – Exhibit B-1a.

      The subject parcel is located in TAZ 1332 encompassing the area from SR 82 east to Alvin Avenue and from Buckingham Road south to Lee Boulevard as shown below. It is anticipated that the socio economic data will need to be updated due to the intensity of this project. The updating will be done per Lee DOT running the FSUTMS model on the 2020 or 2030 Financially Feasible Plan network.

      See graphic on next page taken from the LDOT TAZ map.



b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

It is likely given the density and intensity possibilities for this parcel that the data will need to be updated. A change to Urban Community FLUM on 95.6 acres makes provisions for:

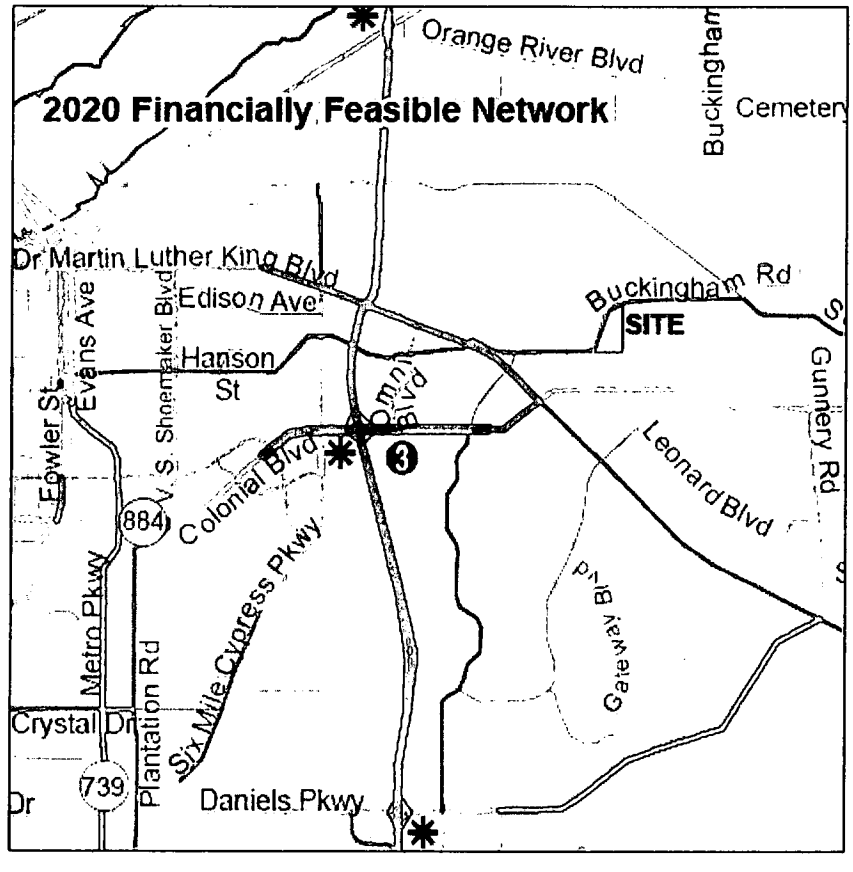
- **Up to 573 total residential units at up to 6 du/acre (maximum of 401 single-family units - 4.2 du/acre). However, former land fill status would restrict residential developments from occurring by both the market and environmentally. The single-family calculation is based on our experience with the Land Development Code. Due to the open space, minimum lot size requirements, lot coverage maximums, buffer requirements, water management regulations, access roads the maximum density a single-family development can realistically achieve through the planned development process is slightly greater than 4 units per acre; or**

- **Up to 742,500 square feet of commercial office, retail and recreational uses; or**
- **Up to 877,500 square feet of light industrial development.**

In a meeting with Lee DOT and planning we were advised to provide development parameters for this analysis to the conducted by Lee DOT.

c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;

We anticipate that the modifications are going to be minor given the TAZ includes intense development areas near SR 82 and Lee Boulevard. Additionally, the 2020 Financially Feasible Network includes four-laning Buckingham Road from the project west to SR 82 and from the project east/north to SR 80.Within the three-mile radius Colonial Boulevard is to be extended to six lanes from SR 82 to I-75 and SR 82 is to be widened to 6-lanes from Lee Boulevard/Colonial east to Daniels Parkway. Given the road expansions the overall traffic impact from the full development potential of this project the road network for 2020 and the newly proposed 2030 FFN should be able to be absorbed the impact adequately.



In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine if, given our development parameters whether an improvement to the road network would be necessary.

d. If no modifications to the network are required, then no furtheranalysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;

It is not anticipated that improvements to the road network beyond the 2020 FFN will be required; however, it is our understanding that the applicant would have an opportunity to financially contribute to the improvements necessary for the road network to absorb the traffic impacts created by the development if it were determined that the project made the network fail.

e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
Understood.

f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.
See Attached Master Concept Plan.

Short Range – 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediate development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);

It is anticipated that the subject parcel will have an immediate development plan prepared upon approval of the Future Land Use Amendment. The major roads within a 3-mile radius are as follows:

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*	*na*	*na*
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Colonial Boulevard from SR 82 west to I-75 is programmed to be six-laned. Project Number 4054 on the Lee County FY 05/06 to FY 09/10 (includes design for Six Mile Parkway to I-75 for City of Fort Myers).

c. Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for impacted roadways projected to 2020.

d. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways.

e. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the improvements necessary, if any, to accommodate the project on the road network within a 3-mile radius. We do not anticipate improvements will need to be made beyond those deemed financially feasible in the 2020 FFN map.

2. Provide an existing and future conditions analysis for:
   a. Sanitary Sewer
   b. Potable Water

The site is located within the Florida Governmental Utility Agency franchise service area. We understand FGUA does not have capacity to serve the project. Currently the subject parcel isNOT located within the

future water or sewer franchise areas as depicted on Lee Plan Maps 6 and 7.

Our intention is to connect to the City of Fort Myers Utilities for water and wastewater treatment. The City has an existing 6" Force Main and an existing 12" Water Main located adjacent to the site. A letter of response is attached from the City. In summary the City WILL grant connection to water and has adequate capacity. The City is also willing to commit to sewer connection in 2009. The City is in the process of DEP permitting to build and construct a wastewater treatment plant on the parcel abutting the southern border of the subject property. The 2009 commitment should not affect the status of this project. Development of this project will not be able to take place earlier than 2009. This application for a Comprehensive Plan Amendment (CPA) is vital to site development since we view a former landfill as undesirable land for 1-acre lot single-family housing and not the highest and best use of a large tract of land abutting Lehigh Acres. The CPA decision will not be rendered until mid 2007. At that time, if approved, the applicant will need to rezone the property from AG-2 to an IPD, CPD or a combination. That process will take until mid 2008 at best. At that time, if rezoning is approved, a development order must be submitted and approved taking until early to mid 2009. At that time, if the City is unable to provide a connection the applicant is willing to commit to an onsite package plant with an agreement to connect to wastewater utilities at the time of availability and cease onsite treatment.

The Lee County Incinerator, located directly west of the site, is serviced by the City of Fort Myers Utilities although that property is also in the unincorporated portion of Lee County. The Olympiad residential development 500 feet to the southwest is connected to the City utilities and within the City of Fort Myers limits.

We anticipate that the plan amendment will intensify the development potential of the property substantially. Currently the FLUM is Rural which allows the following development density/intensity:

Residential Units/Density:	**95 units/1 dwelling unit per acre**
Commercial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**
Industrial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**

The maximum allowable development under proposed FLUM based on the proposed site plan enclosed and/or maximum development potential:

Residential Units/Density:	**573 multi-family residential units; or 401 single-family units.** • **AN INCREASE OF 478 UNITS**
or	
Commercial intensity:	**742,500 sq. ft.** • **AN INCREASE OF 742,500 sq. ft.**
or	
Industrial intensity:	**877,500 sq. ft.** • **AN INCREASE OF 877,500 sq. ft.**

Based on these calculations the total expected water and wastewater treatment volumes will be approximately 90,555 GPD.

c. Surface Water/Drainage Basins

The subject parcel is located in the Orange River Drainage Basin and is located directly adjacent to an existing East County Water Control District canal that runs parallel to Alvin Avenue. The ECWCD can not make a commitment at this time to permit the site into the district. The District is mitigating potential flood issues with Orange River while pending development from Lehigh Villages is inside the district and requesting access. Until the Board rectifies these issues they can not make new commitments to outside parcels.

As a result, the project intends to maintain historical drainage patterns of the Orange River Drainage Basin. The project site is located in the Orange River Drainage Basin which has an allowable peak discharge of 35 CSM which equates to approximately 5.2 CFS for our 95 acre site. Onsite detention areas in the form of either lakes and/or dry detention areas will be constructed to provide water quality treatment and attenuate the additional runoff associated with the developed site to comply with the peak allowable discharge rates. Historical drainage patterns for this site are from South to North towards the Orange River. Therefore it is anticipated that an outfall structure will be placed on the north side of the project discharging into the South Buckingham Road swale. At time of project design, additional analysis will be made of the conveyance system from the project site to the Orange River to verify capacity. The onsite water management system will be designed accordingly and if necessary enlarged to further reduce offsite discharge rates.

d. Parks, Recreation, and Open Space.

The subject parcel is located directly across from Buckingham Park.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*	*na*	*na*
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

- Projected 2020 LOS under existing designation;

  In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways for 2020.

- Projected 2020 LOS under proposed designation;

  In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways for 2020.

- Improvements/expansions currently programmed in 5 year CIP, 610 year CIP, and long range improvements; and

  Colonial Boulevard from SR 82 west to I-75 is programmed to be six-laned. Project Number 4054 on the Lee County FY 05/06 to FY 09/10 (includes design for Six Mile Parkway to I-75 for City of Fort Myers). The improvements in the 2020 FFN should prove more than adequate for the proposed land use change.

- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

  We do not anticipate the need for parks or recreation to increase in the area do to the proposed possible development. Given the history f the parcel as a landfill the applicant does not intent to propose residential development. The project does propose to have commercial recreational activities such as bowling, gocarts, miniature golf.

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions;
   c. Law enforcement;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

   Letters from the above listed agencies are attached or correspondence included.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
   See Attached Map – Exhibit C-1 and C-2.

2. A map and description of the soils found on the property (identify the source of the information).
   See Attached Map – Exhibit C-1 and C-2.

3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
   See Attached Map – Exhibit C-3.

4. A map delineating wetlands, aquifers recharge areas, and rare & unique uplands.

See Attached Map – Exhibit C-4.
The site does not have any wetlands, rare & unique uplands and is not within an aquifers recharge area. As previously indicated the site was once a county land fill and as such has been previously disturbed.

5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).
   See Attached Map – Exhibit C-5.

   Due to the sites previous disturbed status there arenot any protected or listed species located on the property.

D. Impacts on Historic Resources
List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.

   Due to the sites previous disturbed status there are not any historical resources located on the property.

2. A map showing the subject property location on the archeological sensitivity map for Lee County.
   See Attached Exhibit D-1.

   Due to the sites previous disturbed status there are not any archeological resources located on the property. The subject parcel is NOT located in one of the two sensitivity areas.

E. Internal Consistency with the Lee Plan
1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
   See Attached Exhibit E, Section 1.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
   See Attached Exhibit E, Section 2.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
See Attached Exhibit E, Section 3.

4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.
See Attached Exhibit E, Section 4.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals.

The subject parcel is located on a 2-lane arterial road (Buckingham Road) with direct access to SR 82 and I-75.

b. Provide data and analysis required by Policy 2.4.4.

With the growth rates of Lehigh Acres and new residential developments being constructed within the adjacent City of Fort Myers there is a growing need for light industrial and commercial uses to serve these areas. The closest industrial park to the subject site is the Westgate Airpark Center which is located south of the subject parcel on the south side of Lee Boulevard. This industrial park has seen tremendous development activity within the last five years and is close to build out.

c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

The proposed land use amendment will further the goal of policy 7.1.4. by providing light industrial related manufacturing uses that will serve primarily the Lehigh Acres area. The goal is to also assist the Lehigh Acres community in attaining commercial and industrial employment centers in response to Ord 06-04 and other stated BoCC goals concerning employment centers in Lehigh Acres.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: lowintensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or

conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

The adjacent properties are heavily developed with the incinerator and park to the north and west, a high density multi-family development to the southwest and Lehigh Acres platted single family housing to the east. To the south is more former landfill which has yet to develop but is zoned Mixed Use (MU) which is to be developed into a wastewater treatment plant by the City for 2009

Although the subject parcel is located in the Rural Land use category in the Buckingham Planning Community the proposed land use amendment to Urban Community FLUC is appropriate in that the parcel is located on the western fringe of the Rural Land use category and is directly adjacent to Urban Community land use on the east side. The project intends to develop as a mix of commercial, recreation and light industrial. There is industrial zoned property (Lee County Incinerator) located directly north/west of the subject parcel. A wastewater treatment plant is slated for the southern property abutting the parcel. To the west is a dense residential development and Buckingham Road is to widened to a 4 lane by 2020. The property is able to connect to City water now and will be able to connect to City sewer in 2009, well before the Comp Plan Amendment, Rezoning and Development Order is in place. An Urban Community FLUC is appropriate for the subject parcel given the fact that it was formerly a land fill and would not be best suited for even low density residential.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

   The lands are not in critical areas. The parcels status as a former land fill removes it from consideration.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

   The lands are not in critical areas. The parcels status as a former land fill removes it from consideration.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.
See Attached Exhibit E (Introduction to the Project).

Item 1: Fee Schedule

Map Amendment Flat Fee	$2,000.00 each
Map Amendment > 20 Acres	$2,000.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Small Scale Amendment (10 acres or less)	$1,500.00 each
Text Amendment Flat Fee	$2,500.00 each

Concerning Sewer and Water Service . . .

The city's engineer Roger Robinson is prepared to write a letter that the City is willing to service the parcel as outlined in the application narrative and as requested in the attached letter sent June 26. Mr. Robinson has requested a letter from FGUA stating that they are OK with the City servicing the parcel. As can bee seen in the attached email we are in the process of one being issued by Clara Dozier of FGUA.

Concerning the Sheriff's office . . .

They have responded. They are prepared to write the letter but have requested some additional information. I have attached the email request and have responded to their request.

Thank you,

Fred Drovdlic
Quattrone & Associates, Inc.

June 26, 2006

City of Fort Myers Public Works Dept.
Engineering Division
Saeed Kazemi, P.E.
P.O. Drawer 2217
Fort Myers, FL 33902

Re: Utility Service Availability Request
Webb Buckingham Parcel
STRAP # 19-44-26-00-00003.0000

Dear Saeed:

Thank you for meeting with Fred Drovdlic and I June 21 to discuss serving utilities to the former land fill site on Buckingham Road just east of Olympia Point and the Lee County Incinerator and adjacent to Buckingham Park. As agent for the owner, I wish to request a determination of the ability of your system to serve the above referenced project with potable water and wastewater treatment services.

The proposed uses are up to **819,000** square feet of mixed use commercial and light industrial distributed as follows:

COMMERCIAL RETAIL and OFFICE:	299,000 square feet
LIGHT INDUSTRIAL, OFFICE and WAREHOUSE:	520,000 square feet

Total expected water and wastewater treatment volumes will be approximately **90,555 GPD**.

A check is enclosed for $50.00. Should you require additional information, contact me at 239.936.5222.

Sincerely,
Quattrone & Associates, Inc.,

Al Quattrone, P.E.
President

Fred Drovdlic

From: Inia
Sent: Monday, August 14, 2006 2:14 PM
To: 'Clara Dozier'
Cc: Inia; Fred Drovdlic
Subject: FW: * PLEASE HELP * 05-19-18 Webb Buckingham
Importance: High

Hi Clara
Okay. Remember this e-mail way back when. Well the City of Fort Myers is willing to take control of this IF you can give us a letter stating that FGUA has no issues. **BUT** I need an answer like yesterday-**PLEASE,PLEASE,PLEASE**. Let me know what you need from me in order to expedite my request.
Thanks
Inia *:)*

From: Inia
Sent: Thursday, May 11, 2006 4:21 PM
To: 'Clara Dozier'
Cc: Inia
Subject: RE: * PLEASE HELP * 05-19-18 Webb Buckingham

The parcel is owned by Carlton Land Holdings LLC and Buckingham CMC LLC. Our clients name is Kevin Webb. The site address is 9711 Buckingham Rd 33971

We are in the process of doing a rezoning for it and we just need an availability letter. I'm trying to try and see if the City can help with one as you guys are bogged down. I'll keep you posted, I hope that I am not ruffling any feathers or stepping on any toes.

Thanks
Inia :|

From: Clara Dozier [mailto:CDozier@GovMServ.com]
Sent: Thursday, May 11, 2006 4:07 PM
To: Inia
Subject: RE: * PLEASE HELP * 05-19-18 Webb Buckingham

Is it by any change Robert Hutcherson?
95 Acre parcel near Gunnery and Buckingham?

Clara S. Dozier
cdozier@govmserv.com
Developer Specialist
Government Services Group, Inc.
280 Wekiva Springs Road, Suite 203
Longwood, FL 32779
(407) 629-6900 office
(407) 629-6963 fax
www.govserv.com

-----Original Message-----
From: Inia [mailto:Inia@qainc.net]
Sent: Thursday, May 11, 2006 3:07 PM
To: Clara Dozier
Cc: Inia
Subject: * PLEASE HELP * 05-19-18 Webb Buckingham

Hey I know that I all ready chatted with you today.....but now I have another question...

Need to know if this parcel falls within FGUA's jurisdiction. The strap 19-44-26-00-00003.0000

I need to get a letter of availability for water and sewer. I was told that sewer would be FGUA and water City of Fort Myers but I really want someone to let me know for sure. Do you have a contact that I can call at the City?

Thanks,
Inia

Fred Drovdlic

From: Clifton, Charles [MClifton@sheriffleefl.org]
Sent: Tuesday, August 01, 2006 1:33 PM
To: Fred Drovdlic
Subject: Your Request

I apologize for not responding to your first request the fact is that I never received it in my office. For future reference my office address is 2117 Dr. Martin Luther King Jr. Boulevard, Fort Myers, Florida 33901-3603. My direct dial number is 344-5113 and my fax number is 344-5151. In order to draft a response to your letter for the Sheriff's signature I need some additional details about the proposed comprehensive plan amendment. First, is there a target date to begin construction? And if so is there an expected date of final build out? Second, are there any road modifications planned for ingress and egress and have there been any traffic density projections made respective to increased vehicular traffic impacting the area? Finally, during construction do you anticipate any interruption to the normal flow of traffic that might require the assignment of traffic control officers on a routine basis?

Captain Mike Clifton
Commander of Facilities
and Project Development
Lee County Office of the Sheriff
Lee County, Florida
(239) 344-5113

IMPORTANT WARNING
This Message is intended for the use of the person or entity to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is governed by applicable law. If the reader of this e-mail is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is STRICTLY PROHIBITED. If you have received this e-mail by error, please notify us immediately and destroy the related message.
This footnote also confirms that this email message has been swept by Network Associates Security for the presence of computer viruses, WORMS, Hostile Scripts, and other mail born network threats.

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

RECEIVED
MAY 12 2006
COMMUNITY DEVELOPMENT

May 8, 2006

Mr. Wayne Gaither
Planning
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

S: RESUBMITTAL IN REPONSE TO INSUFFICIENCY COMMENTS
PROJECT: CPA2005-00002
WEBB BUCKINGHAM CPA (a.k.a. Carlton Property)

Dear Mr. Gaither,

Attached, please find a response to your December 12, 2005 insufficiency letter for the above referenced case. Due to substantial alterations to the request I included a revised application and all materials that may have been altered due to the change of request.

If you have any questions or need additional information, please call me at this office. I, of course, would be happy to meet with you and staff as necessary.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

Attachments

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 21, 2006

David E. Lindsay, District Manager
East County Water Control District
601 East County Lane
Lehigh Acres, FL 33936
239.368.0044

S: REQUEST FOR ACCEPTING RUNOFF
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

Dear Mr. Lindsay,

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a letter determining the time frame for potential review and acceptance of the subject property into the ECWCD and the availability of the Alvin Avenue canal for surface water runoff from the project, as part of the application for a comprehensive plan amendment.

We discussed this project several months ago and understand that at this time the ECWCD can not accept new properties into the district. We are hopeful and plan to apply to enter into the district in the future and hope to retain the Alvin Avenue canal as a surface water discharge option. County staff would like to know the time frames for possible review and the circumstances.

The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence. If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

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Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 21, 2006

Lili Wu
Lee County DOT
PO Box 398
Fort Myers, FL 33902

S: REQUEST FOR ACCEPTING RUNOFF
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

Dear Mr. Wu,

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a letter providing verification that the proposed project may utilize the Buckingham Road drainage swale for discharge of excess runoff in severe storm events for the subject property as part of the application for a comprehensive plan amendment.

The project intends to meet all LDC and SFWMD requirements for water detention/retention. The request is for severe storm events only. The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence.

If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 21, 2006

Gulf Disposal Inc.
11990 State Road 82 East
Ft. Myers, FL 33913
239.334.4115

S: SERVICE REQUEST FOR SOLID WASTE SERVICES
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

To whom it may concern:

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a letter determining the availability of core level solid waste removal services for the subject property as part of the application for a comprehensive plan amendment.

The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence.

If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

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Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 14, 2006

Mary McCormic
Sr. Engineering Tech
Lee County Utilities
P.O. Box 398
Fort Myers FL 33902-0398
239.479.8532

S: REQUEST FOR UTILITY AVAILABILITY
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

Dear Ms. McCormic,

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a **letter of no objection** to the City of Fort Myers supplying potable water and wastewater services to the subject property as part of the application for a comprehensive plan amendment.

We understand that this area is not considered part of the FGUA or Lee County Utilities franchise areas. The project is within 200 feet of water services from the City of Fort Myers. The city of Fort Myers also plans to have capacity to serve the project for wastewater in 2009 as stated in the attached letter.

The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence. If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

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Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 21, 2006

Lauren E. Kasak, Data Analyst
Florida Master Site File
Division of Historical Resources
R.A. Gray Building
500 S. Bornough
Tallahassee, FL 32399-0250
800.245.6440

S: REQUEST DETERMINATION OF HISTORICAL RESOURCE STATUS
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

Dear Ms. Kasak,

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a letter determining the historical resource status for the subject property as part of the application for a comprehensive plan amendment.

The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence.

If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

P:\2005 Projects\3509\3 WEBB BUCKINGHAM\...\PLANNING\...\Historic Resources.doc

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 14, 2006

Lauren E. Kasak, Data Analyst
Florida Master Site File
Division of Historical Resources
R.A. Gray Building
500 S. Bornough
Tallahassee, FL 32399-0250
800.245.6440

S: REQUEST DETERMINATION OF HISTORICAL RESOURCE STATUS
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

Dear Ms. Kasak,

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a letter determining the historical resource status, for the subject property, as part of the application for a comprehensive plan amendment.

The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence.

If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

September 21, 2006

Clara Dozier
Development Specialist
Florida Governmental Utilities Authority
280 Wekiva Springs Road, Unit 203
Longwood, Florida 32779
407.629.6900

S: REQUEST FOR UTILITY AVAILABILITY
LEE COUNTY CASE: CPA2005-00002 (Comp. Plan Amend.)
PROJECT NAME: WEBB BUCKINGHAM CPA
LEE COUNTY PARCEL ID: 19-44-26-00-00003.0000

Dear Ms. Dozier,

As authorized agent for the property owners of the above reference property we have been directed by the Lee County Department of Community Development, Division of Planning staff to request a **letter of no objection** to the City of Fort Myers supplying potable water and wastewater services to the subject property as part of the application for a comprehensive plan amendment.

We understand that this area is not considered part of the FGUA or Lee County Utilities franchise areas. The project is within 200 feet of water services from the City of Fort Myers. The city of Fort Myers also plans to have capacity to serve the project for wastewater in 2009 as stated in the attached letter.

The project involves a 95.6 acre parcel located at 9711 Buckingham Road, Lehigh Acres, Florida 33971. The land use amendment would allow up to 819,000 square feet of industrial and retail commercial development. The amendment process is to take until April 2007 followed by a planned development rezoning process and development order review that will take another 12-18 months. Construction is to take place in 2009 at the earliest.

Thank you for your time and attention. We look forward to receiving your correspondence. If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

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Quattrone & Associates, Inc.

EXHIBIT E 1-4
INTERNAL CONSISTENCY WITH THE LEE PLAN

WEBB BUCKINGHAM CPA (a.k.a. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

INTRODUCTION

The property is located in the Buckingham Planning Community on the south side of Buckingham Road adjacent to the Buckingham Park, just east of the Lee County Incinerator, north of the City of Fort Myers future wastewater treatment plant site currently under DEP review, and west of an FPL easement, canal and Lehigh Acre single-family housing. The property occupies 95.6 acres and in the 1970's was the Lee County land fill. The property is currently in the Rural land use category. The status as a former landfill makes residential housing undesirable, but commercial or light industrial uses appropriate. We contend that the parcel is more accurately represented in the Lehigh Acres community and a land use change to Urban Community is a public benefit.

REQUEST

The application is requesting a change to the Future Land Use Map (Lee Plan Map 1) by moving the property from Rural to the Urban Community FLUC. Also requested is moving the property from the Buckingham Planning Community to the Lehigh Acres Planning Community by revising Lee Plan Map 16. Development plans are for a mixed use commercial and industrial park including retail and office commercial, commercial recreation and light industrial park ranging from mini-storage to indoor manufacturing to warehousing. The intent is to create a shopping and employment center to benefit the Lehigh Acres shortfall in these areas.

JUSTIFICATION

The subject property is unique in both location and characteristic and despite being in the Buckingham Community the site looks, feels and is surrounded by existing or proposed uses similar in intensity to Lehigh Acres, more so than the rural nature of the Buckingham Community and particularly the Buckingham Rural Preserve. The property is the only parcel south of Buckingham Road to be included within the Buckingham Planning Community. The subject parcel is the only parcel south of Buckingham Road not in the City or Lehigh. The site is also the southern most portion of the Buckingham Community and is separated from the Buckingham Community Preserve by Buckingham Road, Buckingham Park and the Lee County Incinerator. The Lehigh Acres Planning Community description in the Lee Plan Vision describes the community area as *". . . generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line."* By all accounts this would seem to include the subject property. Although we do understand that the description is very general and should in fact state that the Lehigh Acres Community is north of SR 82 and south/east of Buckingham Road to the eastern county line. Likewise, the Buckingham Community Vision description seems to not include this land. *"This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community*

Preserve." The parcel is definitively not in the preserve area. We propose that in terms of Lee Plan consistency the parcel "fits" much better within Lehigh Acres Vision description.

The property is surrounded by existing or proposed intense uses that are incompatible with the Buckingham Vision and should therefore be in the Lehigh Acres Community. To the north of the property is the Lee County Incinerator, the Buckingham Park and the Buckingham Preserve separated by what will be a 4 lane arterial. To the south of the project is former land fill area part of the City of Fort Myers currently vacant and zoned MU (Intense Mixed Use). This property is currently the subject of Department of Environmental Protection (DEP) permitting for the City of Fort Myers future 12-24 million GPD wastewater treatment plant proposed to be operational in 2009. To the west is a dense multi-family development under construction (Olympiad) in the City of Fort Myers. The project's eastern boundary abuts the northwestern most portion of Lehigh Acres. The eastern boundary is separated by a 120 foot canal and 100 foot Florida Power and Light easement. The properties in Lehigh (east) of this project are single-family platted lots that are mostly developed. The proximity to Lehigh enables this project to fulfill some of the needs of the Lehigh residents concerning employment centers.

The Board of County Commissioners has recognized the growing need to provide employment centers, commercial nodes and industrial land uses within the Lehigh Acres Community. Earlier this year they passed Ordinance 06-04 to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and need for tracts of land capable of providing commercial and industrial land uses for the community. The massive pre-platting has caused shortages in several areas affecting the long term viability and self-sufficiency of the Lehigh community. In addition to needs for alternative housing choices there are shortages of large tracts of land for commercial and industrial employment centers and retail shopping areas. Without these the regional transportation network will be over burdened with Lehigh residents commuting long distances for basic, daily needs and work. The site is not appropriate for residential housing of any kind due to the former land fill status and intense industrial uses described in the prior paragraph (Incinerator and wastewater plant), but is appropriate in location, compatibility and road access in light of the expansion of Buckingham Road to four lanes (2020 Financially Feasible) for a mixed retail, office and light industrial park. As stated in the Lee Plan, "*Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services.*"

On the other hand the Buckingham Community policy is ". . .*that the majority of the communities commercial needs be met outside of their community*". The two policies are at odds. The subject property is centered between these two communities which creates a logical compromise position for the county and the applicant. The County can permit commercial and industrial uses through a land use change that provides employment, shopping and commercial uses "outside" of Buckingham without over burdening the County's road network by forcing Buckingham residents into long commutes for basic needs. Meanwhile, the industrial and commercial centers will serve local Lehigh residents near the intensely developing western SR 82/Lee Boulevard area providing alternatives for

shopping and employment from Lee Boulevard and SR82/Colonial. The applicant can provide significant buffering and has ample space to arrange intensity of uses appropriately so that abutting properties are very minimally affected.

This development will assist to ease the burden on the traffic infrastructure and commuting patterns of Lehigh residents, and fulfill an identified need for commercial and industrial employment centers in Lehigh Acres. The move from Buckingham to Lehigh will increase the applicability of the Lee Plan descriptions for both communities through a more logical, well defined, consistent area definitions.

SECTION I

TABLE 1(b)(Planning Community Year 2020 Allocations)

We are requesting a change in the **Planning Communities Map 16** so that the subject property is removed from the Buckingham Planning Community and included within the Lehigh Acres Planning Community. Text changes include moving 96 acres out of Buckingham non-regulatory vacant land into Lehigh Acres regulated industrial and commercial allocations.

Justification

The subject property presents a unique location and characteristic. The property is the only parcel south of Buckingham Road to be included within the Buckingham Planning Community. All other property to south of the arterial is in either the City of Fort Myers or Lehigh Acres Planning Community. The Buckingham Special Treatment Area boundary established for the Buckingham Rural Community Preserve uses Buckingham road as the boundary leaving this property as an unconnected piece of rural land separated from the preserve and Buckingham Community by a major arterial and further separated by the Lee County Incinerator and Buckingham Park. The Lehigh Acres Planning Community description in the Lee Plan Vision describes the community area as *". . . generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line."* By all accounts this would seem to include the subject property. Likewise, the Buckingham Community Vision description seems to not include this land. *"This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve."* Moreover, the Board of County Commissioners has recognized the growing need to provide employment centers, commercial nodes and industrial land uses within the Lehigh Acres Community. Earlier this year they passed Ordinance 06-04 to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and levels of need for tracts of land capable of providing commercial and industrial land uses for the community.

Moving the subject property into the Lehigh Acres Planning Community and permitting the land use change to Urban Community helps rectify identified issues within the Lehigh Acres Community described in the Vision. *"Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers,*

South Fort Myers, and Gateway/Airport for employment, shopping and other services." The move will also contribute to the solution sought by the community study by proving commercial and industrial uses within the planning community reducing commute times roadway traffic burdens outside of the community.

Analysis

According to our analysis the current Future Land Use Category for the 95.6 acre subject property is Rural. Table 1(b) of the Lee Plan specifies that the Buckingham Community has only 57 acres allocated for Rural (Residential by Future Land Use Category). This means that the allocation for the former land fill did not go to a residential designation. The table also provides regulatory allocations to Industrial and Commercial. Nevertheless, in Buckingham only 18 acres for Industrial and 5 acres for Commercial uses were allocated. It is our conclusion that the Lee Plan did not allocate the subject property to a regulatory category.

Table 1(b) continues to break down the 11,255 acres in the Buckingham Planning Community to five non-regulatory categories: Public, Active Agriculture, Passive Agriculture, Conservation and Vacant. The properties status as a former land fill leads us to believe that the allocation would not have been either Agricultural category nor Conservation. We believe the allocation for the subject property has to be within the 2,114 Public acres or in the 1,278 Vacant acres. It appears that a large amount of land has been mapped as Public on the FLUM most of which is dedicated to public purposes as the Lee County Incinerator and Buckingham Park. The subject property does not have a current public purpose and is in private ownership; therefore, we believe that the allocation for the subject property is within the 1,278 acres of vacant land in the Buckingham Community.

Conclusion

We request that this category be reduced and redistributed to the regulatory category of Industrial and Commercial in the Lehigh Acres Planning Community as follows:

BUCKINGHAM

Current Non-Regulatory Category Allocation		REQUESTED CHANGE	
VACANT	1,278 Acres	1,182 Acres	(-96 Acres)

LEHIGH ACRES

Current Regulatory Category Allocation		REQUESTED CHANGE	
COMMERCIAL	452 Acres	490 Acres	(+38 Acres)
INDUSTRIAL	216 Acres	274 Acres	(+58 Acres)

The distribution to Commercial and Industrial is based on the master concept plan that depicts approximately 40% of the project for commercial purposes and 60% for industrial.

SECTION II

THE LEE PLAN

This request is consistent with the goals, objectives, policies and intent of the Lee Plan in accordance with the following:

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LEE PLAN VISION

Planning Community

Lehigh Acres *- This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)*

The project abuts to the west the northwestern most portion of Lehigh Acres. The property is separated by a 120 foot canal and 100 foot Florida Power and Light easement. The properties in Lehigh to the west of this project are single-family platted lots that are mostly developed. The proximity to Lehigh enables this project to fulfill some of the needs of the Lehigh residents.

The massive pre-platting has caused shortages in several areas affecting the long term viability and self-sufficiency of the Lehigh community. In addition to needs for alternative housing choices there are shortages of large tracts of land for commercial and industrial employment centers and retail shopping areas. The site is not appropriate for residential housing of any kind due to the former land fill status, but is appropriate in location, compatibility and in light of the expansion of Buckingham Road to four lanes (2020 Financially Feasible) for a mixed retail, office and light industrial park. As stated above "*Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services.*" This development will greatly ease the burden of the traffic network and commuting patterns of Lehigh residents.

Buckingham *- This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county.*

The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan. (Added by Ordinance No. 99-15)

The proposed project, at first, seems to be at odds with the Buckingham communities policy. If the project were in a different location within Buckingham it is agreed that the project would be inappropriate and incompatible with the communities goals, objectives and policies. However, below are substantial reasons why the project does not adversely affect the policies of the Buckingham Planning Community and is in fact a positive use of the land as well as a beneficial change for the area.

- The site is the southernmost portion of Buckingham abutting Lehigh Acres the entire length of its eastern boundary and the City of Fort Myers for its entire southern boundary and separated by Buckingham Road along its entire north and western boundaries. The site is cut-off from the Buckingham Rural Community Preserve and is not considered in the Preserve FLUC. Intense development from the City of Forty Myers and Lehigh Acres surrounds the projects east and south. North and west are large public uses that again separate the site from the preserve. In short, the site feels, looks, and is more a part of Lehigh Acres than Buckingham.
- The parcel's former use as a land fill makes environmental conservation and large lot housing unreasonable.
- Proximity to large industrial public uses (Lee County Incinerator and Buckingham Park) make it compatible and appropriate for light industrial uses and commercial recreation as proposed.
- The site will increase traffic on Buckingham road but the traffic will mostly be directed towards the major arterials such as I-75, SR 82, Colonial and Lee Boulevard, all west and south of the Buckingham Community, except for the traffic from Buckingham who would use the facilities, shop at the site or be employed in the industrial uses. If the Buckingham policy is ". . .*that the majority of the communities commercial needs be met outside of their community*", then the Urban Community FLUC and move to Lehigh Acres is a compromise that provides employment, shopping and commercial uses "outside" of the community without overly burdening the County's road network by forcing Buckingham residents into long commutes for basic needs.

We feel the Urban Community FLUC is appropriate whether the land is in the Lehigh Acres or Buckingham Community.

GOAL 1: FUTURE LAND USE

OBJECTIVE 1.1: FUTURE URBAN AREAS. *Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services.*

POLICY 1.1.1: *The* ***Future Land Use Map*** *contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2020. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, and Sanibel arc depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a). (Amended by Ordinance No. 94-29, 98-09)*

The intent is to amend the Future Land Use Map to **Urban Community** and the Planning Community Map (16) to allow the subject property to be part of Lehigh Acres and developed as a light industrial park with certain recreational and commercial uses. Although the subject property is in the Rural Land Use Category and is within the Buckingham Planning Community, given the property's proximity to the County Incinerator to the west which is zoned IPD, medium density residential lots in the Urban Community directly to the east and the City of Fort Myers MU zoning to the south with a pending wastewater treatment plant, and the high density residential development to the west (Olympiad) the proposed change appears to be consistent and not detrimental to the surrounding community.

See the project narrative, Section I, for more detail concerning the justification for the request.

Included above in Section II is the request for reallocating the uses depicted in Table 1(b) to accommodate this request.

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

Given the subject property's location and prior use in the 70's as a County landfill, this property is ideally suited for Commercial and Industrial Development, uses greatly needed for the growing Lehigh Acres Community. Lehigh Acres, which is comprised of over 100 square miles of medium to high density residential development, has only one industrial park which is nearing build out and few large tract commercial opportunities. It has long been acknowledged that the Lehigh Acres Community has a severe shortage of industrial

and commercial property to serve its anticipated population. A fact the Board of County Commissioners recognized earlier this year when they passed Ordinance 06-04 to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and levels of need for tracts of land capable of providing commercial and industrial land uses for the community. Therefore, it is critical to Lehigh Acres' economic well being to look for opportunities to create additional industrial parks within its boundaries and/or adjacent to it.

The subject property fronts on a 2 lane arterial roadway (Buckingham Road) which is slated to be four-laned by 2020 and is located only three miles from I-75. Currently Buckingham Road does not exceed its level of service standard and is not anticipated to do so with the conversion of this property to commercial recreation, retail, office, and light industrial uses.

GOAL 2: GROWTH MANAGEMENT

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)*

To maintain the integrity of the non-urban categories and still meet the needs of the Lehigh Acres Community it essential to be able to amend the land use category for the subject parcel to Urban Community to enable commercial and light industrial development.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

The subject parcel is currently served by an adequate road system that is below the level of service standard and is also served by adequate utilities (water and sewer). A 6" diameter force main and 12" diameter water main have been extended by the City of Fort Myers to serve the Incinerator across the street. The City has stated that the project will be able to connect to water immediately and sewer in 2009 pending the development of the wastewater treatment plan currently under permit review locate directly south of the project. In addition, the property is also across the street from the existing Buckingham Park and is served by the Tice Fire District.

OBJECTIVE 2.4: FUTURE LAND USE MAP AMENDMENTS. *Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications.*

POLICY 2.4.1: *The County will accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Procedures, fees, and timetables for this procedure will be adopted by administrative code. (Amended by Ordinance No. 94-30).*

In accordance with this policy the applicant is requesting approval to amend the Land Use Map to put in place a Land Use that is more appropriate for the subject parcel given its location, past use as a landfill and need for commercial and industrial employment centers by the Lehigh Acres Community.

POLICY 2.4.4: *Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No, 00-22. 04-16)*

This application is driven by the shortage of commercial and light industrial land in and near the Lehigh Acres Community and is a direct attempt to contribute to the needs of the Lehigh community for employment centers. The 1,400 acres added to the Tradeport category doesn't directly benefit the Lehigh Acre Community and the existing Westgate Industrial Park is nearing build out.

GOAL 5: RESIDENTIAL LAND USES

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

The site is a former landfill making the property unable to support residential development from an environmental and marketing standpoint.

GOAL 6: COMMERCIAL LAND USES

Policy 6.1.1: *All applications for commercial development will be reviewed and evaluated as to:*

- *Traffic and access impacts are minimal given projected trip ends.*
  Access point are minimized and align with Buckingham Park and Neal Road. Only two access points are being requested for the entire 95.6 acres.

- *Screening and buffering can be provided to meet County standards.*
  The Master Concept Plan depicts buffers that exceed the County standards in all cases.

- *Sewer and water facilities are available, as well as all other utilities.*
  Sewer and water facilities are available through the City of Fort Myers. The property is actually in the FGUA utilities area and is not within Lee County's future Franchise areas for sewer or water. The Cities utilities run very close to the subject property with a six inch force main and 12 inch water main running to the Lee County incinerator adjacent to the west. The City has agreed the project can connect to the City water immediately and sewer in 2009 after the construction of the wastewater treatment currently in permit review by DEP located to the south of the project.

- *No residential uses adjacent to the project are impacted.*
  The commercial uses are located very far from any existing residential uses. The light industrial uses will be separated by a minimum of 220 feet (FPL easement and canal) and heavy vegetation from the existing homes to the east in Lehigh Acres.

- *Similar uses are located in the area.*
  Industrial uses are located north and west of the subject property. Commercial uses are not in the immediate area.

- *There are no environmental concerns with this property.*
  The site was a former landfill. There are not any conservation or preservation concerns, nor any wetlands or environmentally sensitive plant communities.

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.*

The property is located on an arterial. Neal Road is a county maintained minor collector and is adjacent to the northern boundary of the project. Alvin Avenue is a county maintained major collector located approximately 300 feet to the east of the project nearly abutting the eastern boundary of the project. The site development plan calls for a 60 foot wide road transecting the site from the Neal Road entrance south to the center of the project and then continuing west to the entrance of Buckingham Park on Buckingham Road. It is our belief that this will serve as an extension of Neal Road and the road serving Buckingham Park and assist the project with an additional location at an intersection of an arterial and collector. With this criteria the entire western portion of the site should fall "at the intersection" of an arterial and collector enabling the site from Neal road south along Buckingham Road to its southern border to fall under Neighborhood Commercial and support up to 100,000 square feet of retail commercial uses.

POLICY 6.1.3: *Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:*

- *provide visual harmony and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary services and facilities where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 00-22)*

The project intends to provide substantial screening and buffering as depicted on the MCP with 50 buffers and Type "F" plantings. The location of the project provides necessary services (commercial, industrial) to Lehigh Acres residents. The surrounding transportation network is adequate and in line to be expanded in the 2020 Financially Feasible Plan.

Policy 6.1.6: *The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.*

The project intends to adhere to all LDC requirements as well as those put forth by the Buckingham Community in the Lee Plan.

GOAL 7: INDUSTRIAL LAND USES

OBJECTIVE 7.1: *All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30)*

POLICY 7.1.1: *In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:*

1. *The development must comply with local, state, and federal air, water, and noise pollution standards.*
2. *When located next to residential areas, industry must not generate noise levels incompatible with the residential development.*
3. *Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.*
4. *Contamination of ground or surface water will not be permitted.*
5. *Applications for industrial development will be reviewed and evaluated as to;*
   a. air emissions (rezoning and development orders);
   b. impact and effect on environmental and natural resources (rezoning and development orders);
   c. effect on neighbors and surrounding land use (rezoning);
   d. impacts on water quality and water needs (rezoning and development orders);
   e. drainage system (development orders);
   f. employment characteristics (rezoning);
   g. fire and safety (rezoning and development orders);

h. noise and odor (rezoning and development orders);
i. buffering and screening (planned development rezoning and development orders);
j. impacts on transportation facilities and access points (rezoning and development orders);
k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);
l. Utility needs (rezoning and development orders); and
m. Sewage collection and treatment (rezoning and development orders). (Amended by Ordinance No. 00-22)

The property is ideally suited for complying with the above standards. The property is buffered from the adjacent residential property to the east by a 120' wide East County Water Control District Canal and by a 100' wide FP&L Utility Easement. The majority of the property to the south is zoned in the City of Fort Myers as Recreational Use and the balance is zoned Mixed Use which allows a variety of uses, including uses which are potentially more intensive than the current proposal. There is only a small amount of Agriculturally zoned property to the north and the balance of the property to the west of Buckingham Road is the County Park and Incinerator.

POLICY 7.1.2: *Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to:*

- *promote compatibility and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary facilities and services where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 98-09, 00-22)*

The project intends to provide substantial screening and buffering as depicted on the MCP with 50 buffers and Type "F" plantings. The location of the project provides necessary services (commercial, industrial) to Lehigh Acres residents. The surrounding transportation network is adequate and in line to be expanded in the 2020 Financially Feasible Plan.

POLICY 7.1.3: *Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips: and utilities: greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Amended by Ordinance No. 93-25, 94-30, 00-22)*

As stated above the subject property is located within 3 miles of I-75 via SR 80 (Immokalee Road) and Buckingham Road. The property is also directly adjacent to Lehigh Acres which allows it to directly serve the need of that community for industrial property. In addition, given the prior use of the property, it is not suitable or desirable for residential use.

POLICY 7.1.4: *The Future Land Use Map must designate a sufficient quantity of land to accommodate industrial development that will employ 3% of the county's population in manufacturing activities by the year 2010. A report will be prepared by county staff every two years to monitor the county's progress towards this employment goal. (Amended by Ordinance No. 93-25, 94-30, 00-22)*

The intent of the amendment is to further the goal of the County to reach the 3% manufacturing goal.

POLICY 7.1.5: *The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. (Amended by Ordinance No. 00-22)*

The need for the industrial park is immediate and the there are adequate services and facilities that can serve the property.

POLICY 7.1.6: *Land that is located outside of the Industrial Development, Tradeport, and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available, the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:*

a. *The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or*

b. *The parcel is located in the Intensive Development, Central Urban, Urban Community, General Interchange, Industrial Commercial Interchange, or University Village Interchange land use categories, and is zoned as a Planned Development. (Amended by Ordinance No. 94-30, 98-09, 99-18, 04-16)*

The intent is to amend the land use for the subject property to Industrial Development whereby making this policy not applicable.

POLICY 7.1.8: *Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Amended by Ordinance No. 00-22)*

The subject property will be adequately buffered in accordance with the Lee County Land Development Code. In addition the ECWCD Canal and FP&L easement along the eastern property line will further aid in buffering the property and an enhanced buffer is being offered along Buckingham Road (50 feet wide in lieu of 15 feet).

POLICY 7.1.9: *Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Amended by Ordinance No. 00-22)*

The subject parcel is located directly on a 2 lane arterial road and will not have direct access to any other road, including any residential local roads.

GOAL 11: WATER, SEWER, TRAFFIC, AND ENVIRONMENTAL REVIEW STANDARDS

Standard 11.1: Water
Standard 11.2: Sewer

Utility connections are available through the City of Fort Myers. Water immediately and sewer in 2009.

GOAL 39: DEVELOPMENT REGULATIONS.

Maintain clear, concise, and enforceable development regulations that fully address on-site and off-site development impacts and protect and preserve public transportation facilities. (Amended by Ordinance No. 98-09, 99-15)

OBJECTIVE 39.1: DEVELOPMENT IMPACTS. *The county will maintain and enforce development regulations to ensure that impacts of development approvals occur concurrently with adequate roads, and to achieve maximum safety, efficiency, and cost effectiveness. (Amended by Ordinance No. 99-15)*

POLICY 39.1.1: *New development must:*

- *Have adequate on-site parking.*
- *Have access to the existing or planned public road system except where other public policy would prevent such access.*
- *Fund all private access and intersection work and mitigate all site-related impacts on the public road system; this mitigation is not eligible for credit against impact fees. (Amended and Relocated by Ordinance No. 99-15)*

The project intends to adhere or exceed all LDC requirements.

POLICY 39.1.4: *Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided. (Amended and Relocated by Ordinance No. 99-15)*

Direct access to the project is on an arterial.

POLICY 39.1.5: *The Land Development Code will continue to require appropriate landscaping for developments abutting arterial and collector roads. (Amended and Relocated by Ordinance No. 99-15)*

The project plans to exceed the buffer requirements in terms of depth along Buckingham Road.

POLICY 39.1.6: *Through the zoning process, the county will direct high-intensity land uses to parcels which abut designated future transit corridors identified in Map 3C. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)*

While the location is appropriate for the uses requested, Lee Tran does not plan on providing service to Buckingham Road.

GOAL 53: POTABLE WATER INFRASTRUCTURE.

To ensure the public health, welfare, and safety by the provision of high-quality central potable water service throughout the future urban areas of unincorporated Lee County, and to ensure that the costs of providing facilities for the supply of potable water are borne by those who benefit from them.

OBJECTIVE 53.1: *The County will ensure the provision of acceptable levels of potable water service throughout the future urban areas of the unincorporated county. either directly by Lee County Utilities, or indirectly through franchised utility companies. (Amended by Ordinance No. 94-30, 00-22, 03-04)*

POLICY 53.1.1: *The Board of County Commissioners hereby establishes service areas for the Lee County Utilities water systems throughout which it will provide standard service as required by demand, and within which it will challenge applications by private water utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 6. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)*

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel. The City has agreed the project can connect to the City water immediately and sewer in 2009 after the construction of the wastewater treatment currently in permit review by DEP located to the south of the project.

GOAL 53: SANITARY SEWER INFRASTRUCTURE.

To protect the public health and environmental quality by encouraging and ensuring the provision of sanitary sewer service and wastewater treatment and disposal throughout the

future urban areas of the unincorporated county and to Fort Myers Beach. (Amended by Ordinance No. 98-09)

OBJECTIVE 56.1: *The comity will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies. (Amended by Ordinance No. 00-22)*

POLICY 56.1.1: *The Board of County Commissioners hereby establishes service areas for the Fort Myers Beach Iona sewer system, the South Fort Myers sewer system, the East Lee County sewer system, and the Matlacha sewer system throughout which it will provide standard service as required by demand, and within which it will challenge applications by private sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 7. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.*

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel. The City has agreed the project can connect to the City water immediately and sewer in 2009 after the construction of the wastewater treatment currently in permit review by DEP located to the south of the project.

SECTION III

AFFECTS ON ADJACENT LOCAL GOVERNMENT AND ITS COMPREHENSIVE PLAN

The subject property is located within the unincorporated portion of Lee County and is bound on the south by the City of Fort Myers. The adjacent City property although currently vacant is zoned MU which allows a wide variety of use upon approval through a public hearing process. The proposed amendment is unlikely to have an adverse impact on the City's properties.

SECTION IV

STATE POLICY PLAN AND REGIONAL POLICY PLAN GOALS AND POLICIES

State and Regional Policy Plans are consistent with the Lee County Comprehensive Plan and as such have been addressed.

Quattrone & Associates, Inc.

EXHIBIT A-1
PROPOSED TEXT CHANGES

WEBB BUCKINGHAM CPA (a.ka. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

TABLE 1(b)(Planning Community Year 2020 Allocations)

We are requesting a change in the Planning Communities Map 16 so that the subject property is removed from the Buckingham Planning Community and included within the Lehigh Acres Planning Community. Text changes include moving 96 acres out of Buckingham non-regulatory vacant land into Lehigh Acres regulated industrial and commercial allocations.

Justification
The subject property presents a unique location and characteristic. The property is the only parcel south of Buckingham Road to be included within the Buckingham Planning Community. All other property to south of the arterial is in either the City of Fort Myers or Lehigh Acres Planning Community. The Buckingham Special Treatment Area boundary established for the Buckingham Rural Community Preserve uses Buckingham road as the boundary leaving this property as an unconnected piece of rural land separated from the preserve and Buckingham Community by a major arterial and further separated by the Lee County Incinerator and Buckingham Park. The Lehigh Acres Planning Community description in the Lee Plan Vision describes the community area as *". . . generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line."* By all accounts this would seem to include the subject property. Likewise, the Buckingham Community Vision description seems to not include this land. *"This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve."* Moreover, the Board of County Commissioners has recognized the growing need to provide employment centers, commercial nodes and industrial land uses within the Lehigh Acres Community. Earlier this year they passed Ordinance 06-04 to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and levels of need for tracts of land capable of providing commercial and industrial land uses for the community.

Moving the subject property into the Lehigh Acres Planning Community and permitting the land use change to Urban Community helps rectify identified issues within the Lehigh Acres Community described in the Vision. *"Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services."* The move will also contribute to the solution sought by the community study by proving

commercial and industrial uses within the planning community reducing commute times roadway traffic burdens outside of the community.

Analysis

According to our analysis the current Future Land Use Category for the 95.6 acre subject property is Rural. Table 1(b) of the Lee Plan specifies that the Buckingham Community has only 57 acres allocated for Rural (Residential by Future Land Use Category). This means that the allocation for the former land fill did not go to a residential designation. The table also provides regulatory allocations to Industrial and Commercial. Nevertheless, in Buckingham only 18 acres for Industrial and 5 acres for Commercial uses were allocated. It is our conclusion that the Lee Plan did not allocate the subject property to a regulatory category.

Table 1(b) continues to break down the 11,255 acres in the Buckingham Planning Community to five non-regulatory categories: Public, Active Agriculture, Passive Agriculture, Conservation and Vacant. The properties status as a former land fill leads us to believe that the allocation would not have been either Agricultural category nor Conservation. We believe the allocation for the subject property has to be within the 2,114 Public acres or in the 1,278 Vacant acres. It appears that a large amount of land has been mapped as Public on the FLUM most of which is dedicated to public purposes as the Lee County Incinerator and Buckingham Park. The subject property does not have a current public purpose and is in private ownership; therefore, we believe that the allocation for the subject property is within the 1,278 acres of vacant land in the Buckingham Community.

Conclusion

We request that this category be reduced and redistributed to the regulatory category of Industrial and Commercial in the Lehigh Acres Planning Community as follows:

BUCKINGHAM			
Current Non-Regulatory Category Allocation		**REQUESTED CHANGE**	
VACANT	1,278 Acres	1,182 Acres	(-96 Acres)

LEHIGH ACRES			
Current Regulatory Category Allocation		**REQUESTED CHANGE**	
COMMERCIAL	452 Acres	490 Acres	(+38 Acres)
INDUSTRIAL	216 Acres	274 Acres	(+58 Acres)

The distribution to Commercial and Industrial is based on the master concept plan that depicts approximately 40% of the project for commercial purposes and 60% for industrial.

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

RECEIVED
AUG 15 2006
Cwm
3:35 pm

LETTER OF TRANSMITTAL

TO: Wayne Gaither
Planning

DATE: 15-Aug-06
PROJECT: Webb Buckingham (a.k.a Carlton Property)
JOB #: 050918
RE: **CPA2005-00002**

THE FOLLOWING ITEMS ARE BEING SENT VIA:

- [ ] FAX with page(s) to follow
- [X] Hand delivery
- [ ] U.S. Mail
- [ ] Federal/Airborne Express

Quantity	DESCRIPTION
6	Resubmittal response to insufficiency comments

REMARKS:

CC: File

FROM: Carmalita Dowling, Administrative Assistant

Please notify us at once if attachments are not as noted

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

RECEIVED
MAY 12 2006
COMMUNITY DEVELOPMENT

LETTER OF TRANSMITTAL

TO:	Peter J. Eckenrode	**DATE:**	12-May-06
	Lee County Development Services	**PROJECT:**	Webb Buckingham
	1500 Monroe Street	**JOB #:**	05-09-18
	Fort Myers, FL 33901	**RE:**	ReSubmittal
			CPA2005-00002

THE FOLLOWING ITEMS ARE BEING SENT VIA:

☐	FAX with page(s) to follow	☐	U.S. Mail
☑	Hand delivery	☐	Federal/Airborne Express

Quantity	DESCRIPTION
6	Response Letter, Copy of Denial, CPA App Package

REMARKS:

CC: File

FROM: Asheley Mass, Permitting Manager

Please notify us at once if attachments are not as noted

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33912
Tel: (239) 936-5222 • Fax: (239) 936-7228

RECEIVED
AUG 15 2006

CPA 2005-00002

July 19, 2006

Mr. Wayne Gaither
Planning
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

S: RESUBMITTAL IN REPONSE TO INSUFFICIENCY COMMENTS
PROJECT: CPA2005-00002
WEBB BUCKINGHAM CPA (a.k.a. Carlton Property)

Dear Wayne ~~Mr. Gaither~~,

Attached, please find a response to your June 26, 2006 insufficiency letter for the above referenced case. Included is a revised application and all materials that may have been altered due to the altered request for text changes and an additional map change. Also, included is one copy of the application with all text and exhibits highlighted in yellow that have changed for your reference.

SUFFICIENCY COMMENTS

An option to consider as part of your Comprehensive Plan Amendment, would be redefining the Planning Community Boundary (Map 16) between Lehigh Acres and Buckingham. Changing the Planning Community boundary will also require a text amendment making changes to the commercial and industrial regulated land totals allocated in Table 1(b). The roughly 95 acre site is outside of the Special Treatment Area established for the Buckingham Rural Community Preserve (Map 1, 2 of 5), which docs not require compliance with Goal 17.

RESPONSE: We have revised the application to include an amendment to Map 1 and 16. The changes to the application have been highlighted. The project narrative (Exhibit E 1-4) has been rewritten and is attached. Text amendments to Table 1(b) have been included within the narrative and as a stand-alone document (Exhibit A-1).

The following applies to Section 1 of the application.

B.2(a)&(b)
The analysis required in this section should respond to Policy 95.1.3 of the Lee Plan, that deals with level of Service Standards. The making the determination of an Equivalent Residential Connection (ERC) please review the *Department of Health, Chapter 64E-6, Florida Administrative Code Standards for Onsite Sewage Treatment and Disposal Systems.*

RESPONSE: Based on calculations the total expected water and wastewater treatment volumes will be approximately 90,555 GPD. See section B.2 of the application for more detail.

B.2(c)
The application states that the East County Water Control District can not commit to permit the site into the district. Can the Orange River Drainage Basin accommodated additional development How will historical drainage patterns be maintained if this site is developed?

RESPONSE: See section B.2(c) of the application.

B.3
Please provide letters from the listed agencies determining the adequacy/provision of existing/proposed support facilities for the site.

RESPONSE: Attached.

There were also changes to Administrative Code 13-7 that now places requirements that a notification needs to be sent to property owners within 500 feet of a CPA. To meet this requirement the applicant is now required to obtain a variance report from the Property Appraiser's Office (both hard copy and in digital format, preferably MS Word) including mailing labels. The applicant IS also responsible for prepaying the cost of mailing these notices. 'This must be done within 15 calendar days of finding the application sufficient.

RESPONSE: Attached. Sent the Word format via email.

Additionally, the applicant is responsible for posting a notice (provided by DCD) 15 calendar days before the LPA hearing.

RESPONSE: We will comply.

In addition to the above listed questions/concerns, prepared by the Division of Planning, your application was submitted to various agencies and divisions of Lee County Government responsible for a wide range of public services. Their comments are as follows:

Smart Growth: A concern was raised about the possibility of this site being a Brownfield site and if this possibility has been investigated. Please provide any information showing a background check was done, citing any agencies contacted.

RESPONSE: Attached information noting all brownfield sites within the region in text and map form.

County Attorney's Office: This property is in Buckingham planning community. Accordingly, pursuant to Objective 17.1, no land can be changed to a land use category more intense than Rural Community Preserve (including public facilities) unless a finding of "overriding public necessity" is determined by a majority of the Board.

The applicant has offered several reasons why a classification to Urban Community would be appropriate given its proximity to Lehigh and undesirable previous use as a land fill. However, without staff support of a finding of "overriding public necessity", I see no way the Board will make such a finding. Is staff prepared to argue/recommend a finding of "overriding public necessity" to support a change from Rural to Urban Community in this instance? The applicant, should probably specifically address this standard in the justification.

RESPONSE: *Upon guidance by staff we have revised our request to include not only a change from Rural to Urban Community, but also a change to Map 16 moving the parcel from the Buckingham Community to the Lehigh Acres Community. Please see Exhibit E-1 for a detailed write-up.*

Secondly, the parcel is in the FGUA franchise area. We know there is not capacity to serve the parcel. While the parcel is in close proximity to the City of Fort Myers utility, this does not mean the owners can simply hook up to the City utility. The application seems to hint that this will be the case! Is the applicant actively pursuing an agreement between FGUA and City of Fort Myers Utility to allow such an arrangement? More information is needed on this.

RESPONSE: The City of Fort Myers is able to commit to water serve at this time and sewer service in 2009 after the completion of the new wastewater treatment plant currently in DEP permit review located on the parcel abutting the southern border of the subject property. The letter from the public works department is attached as well as a more extensive write-up in section B2 of the application.

If you have any questions or need additional information, please call me at this office. I, of course, would be happy to meet with you and staff as necessary.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director

Attachments

FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

September 25, 2006

Fred Drovdlic, AICP
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912
Fax: 239-936-7228

Dear Mr. Drovdlic:

In response to your inquiry of September 21, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T:44S R:26E Section 19 (also known as parcel 19-44-26-00-00003.0000)

In interpreting the results of our search, please remember the following points:

- **Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.**
- **As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.**

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Ginny Jones
Senior Database Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
State SunCom: 205-6440
Email: *fmsfile@ dos.state.fl.us*
Web: *http://www.dos.state.fl.us/dhr/msf/*

BUCKINGHAM CONSERVANCY, INC.
A Florida Non-Profit Corporation
4931 Shady River Lane, Fort Myers, Florida 33905

September 11, 2006

RECEIVED
SEP 13 2006
COMMUNITY DEVELOPMENT

Paul O'Connor
Planning Director
Lee County
Post Office Box 398
Fort Myers, Florida, 33902-0398

Dear Mr. O'Connor:

We have learned that County staff intends to amend the Lee Comprehensive Plan to remove land from the Buckingham Planning District and include it in the Lehigh Acres Planning District.

The officers and directors of the Buckingham Conservancy have reviewed the situation and steadfastly oppose the extraction of any property from the Buckingham Planning District.

We sincerely hope that this matter can be resolved at the county level. Please let us know if there is anything our organization can do to assist you in establishing policy that represents the best interests of our community.

Respectfully,

Bill Burdette,
Vice President

copy: Officers and Directors, Buckingham Conservancy, Inc.
Board of County Commissioners
Department of Community Development Director Mary Gibbs
Lee County Zoning Director Pam Houck
Lee County Attorney David Owen
Mike McDaniel, Florida Department of Community Affairs

PRESIDENT
Chris Bundschu, 693-1000

VICE PRESIDENT
Bill Burdette, 936-1404

TREASURER / SECRETARY
Betsy Burdette, 694-4738

DIRECTORS

Don Blackburn	Sarah Clarke	Kerri Goldsmith	George Kaplinski	Bob Murray	Mike Rippe	Bruce Strayhorn	Dick Workman
931-9171	694-6261	561-5473	694-6261	985-1200	694-0451	334-1260	694-0101

Mike Scott
Sheriff

State of Florida
County of Lee

Mr. Fred Drovdlic
Quattrone & Associates, Inc...
11000 Metro Parkway, Suite 30
Fort Myers, FL. 33912

August 17, 2006

Dear Mr. Drovdlic:

The Sheriff's Office has reviewed your letter dated June 27, 2006 outlining your intention to request Lee County to consider a comprehensive plan amendment for the area of 9711 Buckingham Road in Lehigh Acres, Florida (the Webb Buckingham project). According to my staff, the amendment, if approved, will increase the future density of the property from vacant land to approximately 819,600 square feet of light industrial and commercial use office space and has a tentative start date of sometime in mid to late 2009.

If the proposed development follows that which you have discussed with my staff then the Sheriff's Office has no objection to this project and I am confident that we can provide an adequate "core" level of law enforcement services to the area. As is our policy, we evaluate from year to year the demand for law enforcement services based on a formula derived from our calls for service, size of the service population and optimal response times. As this project builds out we will factor its impact into our annual manpower review and make adjustments accordingly.

We look forward to further discussions on this matter as the development progresses. Please let us know if there are any significant changes in the projected density of the project.

Sincerely,

Mike Scott
Sheriff, Lee County Florida

TICE FIRE & RESCUE DISTRICT
FIRE PREVENTION & INSPECTIONS

Ted Ross Jr.
Fire Marshal
(239) 694-2380
www.ticefire.com

9351 Workmen Way
Ft. Myers, Fl. 33905
Fax (239) 694-7399

July 31, 2006

Quattrone & Associates
11000 Metro Parkway, Suite 27
Ft. Myers, FL 33912

Attn: Fred Drovdlic

RE: 9711 Buckingham Road

Dear Sir,

After reviewing the rezoning request for the building of up to 819,600 square feet of a mixed commercial and light industrial park, the Tice Fire & Rescue District does not object to the construction of this project. With the information provided about the specific types of occupancies that will be constructed, it is difficult to say what additional, if any, equipment will be required to support this project. We anticipate working with the developer as the project moves forward to address any conditions or needs. The district currently provides fire protection services to other industrial sites and parks located in the immediate area of this proposal. The district does reserve the right for future reference regarding the fire protection features as well as water supply and fire department access for this proposal. Anyone with any questions should feel free to contact me at 239 694-2380.

Respectfully,

Ted Ross
Fire Marshal
Tice Fire / Rescue District

05-09-1B
3.01

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901 • (239) 334-1102 • TTD/TTY (239) 335-1512

STEVEN K. TEUBER, J.D.
CHAIRMAN • DISTRICT 4

ELINOR C. SCRICCA, PH.D.
VICE CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

July 14, 2006

Ms. Iniavette Ramirez
Quattrone & Associates
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

Re: Comprehensive Plan Amendment and Rezoning
9711 Buckingham Road, Lehigh Acres

Dear Ms. Ramirez:

This letter is in response to your letter concerning the Comprehensive Plan Amendment and Rezoning of land located at 9711 Buckingham Road, Lehigh Acres. This proposed development is in the East Choice Zone of the District.

This development should have no impact on classroom needs based on the applicant's indication that this is a commercial project only and will not have any residential units.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239)337-8678.

Sincerely,

Ellen Lindblad, Long Range Planner
Planning Department

City of Fort Myers, Florida

Roger Powell Robinson, P.E.
2200 Second Street
Ft. Myers, FL 33902-2217
Telephone (239) 332-6822
Fax (239) 332-6604
rrobinson@cityftmyers.com

August 11, 2006

Al Quattrone
11000 Metro Pkwy., Suite 30
Fort Myers, FL 33912

Re: Parcel No.: 19-44-26-00-00003.0000
~~3410 and 3450 Hanson Street~~
Water and Sewer Availability

Dear Al:

SEWAGE PLANT AND COLLECTION LINES:
There is an existing 4" sanitary sewer force main approximately 1,100 feet west of your southwest property corner. The City's wastewater plant can provide treatment capacity for the above project under the below listed conditions. Any additional on-site collection lines, pump stations, and appurtenances needed to handle project flows must be installed by the owner.

WATER PLANT AND DISTRIBUTION MAINS:
Potable Water– There is an existing 12" potable water transmission main approximately 1,100 feet west of your southwest property corner. The City's water plant can provide treatment capacity to serve the above project under the below listed conditions. The owner must install any additional on-site water mains and appurtenances needed for adequate domestic water supply and fire protection.

RECLAIMED WATER TRANSMISSION/DISTRIBUTION MAINS:
There is an existing 12" reclaim water transmission main approximately 1,100 feet from your southwest property corner. The City's current reclaimed treatment capacity is committed. The City plans to be able to provide additional capacity for irrigation by the end of 2007. When capacity does become available, the property owner would be required to enter into a separate reclaimed user agreement that includes provisions for bulk storage and special handling of effluent. The owner must install all on-site distribution lines and appurtenances needed to handle project flows. Please be advised that separate potable water irrigation meters may be available for irrigation needs upon request.

CONSTRUCTION OF MAINS AND APPURTENANCES
In each case above, service is provided on a first come first served basis, upon receipt of a formal request for service, payment of all appropriate fees and charges, and approval of all

State and Local Regulatory Agencies. The owner will be responsible for the installation and/or upgrading of any off site sewer, water, and reclaimed water system mains or appurtenances required to meet Project and area wide needs.

JURISDICTIONAL AUTHORITY APPROVAL

Since your project is outside of the jurisdictional boundaries of the City of Fort Myers, you will need to provide a "Letter of No Objection" from the authority having utility jurisdiction (either FGUA or Lee County Utilities) before we can approve your connection into our system. In addition, there are special requirements in the City Code regarding "Service outside City" (Sec. 122-31).

Public Works will do a thorough evaluation of total sewage handling and water servicing when proper building plans are submitted.

Sincerely,

Roger P. Robinson, P.E., Design Engineer

Cc: Saeed Kazemi, P.E., Robert Erickson, E. I.

LOCAL PLANNING AGENCY

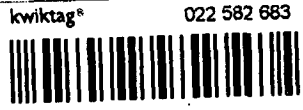
LEE COUNTY, FLORIDA

Transcript of proceedings had at the public hearings conducted by the Local Planning Agency, Lee County, Florida, at the Lee County Courthouse, Fort Myers, Florida, on January 5, 1993, commencing at 9:00 A.M.

MEMBERS OF THE BOARD:

Ralph Livingston, Chairman
Mary Finger
Donna Buhl
Carron Day
Greg Stuart
Ruth Kaune Baucom
Leonard Howell

kwiktag® 022 582 683



ALSO PRESENT:

Timothy Jones, Assistant County Attorney
Audrey Vance, Assistant County Attorney
Paul O'Connor, Community Planning and Redevelopment Division
Gloria Sajgo, Senior Planner

KATHERINE I. NOLEN
Official Court Reporter
Lee County Justice Center Complex
P.O. Box 1674
Fort Myers, Florida 33902-1674
(813) 334-6545 & 335-2240
FAX (813) 332-2913

COPY

I N D E X

AGENDA ITEM	PAGE
Ordinance 85-46	7
PAM 92-07	32
PAM 92-08	50
PAM 92-09	59
PAM 92-10	73
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PAM 92-12	128
PAM/T 92-13	164
PAM 92-14	188
PAM/T 92-16	193
PAM/T 92-15	214

on the 7th and 14th, we can use both days or one day. If it's only one day, I would prefer that it be the 14th because I'm afraid you won't have the data analyzed by Thursday.

THE CHAIRMAN: Well, we have 31, 32 amendments.

MR. O'CONNOR: It's actually 26, because we start with Number 7, because we've done six already this year.

THE CHAIRMAN: So we are approximately halfway through.

MR. O'CONNOR: I believe it should start accelerating considerably now that we've gotten through most of the privately initiated amendments.

MR. HOWELL: Mr. Chairman, would you break the news to them that we're quitting at four o'clock?

THE CHAIRMAN: Well, that's another thing. We're not going to go past -- whichever one we're on at four o'clock, we'll finish and that's it.

MR. STUART: Bankers' hours.

MR. O'CONNOR: I would imagine we can probably make it.

I mean, that's the story on 92-14 at this point in time.

The Alva people want to wait a little while, 92-15. We could move right ahead to 92-16. I think we could

get 15 and 16 and maybe 17 and 18 done today.

THE CHAIRMAN: I think we had better plan on the 7th.

MR. O'CONNOR: Okay, that sounds like a good idea.

THE CHAIRMAN: It's risky to assume we can do it all on the 14th.

MR. O'CONNOR: We'd have to hurry.

THE CHAIRMAN: That would be risky, so let's move PAM 92-14 to the 7th.

MR. O'CONNOR: 14 to the 14th?

THE CHAIRMAN: 92-14 we'll hear on the 7th of January.

MR. O'CONNOR: I'm afraid I won't have my recommendation ready on the 14th.

THE CHAIRMAN: Won't have it. We'll move it to the 14th.

MR. O'CONNOR: Okay.

THE CHAIRMAN: Now we'll go to 92-16.

UNIDENTIFIED SPEAKER: What happened to 15?

THE CHAIRMAN: There's a request from Rosa McCoy, the chairman of the Alva study committee, that there's one other person that they want to have here and he will be here shortly, so we'll do 16 and then come back.

UNIDENTIFIED SPEAKER: Are we definitely going to

hear it today?

THE CHAIRMAN: Yes, we're going to hear it today.

UNIDENTIFIED SPEAKER: You'll hear 15 today?

THE CHAIRMAN: Yeah.

UNIDENTIFIED SPEAKER: Thank you.

THE CHAIRMAN: Just don't keep us till 5:30 or 6:00 clock.

92-16.

MR. O'CONNOR: Mr. Chairman, Plan Amendment 92-16 was initially a privately initiated amendment; and the applicant at that time got in contact with his County Commissioner and the County Commissioner brought it up at a board meeting on I believe it was September 30th, it was right before the deadline, and initiated it as a board amendment, at which time I was allowed to refund the original applicant's money for the application.

PAM/T 92-16 deals with commercially zoned properties which are within the Buckingham study area, and what we have are two existing commercial uses. There's the Buckingham Bar is one of those uses, and then there's a restaurant. I believe it's called The Hut restaurant. There's also an additional piece of property that is zoned C1 and meets site location standards. It's on the corner of an arterial and a local road, which is also within the Buckingham preservation area; and, as you know, the commercial policy in the Buckingham preservation area only recognizes a single commercial node on the east side of Buckingham Road between I believe it's Cemetery Road and Orange River Boulevard.

Because of that, commercial node expansion of the two existing commercial uses or development of this other vacant C1 parcel would not be allowed under the

Buckingham plan amendment; and the application was to try and get back some of the commercial use to those properties to allow the existing uses to expand and to allow the vacant use to develop commercially.

I discussed with members of the Buckingham preservation committee what this problem was. They were supportive of the concept, and planning staff is supportive of trying to give back these commercially zoned properties the ability to expand their business or to develop.

The problem that I ran into is Goal 19, which is the goal specific for Buckingham, is very explicit in that it states that this goal and the policies and objectives underneath it and the land use map cannot be changed until we enter into the evaluation and appraisal report process. Initially, I thought that we could figure out some way to get around that; but as I studied it I came to the conclusion that we could not amend that portion of the plan.

As you remember, the Buckingham preservation committee got together because there had been several applications for land use amendments that were encroaching into the Buckingham area and their number one goal at the time was to see that this urban encroachment stopped in their area without them having

to look every year at the plan amendment cycles and come to all these meetings and watch it, so they set up their plan so that it would only be amended or allowed to be amended every four or five years when we do an evaluation and appraisal report.

That was a cornerstone of the Buckingham plan; and, as I evaluated this, the only solution that I could come up with would be to amend Goal 19 to take out that very key element of the goal and then amend the policy in the plan that discusses where commercial is allowed.

And I came to the conclusion that I could not recommend at this time that we amend Goal 19 because it was such an integral part of the original plan; and so staff's recommendation at this point in time is not to transmit this amendment and to wait until the evaluation and appraisal round of amendments, which will begin next September, in order to correct this problem.

THE CHAIRMAN: So you're recommending it not be transmitted?

MR. O'CONNOR: That's correct.

THE CHAIRMAN: Staff recommendation. Thank you.

Any questions of staff?

MR. HOWELL: What do the two businesses -- The Hut is one of them, apparently. Are they comfortable with

holding off for a couple of -- I would think they would. I don't know where they're going to expand at this point.

MR. O'CONNOR: To tell you the truth, I have not had any discussion with those two property owners. The property owner who initiated this amendment initially is Stewart Silver, and he is in the audience to discuss this. He is the owner of the C1 property that meets the commercial site location standards.

Under the plan, the -- as long as the two existing businesses maintain operation, that they would be grandfathered in, that was discussed in the Buckingham preservation study; but there was no real specific language that was added to the plan that reflected that.

THE CHAIRMAN: Any other questions?

This is a public hearing and is there anyone here who would like to address 92-16?

MR. SILVER: Very much so.

THE CHAIRMAN: Thank you.

MR. SILVER: For the record, my name is Stewart Silver. I am a citizen of the United States and a resident of Lee County; and, yes, I did initiate this plan amendment, took $2,500 -- I believe it was $2,500.

MR. O'CONNOR: I believe it was twelve.

MR. SILVER: Was it more?

MR. O'CONNOR: I believe it was twelve.

MR. SILVER: No. Then it escalated, because originally I applied for a map amendment and I found that I couldn't have a map amendment because I had to change the wording of Goal 19, so I had to go for a word amendment and that was another $1,200. It was almost $2,500.

And I came to speak in front of the County Commission one day and I told Ray Judah what happened and he said, "That was never our intent that the Buckingham rural preserve would happen to you," and I'll describe that for you right now if I may.

The amendment being considered today is here because the Board of County Commissioners directed Division of Planning, i.e., Paul O'Connor to change the Buckingham rural preserve land use on September 30th of 1992; and the Commission voted unanimously to change it. And the reason the Commission ordered the change is because they were made aware of the fact that the Buckingham rural preserve removed the commercial use on my property, which is zoned C1. It has been zoned commercial for a long time.

It's only 2.3 acres. It's on the corner of Buckingham Road and Eastwood Lane. I purchased the

property I guess about three or four years ago before they had a Buckingham rural land use preserve.

In my -- the reason I purchased it, I'm an auctioneer; and I hope some day to put a local country auction barn in that spot. I thought it would be kind of interesting to have an auction barn there, and C1 zoning would accommodate it; and as a matter of fact, when I purchased the property, before I purchased it, I got a letter from the zoning department certifying that the property could be used for commercial purposes.

Well, the Buckingham rural preserve land use change, which happened, I believe, in '91 and '92, allows only one commercial node; and my property is not in that commercial node. Therefore, I don't have any more commercial use on my property.

I won't go into the legal ramifications of that.

The head of the Buckingham rural preserve, Don Blackburn, admitted it was an oversight. He wasn't aware of it. Ray Judah admitted it was an oversight. He wasn't aware of the fact. Paul O'Connor admitted it was an oversight and he wasn't aware of the fact that I was losing my C1 zoning.

In his -- in the staff's report to you, they said the purpose of this amendment - in other words, the amendment that we're considering right now - is to

rectify the situation, which was simply an oversight. Another -- one area of existing but undeveloped commercial zoning was apparently completely overlooked. That's my property.

There was discussion that the existing commercial uses located outside of the proposed commercial center should be allowed to be grandfathered, so obviously the Buckingham rural preserve had discussed it. That was part of one of the things they wanted to do. However, the adopted goal, objectives and policy do not reflect the intent of the preservation committee to preserve those uses, so I guess never being urged by any property owners in the area, the Buckingham rural preserve didn't look out for my interest as well as the interest of The Hut or the Buckingham Bar.

And I promise I will be brief.

Okay. Now we get into the Catch 22. The Division of Planning was ordered to make a change by the Board of County Commissioners to correct a mistake; called it an oversight, but it was a mistake, and the planners admit that a mistake was made. The Goal 19, the wording says that there can't be any changes, so the planners aren't recommending my changes because even though it's a mistake they're not allowed to make changes.

Now, Tim Jones, who I asked to be here, who I'm glad to see is back again, said that Goal 19 is a policy and a policy can be changed. That's what Tim says. I believe Paul is at odds with Tim over that interpretation; but I don't want to put too many words in your mouth, Paul.

Now, I understand that the purpose of the Buckingham rural preserve was to stop being swamped by all the land use changes. I understand that. However, when I was brought up, I was brought up if you make a mistake and you know it's a mistake, you fix the mistake regardless of wording; and that's what I'm asking you people to do today, quite honestly, is to fix a mistake that was done to me.

Now, I would remind you and everybody here that the Constitution of the United States allows amendments or changes, because I believe the founding fathers believed they weren't perfect and they may have to change things. Maybe we could follow that precedent here.

Now, all that I'm asking to be done, I believe that two simple things could be done. Number one, that you amend Goal 19 to allow rectifying the existing -- rectifying either a mistake or an oversight so that you allow changes if there were oversights or mistakes or

you do a map change.

I'm right at the edge. I have urban community right across the street from me. Just do a map change around my property. That's it.

I want to thank you for your time and wisdom, and I promised the Alva sector committee that I would tell them -- I own approximately 175 acres of land in Alva, I've been a thorn in their side at every meeting, but I do agree with the Alva sector plan and I promised them I would tell them that, that I do agree with the Alva sector plan. I think you should ratify that, too.

Thank you.

THE CHAIRMAN: Just one quick question. Are you apparently right on the border of the Buckingham plan?

MR. SILVER: Yes, I am. I'm right on Buckingham Road.

MR. HOWELL: May I ask one also, one question? Is it your intent -- the reason you're quite feverish on this is because you want to put the auction barn in in the next year?

MR. SILVER: I want to have the ability. Times and tides change. This particular organization may change the way it feels next year.

And I have been -- I mean, somebody took a valuable piece of property and the worth of that property and

took it away from me and I'd like it to be placed back.

THE CHAIRMAN: Yes, Mr. Jones?

MR. JONES: Yes. For the record, Tim Jones, Assistant County Attorney.

I just want to make a couple of brief comments, just a minor clarification of what I did tell Stu.

I said that this was a policy matter, not a policy in terms of how we refer to policies under the comprehensive plan. It's not one of the -- it's a goal, but it's a policy matter in terms of a legislative policy issue with the Board of County Commissioners ultimately.

So legally can the board change Goal 19 that currently says you can't amend this particular sector plan for five years? Yes, they can change that. Should they do it? That's up to the board. It's up -- that's a policy question. It's not a legal issue.

Now -- and I -- the second point I'd like to make is that as I read the staff report I don't think the staff disagrees with that. I think what the staff has said is that they think that the policy issue, the legislative matter underlying the time restriction for any changes to the Buckingham sector plan was so important that it shouldn't be overridden.

I think that's what staff is saying. Correct me if

I'm wrong, but I think that's what they're saying. I don't think they're saying it can't be done. They're saying that if you want to approve this change you must also change the language in Goal 19 that restricts and limits any changes for a period of five years.

So if the board wishes to do that, it can be done. It's just a question of a policy issue.

MS. BUHL: Is there any provision in the Buckingham plan for correcting errors?

MR. JONES: Not that I'm aware of, no.

Paul?

MR. O'CONNOR: Not to my knowledge either, no.

MR. JONES: The only provision I know of for correcting errors such as this is the process we're in right now.

MS. BUHL: Thank you.

THE CHAIRMAN: Could we just accomplish this simply with a parentheses, stating that this change is instituted to correct an original error and not intended to modify the goal in any other way?

MR. JONES: I think that language could be crafted in that manner, referring to this change as being a correction of an error that is permitted within the five-year limitation period; but that change would have to be made to Goal 19 as a parenthetical change or some

other language change.

THE CHAIRMAN: I would think that maybe one sentence in parentheses could take care of it and not really change the content of Goal 19.

MR. JONES: I'm not sure one sentence would do, but it might. I have not been asked to draft the language yet, so I don't know how much language it would take to work on this.

What I would recommend that you do if you're interested in transmitting this change is that you recommend that the staff come up with the appropriate language and I'll work with them before it gets transmitted to DCA.

THE CHAIRMAN: Is there anyone else in the public who would like to address this amendment change 92-16?

No one. We'll move to the board.

Anyone have any creative thoughts?

MR. STUART: I have a question to Tim and also possibly a way out of this. He'll probably say no, but I'll throw it by you anyway.

But my question is this: If we are to actually amend that policy language, do we have to readvertise or can that be done within the context of what we're doing now?

MR. JONES: I think as long as it's advertised for

the Board of County Commission hearings it will be acceptable.

MR. STUART: Then could we possibly treat this as an interpretation issue, because listening to Paul, clearly it was the intent to adopt a policy to, you know, create a very explicit area for commercial growth which has been achieved. It was also their intent to keep everybody's vested uses.

Could it not be possible to take this through a legislative interpretation process which would kind of circumvent what we're trying to do right now? Because the intent's there, and he definitely has a legitimate problem here, and I do not see why he should have to wait a half a year to get into another process which would then be finished in another year. It just doesn't seem fair.

MR. JONES: Well, if you wish to accommodate this, you can include -- I think that's one way of approaching it. I hadn't really thought about that, but if I understand you correctly what you're suggesting is two things. One would be within the amendment itself to have the Board of County Commissioners indicate that this was a legislative correction of an error, it's not a change to the originally intended Buckingham plan. It's a correction

of an error that, had they been aware of it, they wouldn't have made at the time. So, in effect, it really is complying with the five-year limitation because you're not changing the plan.

That's one way to handle that.

I think the other issue you were talking about would have been to drop it out of the amendment process and do it through the annotation process in terms of a legislative interpretation of the plan. There is a process for that in Chapter 13 of the plan.

I would not recommend that process because of this map change at this time. I don't think it was intended to handle this kind of a change. It would be more appropriate to keep it in this process. It certainly would make it far more likely to withstand any kind of a challenge; and I think if I were Mr. Silver I would prefer to go through this process and get it changed properly than to go through another process that would carry more risk.

MR. STUART: Yes. And my first scenario would entail getting a clear interpretation from the board and then having that be -- having had that transmitted with everything else to the state, so by mid-summer or so, hopefully, this thing would be resolved.

MR. JONES: I think that it would be helpful if we

did it through this process the way you're talking about, to have some sort of confirmation from the group in Buckingham that handled this sector plan that they never really intended for this to happen anyway.

You understand there is an apparent problem with doing that, with calling it an error in that sense, because the map was pretty explicit at the time. I don't think there was any confusion about where the map was, so that militates against it, not ever having been intended to be included in the map. I think if you say conceptually had they known about the problem they wouldn't have included it in the map, that's a different story.

MR. STUART: Could have been faulty inventory. I don't know.

MR. JONES: It could have been, and I don't know that. I think it would be helpful to have some input from -- perhaps from the group that spearheaded the Buckingham sector plan amendments.

I don't know what their position is on this particular change. Paul may be able to tell you or Stu may be able to tell you.

MR. O'CONNOR: I have spoken with the former chairman of the Buckingham preservation committee on this, and he is also sympathetic towards the problem.

But when I came to the conclusion that the only way to amend the policy under Goal 19 would be to first amend Goal 19, he did not like that concept at all. So I sat in my little office and I thought and I thought and I thought of a way that I could accomplish what I want to accomplish in this, and alone I just -- I couldn't figure out a way to do it, and so that's why the staff report reads the way that it does today.

Now, we can get creative, I guess, and we can try and come up with some kind of a language change. Unfortunately, it's going to take a little bit more than just a parentheses, because I think in order to keep the commercial node concept intact in the area we need to keep the language that's in there establishing the one node and then we need to amend that same policy in order to recognize the two existing businesses and the third commercial zoned property in there, and I don't think we can do that so much with a footnote, has to be pretty explicit as to where these commercial properties are located, and that they are also commercial nodes within the Buckingham area. And that's why I came to the conclusion that that would be a substantial language change to the policy regulating commercial within the area, and I did not feel that I could make that kind of a language change without first

changing Goal 19, which was the cornerstone part of the plan, so I was in a cycle.

MR. STUART: Yes, I understand.

THE CHAIRMAN: I wouldn't feel comfortable changing Goal 19 without having the Buckingham group here and to work on this. It was their plan, you know. I wouldn't feel comfortable changing it unilaterally here today.

MR. STUART: Yes, and I do not subscribe to actually changing that policy. Again, what I think could be done is to request that the board make an interpretation of that action and then from a legal perspective, perhaps as part of the package, legally describe the three subject parcels and have that tied into the comp plan amendment package that's going to be submitted to the state.

THE CHAIRMAN: Are you talking about the annotative process?

MR. STUART: No. That was my fallback, that's an option number two; but, again, just take it to the board. What was the intent of this? Does this particular case meet that? If it does, then let's add the three legal descriptions or whatever you have to do to appropriately define these parcels and go forward on that basis.

I mean, it may be too simplistic. I'm not a

lawyer. But, again, I just can't see having to wait a year and a half ultimately to resolve this.

MS. BAUCOM: I think Tim ought to work out the wording and present it, to correct the mistake. It needs to be corrected.

MS. DAY: Our concern is that we want to correct it, then see if they can't figure out some way --

MR. JONES: If I understand correctly, the mistake we're talking about here with regard to Mr. Silver's property, as best as I can determine, the only mistake that would work or probably work here is that it should never have been included in the Buckingham preserve land use category.

As to the other two parcels, the other commercial parcels that are existing there, Paul, correct me if I'm wrong, but I think they were clearly intended to be included but to become nonconforming, grandfathered in. Ultimately, I think they assumed they would go away. So I don't think there was any mistake on those two parcels, unless I'm thinking about the wrong thing; but as to Mr. Silver's parcel, I think that was the area where there was a potential mistake and the mistake would be even including it in the Buckingham preserve area, so it should just be excluded out.

MS. DAY: And that would take care of his problem.

MR. JONES: That would take care of his problem. It doesn't address anybody else's problem, but I'm not sure we intended to address anyone else's problem.

MR. STUART: Which are two active businesses.

MR. O'CONNOR: And Mr. Jones is correct, those two businesses were identified in the preservation study and they actually used the term "grandfathered" on those businesses. So they're certainly allowed to maintain their operations, although, as a nonconforming use through the plan, they would not be able to change their use or to expand their use. And, again, in my interpretation of this, to take the parcel in question out of the study area is a change technically to the map, which Goal 19 tells me I can't do until the EAR.

MR. JONES: Yeah, I agree. You have to -- you would still have to change some language in Goal 19, I think, in order to make it clear and to make it solid in terms of the Silver parcel. You would still have to change something in Goal 19 that says even though we said it couldn't be amended, it can be amended to correct an error to exclude a parcel that should not have been included in the first place, or words to that effect. Now, if we're making a finding that it shouldn't have been included and if we find any other parcels that shouldn't have been included, we'll

exclude those, too.

Now, I don't know how that's going to go over with the Buckingham preserve group, but I don't know any other way to do it. If the board and the Board of County Commissioners wants to fix this problem by excluding this parcel from the Buckingham preserve, there's only one way to do it.

THE CHAIRMAN: That's change Goal 19.

MR. JONES: Yes, sir.

THE CHAIRMAN: It's beginning to look more and more like we're not going to be able to creatively solve this in the next five or ten minutes.

MR. O'CONNOR: Mr. Chairman, I do believe from what I just heard from Tim Jones that I think if we could open the door a crack but not remove the provisions of the policy or Goal 19 that restricts changes, my feeling on that, and I haven't discussed it with any of the members of the preservation committee, but I think that may be a solution that I really haven't explored completely yet.

Might I suggest, since we're going to be meeting on the 14th anyway in order to deal with 92-14, that I get in touch with those people, try and craft some language and come back up with the door open just a crack and assure that it can't fly open all the way.

THE CHAIRMAN: I think we definitely need to have the input from the Buckingham study group.

MR. HOWELL: Do you want a motion to that effect?

THE CHAIRMAN: A motion to move --

MR. HOWELL: I would so move that we make this a subject for meeting of the 14th.

THE CHAIRMAN: Is there a second?

MS. FINGER: Second.

THE CHAIRMAN: Second. Any objection to the motion?

MR. STUART: No, but it is my understanding that both you and Tim will be working on alternative language or just yourself and consult Tim?

MR. O'CONNOR: I solicit Tim's help as often as I can.

THE CHAIRMAN: So we're continuing this item to the 14th?

MR. O'CONNOR: Yes.

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LOCAL PLANNING AGENCY

LEE COUNTY, FLORIDA

Transcript of proceedings had at the public hearings conducted by the Local Planning Agency, Lee County, Florida, at the Lee County Courthouse, Fort Myers, Florida, on January 14, 1993, commencing at 9:30 A.M.

MEMBERS OF THE BOARD:

Ralph Livingston, Chairman
Mary Finger
Leonard Howell
Ron Inge

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ALSO PRESENT:

Timothy Jones, Assistant County Attorney
Paul O'Connor, Principal Planner
Gloria Sajgo, Senior Planner
Matt Uhle, Growth Management Coordinator
Thomas Kucharski, Division of Economic Development

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THE CHAIRMAN: Next we have 92-16 regarding the Buckingham area.

MR. O'CONNOR: Mr. Chairman, we looked at this amendment previously. I don't know that I have a clear resolution still at this point.

I know that the initial catalyst for this amendment, Stuart Silver, has worked with Tim Jones, the County Attorney. I know that Stu and I had talked about some possible language changes to Goal 19 in which we would add a parenthetical statement which said, "except to correct oversights and errors within that goal," which prohibits changing the map or the goal objectives and policies under it; and then we looked at adding a discussion in the policy regarding commercial which would specifically include Mr. Silver's parcel and the other two existing commercial developments out there.

When he spoke with Tim Jones, they came up with another possible alternative of just removing, putting in the parenthetical phrase in this goal which said, "except to correct errors or omissions," and then modifying the boundary of the Buckingham study to exclude Mr. Silver's parcel specifically, which is right on the edge of the boundary along Buckingham Road.

Mr. Silver may want to address you on this.

Either of those approaches can resolve this problem,

I believe; and I don't know, maybe after you hear from Mr. Silver, you may have a preference to which one we propose.

THE CHAIRMAN: Does anyone have any questions for Paul?

Okay. Is there anyone in the public who would like to address 92-16? Mr. Silver?

MR. SILVER: Yes. My name is Stuart Silver, and I am a citizen of Lee County and the United States in general.

I guess a really quick review, and I will be brief.

The purpose of the amendment was to correct an oversight. Unfortunately, the language of Goal 19, which is where my property is in the area which Goal 19 is governing, doesn't allow for changes. Again, the Constitution of the United States allows for changes through amendments but Goal 19 does not.

Paul came up with the idea. And I have got Goal 19 in front of me, I'm going to just go to the one, two, three, four -- the fourth sentence. It says, "Goal 19, including the following objections and policies and the designations on the future land use map shall not be amended until," and right in between "amended until," we were going to add the very small parenthetical expression, "except to correct oversights".

So Goal 19 will read, "It shall not be amended,

paren, except to correct oversights, close paren, until the 1994 five-year evaluation update." The language will continue.

Basically all we have to do is add four words and two parens to accommodate correcting the oversight that is on my property which is zoned C-1 but yet not allowed any commercial uses as per Goal 19.

Then the next thing that Paul recommended was modifying the wording on Policy 19.1.3 which specifically addresses a commercial node and which also specifically addresses the fact that I can't have commercial activity in my property. After we worked on the wording, I spoke to Tim; and Tim said rather than continue to change wording on this, which is not something that everybody's goal is to do right here, why don't we just do a map change and get your property out of the Buckingham rural land use preserve. And I thought about that and I said yeah, I like that. Let me get out of the Buckingham rural land use preserve, because apparently the people in Buckingham just don't want any commercial activities and prefer to drive miles and miles to obtain any services that they would get at a commercial use, and that's fine.

Then the question is what land use do we pick? Now, the property used to be in the rural land use, which all of Buckingham was in the rural land use. There's urban

community right across the street. If we let the land use on my property, which is 2.2 acres, to revert back to rural land use, then your map is going to -- I was going to come up with an image, it would look like a hamburger with a pea in the middle. My property will be the pea, the top roll of the hamburger will be Buckingham rural land use preserve and the bottom part of the roll will be Lehigh, which is zoned urban community.

So if you feel that that's consistent and good planning, then fine.

All I'm looking to do, quite honestly, is convert my land back to a use where I can use it, okay? If you think that it exhibits good planning by sending this to the DCA and they look at the hamburger with the pea in the middle, fine.

I think it would be probably more consistent to include me in the urban land use across the street; not only that, it would probably also make me feel a lot better, having spent a hundred hours of my life trying to correct this problem, and I have a feeling I have another hundred hours to go before I finally do correct it if I do. And that's my recommendation. I would like to be included in the land use when they do the map, use the urban that's right across the street from my property. If that's not possible, then I'll just take rural.

I basically, again, want to be able to use commercial uses on this property. That's the reason I bought it. I was told I could use it by the Department of Community Development when I bought it.

Thank you.

THE CHAIRMAN: Thank you.

MR. SILVER: By the way, in terms of computers, I was a computer program analyst for seven years. When it comes to computer estimates, if you take the time period and double it and add two weeks, you come up with a very good estimate of when it really will be available, so -- thank you.

THE CHAIRMAN: Tim?

MR. JONES: Tim Jones, Assistant County Attorney, for the record. I just thought I would try to give you the benefit of my reasoning when I was discussing this with Stu.

My understanding of the generation of this amendment in the first place was to cure what I understand even the people who were behind the support of the Buckingham preserve area considered an oversight. Had they understood the problem of Mr. Silver's property, they would not have included it within the Buckingham rural preserve.

To that extent, I would agree that it would be an

oversight. It was. Probably had it been brought to the attention of the Board of County Commissioners at the time, had Mr. Silver understood what was going on and had the board understood what was going on, they probably wouldn't have included it. They would have left it alone. At that time, that would have meant it would have remained rural land use category.

When this application came forward, it seemed to me that we were addressing some additional issues such as the existing commercial within the rural preserve. I may be wrong and Paul can correct me, but my understanding was that those existing commercial uses were in fact addressed by the community and their intention through the creation of the rural preserve was to essentially make those uses nonconforming with the understanding that probably some day they would disappear in favor of the commercial node that was specified in the rural preserve description.

That being the case, it would seem to me like it was not an oversight to include those in the prohibition in terms of commercial and nonconforming, so it wouldn't really be correcting an oversight to make those then appropriate locations for commercial. So I felt that it was only appropriate to address Mr. Silver's problem, leave those others for a future time if that's what the

board wants to do, and in terms of addressing Mr. Silver's problem, if in fact it is truly an oversight, then the appropriate thing to do would be to revert it back to the land use category that it was before the rural preserve was created as opposed to upgrading it to an urban land use category.

At this time, I don't think we would really have any data, analysis or research to justify changing the land use category to urban. However, if we look at this as an oversight that was never really intended and wouldn't have been intended to be rural preserve, then putting it back to rural puts him back in the position he was before that amendment was created; and I think that's probably the most appropriate thing to do.

One of the reasons why I was concerned about amendments to the other policy in terms of the commercial node situation was because that policy is much more complex and it deals with limitations, total limitations on the number of square feet of commercial within the Buckingham preserve area. If we started to adjust that, we're really just arbitrarily adjusting numbers at this point; and I think that would likely be a mistake. That's why I think the cleanest thing to do if in fact this is an oversight is to call it an oversight and revert it back to what it was.

THE CHAIRMAN: Any questions?

MR. HOWELL: Yes. What you're suggesting is we do put some wording in, "except to correct an oversight"?

MR. JONES: Yes, sir.

MR. HOWELL: It would be singular, then?

MR. JONES: I don't think it really matters whether it's singular or plural. I really don't. Whether you consider one oversight -- we may discover there were other oversights. I pretty much doubt that, but --

MR. HOWELL: How would you -- under, "except to correct oversights," then, how do you implement your returning it to rural?

MR. JONES: Well, the way to implement that is then with a map change. There's no real text to doing a map change. It's just that you vote today to transmit that textual change and a map change that would recolor Mr. Silver's property rural instead of rural community preserve. Or redesignate is a better term.

If you wish to, you could actually limit this language that makes the oversight; and I think, Mr. Howell, what you were speaking to is probably the desire to limit the ability to change to this one change. If that's what you wish to do, and it's probably not a particularly bad idea at this time, we could put language in there that would say, "except to correct an

acknowledged oversight for the 2.2-acre parcel on" -- what is it, on the south side?

MR. O'CONNOR: North side.

MR. JONES: (Cont'g.) -- "north side of the rural community preserve."

MR. O'CONNOR: North side of Buckingham Road, south side of the preserve.

MR. JONES: That would then limit the ability to this one parcel.

I think we probably would have noticed any other problems by now if there were any, so you're probably right. It may be worthwhile just to make that notation to change this one parcel.

THE CHAIRMAN: I think if we're going to change wording, we should make it specific. There's no sense in writing a policy and then having a loophole in there that negates the whole function of the policy to begin with.

MR. JONES: It certainly would probably give more comfort to the people in Buckingham who generated this sector plan.

THE CHAIRMAN: I think that rather than change the wording at all, I feel that if a landowner does not want to be part of the Buckingham plan and the Buckingham plan people are agreeable, then why not just make a map change and take his parcel out of the Buckingham preserve area

and he will just revert to what it was before without changing the wording at all. Seems to me that's most the logical thing to do.

MR. JONES: Well, it really isn't illogical. I think we just have a problem here of the chicken and the egg situation. I think it is probably more appropriate to specify in there what we have done.

We're not trying to hide it, so I think it should be stated.

THE CHAIRMAN: He would still be in the Buckingham preserve area then.

MR. JONES: I'm talking about putting language in Policy 19 or Goal 19, rather, that says because Goal 19 says we can't amend it and logically we're amending it. So I think we need to change Goal 19 to say that we can amend it except for this one parcel that should not have been included.

We don't necessarily need the specific language today. If you agree with that concept, we can put this specific language together and send that to the board. But that's -- I think that's what Mr. Howell was alluding to, that we limit the language to this one parcel.

THE CHAIRMAN: I think that's wise, a good suggestion.

MR. JONES: And that would be the only textual change

to Goal 19 and its policies.

THE CHAIRMAN: Any other questions? Is there anyone else in the public who would like to address 92-16?

Back to the board.

Anybody have a motion?

MR. HOWELL: Mr. Chairman, I move we transmit 92-16 with the addition of, quote, "except to correct an oversight," and at that point define the property that's involved with the oversight and to modify the map plan to reflect the 2.2-acre parcel as remaining rural rather than rural preserve, using whatever words necessary to accomplish that.

MS. FINGER: I second.

THE CHAIRMAN: Moved and seconded.

Any discussion on the motion? Are there any objections to the motion?

Motion carries, four-zero.

Why don't we take a short break, about ten minutes?

(Whereupon, a brief recess was taken.)

MR. UHLE: For the record, my name is Matt Uhle; and I'm here as sort of a volunteer member of the planning department. I'm not here in my capacity as growth management coordinator; I simply sort of hired myself out to planning because they had a staffing problem and needed help.

THE CHAIRMAN: Matt, are you referring to 92-22?

MR. UHLE: Yes.

THE CHAIRMAN: I have had a request from Mary Finger here to see if we can go to 92-26 next because Tom Osterhout is here and he can't stay long. Is that all right?

MR. UHLE: Well, it's going to work out that I have sat here -- well, it doesn't matter. My three are going to be the last three.

THE CHAIRMAN: Okay, sorry. Is that okay with the board to go to 92-26 next?

MS. FINGER: It will be very brief.

THE CHAIRMAN: Okay, this will be quick.

PAM/T 96-13
BoCC SPONSORED
EAR ADDENDUM AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585

June 3, 1998

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
PAM/T 96-13

✓	**This Document Contains the Following Reviews:**
✓	**Staff Review**
✓	**Local Planning Agency Review and Recommendation**
✓	**Board of County Commissioners Hearing for Transmittal**
✓	**Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report**
✓	**Board of County Commissioners Hearing for Adoption**

ORIGINAL STAFF REPORT PREPARATION DATE: October 27, 1997

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map Series, Maps 16, the *Year 2010 Overlay Sub-districts*, and Map 17, the *Year 2010 Overlay Map*, and Future Land Use Element Policies: 1.1.1, 1.1.9, 1.3.5, 1.7.6, 2.1.3, and 2.2.2, converting the Lee Plan's planning horizon to the year 2020, deleting current overlay sub-districts, creating new community based planning districts, and allocating land uses through the Year 2020.

B. BACKGROUND INFORMATION

This amendment was initiated by the Board of County Commissioners on February 1, 1996. Staff brought this item forward to address concerns that if the existing 2010 Overlay, proposed for elimination through the Evaluation and Appraisal Report (EAR) process, were to remain in effect the allocations in the overlay would need to be revised. Staff's primary concern was that since its initial conception the 2010 baseline data had been found to be less than acceptable and a reevaluation was needed. Also, the Overlay had not been periodically updated as anticipated by Policy 1.7.6 and needed a reevaluation.

Final Order No. AC-96-11 was issued on July 25, 1996. The Final Order specified that the 1994 EAR based amendments, which proposed the deletion of the Year 2010 Overlay, were not

in compliance with Chapter 163, Part II, F.S., and Rule 9J-5, FAC. The Final Order required Lee County to rescind, and not make effective, all of the amendments which sought to delete the Year 2010 Overlay, to bring the remaining plan amendments as a whole into compliance. Therefore, the Year 2010 Overlay remains a regulatory requirement of the Lee Plan. This fact brings to the forefront the issue of the problems inherent in the overlay and the time horizon conflict between the 2010 Overlay and the 2020 based Lee Plan

C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit this proposed amendment to the Future Land Use Element and the Future Land Use Map Series. Future Land Use Map 16 is to be replaced with the attached Map 16. Future Land Use Map 17 is deleted and held in reserve. A new table, Table 1(b) Acreage Allocation Table, will replace the function of Map 17. The text of the Future Land Use Element should be amended as follows:

POLICY 1.1.1: The Future Land Use Map contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Maps 16 and ~~17~~ Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year ~~2010~~ 2020. No ~~final~~ development orders or extensions to ~~final~~ development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for ~~any land use category on these maps~~ residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, and Sanibel are depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1. (Amended by Ordinance No. 94-29)

POLICY 1.1.9: The University Community land use category provides for Florida's 10th University and for associated support development. The location and timing of development within this area shall be coordinated with the development of the University and the provision of necessary infrastructure. All development within the University Community shall be designed to enhance and support the University. In addition to all other applicable regulations, development within the University Community shall be subject to cooperative master planning with, and approval by, the Board of Regents of the State University System.

Prior to development in the University Community land use category, there shall be established a Conceptual Master Plan which includes a generalized land use plan and a multi-objective water management plan. These plans shall be developed through a cooperative effort between the property owner, Lee County, and South Florida Water Management District.

Within the University Community are two distinct sub-categories: University Campus and the University Village. The University Window overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed use centers. Overall average density for the University Village shall not exceed 2.5 units per acre. Clustered densities within the area may reach fifteen units per acre to accommodate university housing. The overall average intensity of non-residential development within the University Village shall be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to ~~the Year 2010 Overlay~~ Map 16 and Table 1(b). Specific policies related to the University Community are included within the Lee Plan under Goal 18. (Added by Ordinance No. 92-47) (Amended by Ordinance No. 94-30)

POLICY 1.3.5: The University Village Interchange land use category is designed to accommodate both interchange land uses and non-residential land uses related to the University. Development within this interchange area may or may not be related to, or justified by the land use needs of the University. Land uses allowed within this area include those allowed in the Industrial Commercial Interchange category and the associated support development allowed in the University Village. The overall average intensity of non-residential development shall be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to ~~the Year 2010 Overlay~~ Map 16 and Table 1(b). See the definition of Associated Support Development in the Glossary. Cooperative master planning and approval by the Board of Regents shall be required prior to development within this land use category. Additionally, any development within this land use category which meets or exceeds the Development of Regional Impact thresholds, either alone or through aggregation, shall conform to the requirements of Chapter 380 F.S. (Added by Ordinance No. 92-47) (Amended by Ordinance No. 94-30)

POLICY 1.7.6: The ~~Year 2010 Overlay~~ Planning Communities Map and Acreage Allocation Table (see Maps 16 and ~~17~~ 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 ~~2010~~ 2020. Acreage totals are provided for land in each ~~subdistrict~~ Planning Community in unincorporated Lee County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage totals for ~~any land use category~~ residential, commercial or industrial uses ~~on these maps~~ contained in Table 1(b) to be exceeded. This policy shall be implemented as follows: (Amended by Ordinance No. 94-29)

1. For each ~~2010 Overlay subdistrict,~~ Planning Community the County shall maintain ~~or generate, as needed, records showing all final development orders, building permits and certificates of occupancy issued within the last twelve (12) months~~ a parcel based database of existing land use. ~~No later than September 30, 1994, the County shall have generated a baseline of existing developed acreage in each 2010 Overlay subdistrict.~~ The ~~baseline~~ database shall be periodically updated at least ~~once every twelve (12) months~~ twice every year, in September and March, for each ~~2010 Overlay~~

~~subdistrict~~ Planning Community. ~~The first comprehensive updating shall occur on or before September 30, 1995.~~

2. Project reviews for ~~final~~ development orders shall include a review of the ~~predicted amount of existing Overlay~~ capacity, in acres, that will be consumed by buildout of the development order~~to be permitted at buildout~~. ~~Subsequent to the effective date of this provision, no final~~ No development order, or extension of a ~~final~~ development order, shall be issued or approved if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table ~~is greater than the acreage remaining in the updated 2010 Overlay subdistrict (Maps 16 and 17~~ regardless of other project approvals in that ~~overlay subdistrict~~ Planning Community.

3. No later than the regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, and every five years thereafter, the County shall conduct a comprehensive evaluation of the ~~2010 Overlay~~ Planning Community Map and the Acreage Allocation Table system, including but not limited to, the appropriateness of land use distribution ~~in the Overlay~~, problems with administrative implementations, if any, and areas where the ~~overlay~~ Planning Community Map and the Acreage Allocation Table system might be improved.

POLICY 2.1.3: All land use categories and ~~Year 2010 Overlay districts~~ Planning Community Map areas permit the consideration of churches and schools (except in Wetlands and Airport Noise Zones), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations. (Amended by Ordinance No. 94-30)

POLICY 2.2.2: Map 1 of the Future Land Use Map series indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the county's growth over the coming 26 years. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:

1. W~~w~~hether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and

2. W~~w~~hether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and

3. ~~W~~whether a given proposal would result in unreasonable development expectations which may not be achievable because of acreage limitations ~~on the "Year 2010 Overlay"~~ contained in the Acreage Allocation Table (see Policy 1.7.6 and Maps 16 and ~~17~~ Table 1(b)).

In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 70.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Amended by Ordinance No. 94-30).

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** As stated in Part II Section B. Conclusions, of this report the following facts support this proposed amendment:

- The current Year 2010 Overlay system was not based on an accurate existing land use inventory;
- Projecting accurate long range future land use into small geographic is extremely difficult and does not constitute a good planning practice;
- The original boundaries for the Year 2010 Overlay sub-districts were erroneous, often crossing property or development lines;
- Elimination of the Year 2010 Overlay is not practical at this time;
- The planning horizon of the 2010 Overlay is not consistent with the horizon of other comprehensive planning efforts.
- Major modifications to the overlay should be considered for adoption;
- Larger, community based planning districts should be utilized and the proposed new Map 16 should replace the current map;
- The previous EAR population projections have been shown over time to be too high;
- The BEBR Mid-Range population projection for the year 2020 are the most appropriate projections and should be used for the county's planning efforts;
- Planning staff has created a reliable parcel based database of existing land use, suitable for tracking development patterns;
- Utilizing a 25% buffer above the expected incremental increase in population is an accepted planning practice;
- Planning staff has performed an in-depth evaluation of future land use needs and concludes that, for a planning horizon of 2020 the county should use the proposed Table 1(b) Acreage Allocation Table as a replacement for Map 17;
- The regulatory aspect which limits Residential, Commercial, and Industrial should be retained; and,
- The regulatory aspect which limits Parks and Public, Active and Passive Agriculture, Vacant, and Conservation acres should be eliminated.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Origin of the Year 2010 Overlay

The original 2010 Overlay was a result of the 1989 Settlement Agreement with the Department of Community Affairs (DCA). This agreement required the County to amend the Future Land Use Map Series by designating the proposed distribution, extend, and location of the generalized land uses required by Rule 9J-5.006(4)(a)1.-9 for the year 2010. This was accomplished by creating 115 sub-districts, generally nesting within the existing adopted Planning Districts, and allocating projected acreage totals, for each generalized land uses, needed to accommodate the projected 2010 population. Policies were added to the plan that provided that no development approvals would be issued in a sub-district that would cause the acreage total set for that land use category to be exceeded. The Overlay, in plain terms, was a device designed to reconcile the population accommodation capacity of the Future Land Use Map (estimated to be 70 years in 1989) with the 20-year time frame in the text of the element. It was also designed to provide more certainty as to the extent and location of future commercial and industrial development.

The Methodology Behind the Year 2010 Overlay

Residential acreage allocations were derived by projecting dwelling unit control totals for the year 2010 for each of the County's 15 planning districts. These units were then distributed into the sub-districts following an analysis of existing units, and buildout units for each sub-district. Units were changed to acres by applying a density factor based on land use category. Unfortunately, the base data for existing dwelling units was unreliable. The county did not have adequate data on any existing land use. This lack of an accurate inventory made it extremely difficult to project accurate needs and required acreage figures. In addition, there was no safety or flexibility factor included in the residential projections.

A Countywide commercial acreage figure was established by a consultant. Alternatively, socio-economic data from the metropolitan Planning organization was used equated to existing acreage resulting in an employee per acre figure. A straight line projection was made by Planning District. These figures were then disaggregated into the sub-districts.

Industrial allocations were based on the acreage figures for the Industrial Development, Industrial Interchange, Airport Commerce, and Industrial/ Commercial Interchange categories and the employment goal in Policy 7.1.3. All of these figures were reviewed in light of data generated in other studies and the inventory of existing uses in an effort to make the final figures consistent with reality.

Problems with the Implementation of the Year 2010 Overlay

The Year 2010 Overlay has been exceptionally difficult to administer. Some of the initial problems experienced by the staff included the inadequacy of the original inventory, the lack of a reliable existing land use database, and difficulty in explaining the concept and regulatory nature of the overlay to the public. A major effort has been directed at resolving some of these problems. The establishment of a reliable database identifying the current baseline of uses was essential for the establishment and monitoring of a workable overlay. There are some issues with the existing overlay, however, that probably cannot be resolved in a principled and satisfactory manner. These include:

1. Sub-districts proved to be too small to allow needed flexibility. The average sub-district size is 4,000 acres (not including those totally located within one of the municipalities;

2. The sub-district boundaries, originally based on traffic analysis zones, are erroneous. Many existing and proposed developments (even parcels) cross sub-district lines;

3. The treatment of quasi-public uses, such as churches and schools;

4. The treatment of recreational facilities in residential developments;

5. The treatment of platted subdivisions with existing roads, but few houses;

6. The treatment of mineral extraction;

7. The treatment of DRIs with lengthy buildout periods;

8. The treatment of large lot developments and in general developments that are vastly different from the assumptions in the Lee Plan; and,

9. The apparent need to prohibit conservation, agricultural and recreational uses that exceed the acreage thresholds.

It was possible to devise rules to deal with all of these situations; these rules, however, are relatively arbitrary and provide the County with little valuable information for infrastructure planning purposes.

The commercial allocations have caused the most controversy, due to the speculative nature of the employee projections, the inaccurate data in the initial inventory, and the absence of alternatives to the crude straight-line averaging of the existing and buildout employees per acre ratios described in the previous section. Some of the allocations in the Overlay were inadequate to accommodate even the existing uses, and others have been exceeded as the result of a single zoning case or development order application. The County has responded to the capacity deficits by delaying the legal effectiveness of the overlay until the last point permitted by the 1989 settlement agreement. Procrastination, however, will not solve the problem; it may, in fact, make it worse by increasing the expectations of the affected property owners and financial institutions.

The sub-districts used for the allocations in the Year 2010 Overlay have proved to be very problematic. Of the 115 sub-districts, 10 contained no unincorporated lands and therefore have no land use allocations. Of the remaining 105 sub-districts, 22 exceeded their residential allocation with 77 exceeding at least one residential allocation in one of the Future Land Use Categories. Additionally, of the remaining 105 sub-districts, 40 exceeded their industrial allocation, 12 exceeded their commercial allocation, and 80 exceeded their Parks and Public allocation.

Proposed EAR Elimination of the Overlay

In response to the shortcomings in the Year 2010 Overlay, the County, as part of its Evaluation and Appraisal Report (EAR) amendments, proposed the elimination of the overlay. The DCA took strong

opposition to this proposal and found the amendment not in compliance. The finding of non-compliance also included several other objections to the proposed EAR amendments. By far the main point of contention was eliminating the overlay. Upon completion of the Administrative Hearing and issuance of the Recommended Final Order by the Hearing Judge, the County and DCA entered into negotiations to resolve the remaining issues. There were several meetings and some progress was made, but ultimately a mutually agreed upon settlement could not be reached. The case went before the Governor and his Cabinet and the Final Order specifically required the County to keep the overlay. Final Order No. AC-96-11 was issued on July 25, 1996. The Final Order specified that the 1994 EAR based amendments, which proposed the deletion of the Year 2010 Overlay, were not in compliance with Chapter 163, Part II, F.S., and Rule 9J-5, FAC. The Final Order required Lee County to rescind, and not make effective, all of the amendments which sought to delete the Year 2010 Overlay to bring the plan amendments as a whole into compliance. Therefore, the Year 2010 Overlay remains a regulatory requirement of the Lee Plan.

The Final Order did recognize that the Year 2010 Overlay was not the only mechanism to address the issues at hand. The order states this "determination does not mean that Lee County must retain the 2010 Overlay indefinitely, or that the 2010 Overlay is the only planning tool appropriate for Lee County. The 2010 Overlay can be deleted from the Lee Plan if alternative planning controls are established to compensate for the deletion of the overlay." This is exactly what this proposed amendment is intended to do.

During the negotiations the County and DCA had several discussions on appropriate alternatives to the overlay. There were several themes the department felt were necessary components of an alternative. The department felt strongly that communities should be utilized as planning areas, a concept that planning staff agrees with. Regarding mixed-use categories, it was the department's belief that percentage distribution between uses was the best way to regulate the mix. They did concur that the acreage limitations contained in the overlay were a way to satisfy this requirement. The department was also concerned with hurricane evacuation and the population at risk. As these negotiations continued the County and DCA found much common ground. Every attempt has been made in this proposed replacement to the Year 2010 Overlay to address all of the departments concerns.

Proposed Amendment to Replace the Year 2010 Overlay

The goal of this amendment is to configure a replacement for the Year 2010 Overlay that will address many of the identified shortfalls of the overlay yet keep the Lee Plan in compliance with the minimum criteria rule and Florida Statutes. Many of the issues that were discussed during the negotiations mentioned above are being incorporated. The new proposal has three basic tenets: to simplify the overlay by reducing the number of districts; to expand the planning horizon to the year 2020 to be consistent with the rest of the plan; and, to utilize the Bureau of Economic and Business Research (BEBR) Mid-Range 2020 population projections replacing the projections from the EAR.

Perhaps the biggest problem with the overlay is the large number of sub-districts. A large number of sub-districts translate into geographically small districts. Long range planning on small and numerous geographic areas is close to impossible. The Planning Communities Map proposed to replace Map 16 identifies 20 distinct areas within the County. The number and size of the districts was the subject of much debate. The number should be small enough to avoid the long range planning allocation problem yet large enough to assure some certainty in the location of the controlled uses. Planning staff brought

a preliminary map to the Local Planning Agency (LPA) in the spring. After discussion the number 20 was agreed upon. One LPA member suggested the phrase "20 for 2020" as a promotional tool. The proposed replacement for Map 16, is a reasonable consensus which should help resolve the Year 2010 Overlay problems and still serve to provide a level of certainty.

Map 17 of the original overlay was initially intended to provide a graphic representation of the development potential of each sub-district. The map, which is not a map at all, fell horribly short of this aspiration. While it was refined over time to better perform this task, it makes sense to call it what it is, a table with acreage limitations in it. Therefore, this amendment proposes to eliminate Map 17 and add a new table, Table 1(b) Acreage Allocation Table, to the Lee Plan.

B. METHODOLOGY

Population

The Division of Planning conducted a review of its adopted population projections from the Evaluation and Appraisal Report (EAR) against the annual population estimates from the Bureau of Economic and Business Research's (BEBR) for the years since the EAR projection was adopted. This review showed that the EAR population projections were exceeding the annual population estimates. The EAR projections were completed in 1993 and included population projections for every half decade. By 1995 these projections were exceeding the annual BEBR estimate by more that 10%. Planning Staffs review also showed that the EAR projections were between 25% and 35% higher that the BEBR projections by the year 2020.

The estimates done by staff in the spring of 1997, which included four more years of historical data, showed that Lee County's population growth projections were more closely following the BEBR "Mid-Range" population projections. The BEBR "Mid-Range" projections are also being used by other agencies and by other County divisions to develop long range plans. Most notable would be the MPO's intention to use these numbers for the update of the 2020 Transportation Plan. Therefore, the Division of Planning has based the re-evaluation of the Year 2020 Overlay on the BEBR Mid-Range population projections.

Residential Use

The BEBR population projection of 602,000 is being used as the countywide control total for residential use. The goal was to distribute this figure into the newly created Planning Communities in a rational and defensible manner. To assist planning staff in this effort a sophisticated spreadsheet was developed. Utilizing the existing land use database, dwelling unit counts for each Planning Community were determined and entered into the spreadsheet. Due to the very nature of the various communities, population characteristics will vary. Planning staff compiled certain demographic components for the individual Planning Communities and evaluated them for inclusion in the spreadsheet. These components were persons per household and occupancy rates. While staff recognized that differences in persons per households (PPH) exist between the 20 Planning Communities, a reliable trend could not be formulated for each of the communities. Limitations with census geography and changes in census methodology over time were hindrances in the effort to produce a reliable PPH estimate for each community. Therefore, staff felt it was appropriate to utilize the countywide PPH estimates from the Persons Per Household Study completed for the latest Lee Plan Evaluation and Appraisal Report. Staff was better able to collect occupancy rate information from the

census for each community. A greater level of confidence was obtained from utilizing the different occupancy rates for each community. Unlike the PPH estimates, which varied greatly between the various census data for some communities, the community occupancy rates were generally consistent and summed at or near the county average for each census. Therefore, staff felt comfortable in establishing a weighted average for occupancy rates for each community. As a reality check, the variables, by community, were applied to the 1996 units and that generated population was compared to the BEBR 1996 estimate. The figures were within a percentage of each other, validating the spreadsheet methodology.

The next task was to generate unit projections for each community for the year 2020. To start, the population projections for the City of Cape Coral, City of Fort Myers, and City of Sanibel were directly input from information provided to the Division of Planning from these municipalities. The Town of Fort Myers Beach has not completed its comprehensive plan and has no officially adopted population projection for the year 2020, therefore the Town of Fort Myers Beach's population projection was calculated in the same as the other Planning Communities. Lehigh Acres also had an agreed upon population figure, generated by the Commercial Land Use Study, and it was input into the accommodation model. The remaining unincorporated community population projections were evaluated using the approved Planned Development and subdivision information and the historical growth trends for the last six years for each community. Each community's dwelling units (DU) were trended out to the year 2020 with a built in cap based on the Future Land Use Map's potential additional units allowed on the existing undeveloped land and adopted Lee Plan Assumptions. These trends were also compared to the amount of available land in a community to assess whether or not the projections could be accommodated. In some areas it was discovered that projected trend would exceed the Lee Plan assumed number of units. There were also communities where the amount of approved residential development exceeded the assumed residential percentages from the Lee Plan. Likewise, there are instances where the amount of pre-approved (some existing some only planned) non-residential development in a community makes it impossible for the residential component to achieve the percentage assumed in the Lee Plan. After fully scrutinizing this data a number for new dwelling units, units to be built by the year 2020, was projected for each community. These unit numbers were entered into the spreadsheet where they were multiplied by the estimated community vacancy rate and the county PPH to determine the community's 2020 population.

The spreadsheet was designed to evaluate the increment of new dwelling units. The 1996 dwelling unit count from the existing land use database was considered the starting point. The difference in population from 1996 to 2020 was used as target for determining the need for new dwelling units. To allow for fluctuations in the market, and in keeping with good planning practice, an additional buffer of 25% was added to this figure. The proper way to allow for a flexibility factor was the subject of considerable debate during the administrative hearing. Utilizing 125% of the incremental growth was supported by recognized planning literature. The initial determination for needed new units expected by 2020 determined above were evaluated for each of the new Planning Community. Adjustments were made to assure that the population increment plus 25% was not exceeded.

The next step, and one that brings less certainty into the equation, is to determine acreage figures for these units. The finalized unit projections were then distributed into appropriate future land use categories. The projected units were then multiplied by the assumed unit per acre figure of the category. This was done to determine the appropriate residential acreage allocation. This DU per acre

figure was modified in some areas to adjust for the fact that this overlay is based on net acres while the Lee Plan assumptions are based on gross acres which is also how density is determined for consistency with the Lee Plan density. Also taken into consideration were developments, approved prior to the existence of the Lee Plan, where vacant land that is approved for densities higher than the allowable Lee Plan densities. Factors, such as one recently approved development that has taken advantage of the Planned Development District Option (PDDO), which allows up to 6 units per gross acre in a category that allows 1 unit per gross, acre were also considered. Normally this land use category would and assumes 0.8 units per gross acre. In this specific case, the approved units/net acres are 5.64. Likewise, some developments have been approved with densities (both gross and net) substantially less than the Lee Plan assumptions. Therefore the assumed density for each Future Land Use Map designation varies between Planning Communities

The corresponding acreage figures were only estimated for the unincorporated portions of the county. Therefore, the acreage allocation table for the Sanibel Community shows no acreage. There is, however, an input unit count for Sanibel that corresponds to the projected population, adjusted for PPH and occupancy rate. The Town of Fort Myers Beach is included on the allocation table for two reasons. The first was that the data was available and the second was there were no 2020 population projections for this area. The Planning Communities map for Fort Myers Beach includes no unincorporated lands.

Commercial

Future commercial needs for Lee County is not easy to pinpoint. Lee County's commercial component can not merely be based on the number of county residents. In addition, each community is not necessarily self-supporting in its commercial needs, therefore some areas may grow faster commercially than they do residentially and visa versa. Between 1980 and 1990 commercial square feet grew by 100% while the population grew by only 53% for the unincorporated area. Furthermore, from 1990 through the end of 1996, the unincorporated population has grown by 21% while commercial growth was 31%. Based on these trends, it is obvious that commercial growth in of Lee County is not totally tied or dependent on residential growth. Part of the growth not related to the residential aspect can be explained by the fact that Lee County is a resort area that caters to tourists and winter visitors.

In 1986 Lee County commissioned Thomas Roberts, of Thomas Roberts and Associates, to perform a commercial needs study. The final document was entitled "Commercial Land Use Needs in Lee County." This study identified an estimate of 11,483 commercially developed acres by the year 2010. In accordance with the study's methodology, this figure should then be multiplied by a safety factor of 10% (to allow for inaccuracies in projecting the need) to produce 12,631 acres. The study then utilizes a flexibility factor of 15% (to allow for competition and choice, land held back for speculation, etc.) to produce a grand total of 14,526 acres. The original study was based on a BEBR Mid-Range 2010 population of 499,500.

In 1989 the Board of County Commissioners revised its population projection and adopted the BEBR High-Range number of 640,500. At that time Mr. Roberts was asked to adjust the commercial needs figure. In a December 10, 1989 memorandum he proposed the following methodology to amend the previous projection. The pre-factored area of 11,483 acres should be multiplied by 640,500/499,500, or 1.282, producing a new pre-factored area of 14,721 acres. He goes on to modify this figure with a safety factor and a flexibility factor. He does, however recommend that because the higher population

projection is being utilized, the safety factor should be reduced to 5%. Doing the math produces a figure of 18,622 acres, which he recommends the County use.

Utilizing a like methodology, planning staff recalculated the future commercial needs. The proposed population for this amendment is the BEBR Mid-Range number for 2020 of 602,000. Adjusting the original 11,483 acres by the ratio 602,000/499,500, or 1.205, produces a new pre-factored figure of 13,837 acres. Utilizing a safety factor of 10%, justified by the mid-range number, and a flexibility factor of 15% the countywide commercial need calculates to 17,504 acres. Further adjustments to either remove the incorporated areas or indicate allocations for them still need to be performed.

Staff realizes that, historically, the City of Fort Myers has provided more than its proportionate share of commercial development. However, the city is approaching buildout and is currently making an effort to stabilize its residential neighborhoods. The unincorporated county will be required to absorb a greater share of new commercial development. This trend is currently being demonstrated by the fact that in this decade no new "Big Box" retailers have located in the City of Fort Myers. Only one large shopping center has been constructed in Fort Myers in the last decade.

Likewise, the City of Cape Coral has somewhat limited opportunities for commercial development. The vast majority of the land in Cape Coral is platted into single family lots. Opposition to introducing new commercial uses within residential areas has surfaced in the past. According the city planners only ### acres of land are programmed for commercial development. Staff allocates 7216 acres of commercial to the municipalities leaving 10,288 acres for distribution to the unincorporated Planning Communities.

In addition to the Robert's projection, commercial projections were compiled based on projected total unit counts per community, in order to make allowances for seasonal residents, and the historical trends of commercial square feet per unit and floor area ratio. The county control total for commercial is in square feet and is based on historical trends of commercial growth. The projected commercial square feet needed by the year 2020 are projected to be 46,117,550. This is approximately 9,000,000 square feet less than that which would be projected using individual community historical community trends. The lower of these projections was chosen based on a higher correlation for the historical trends and the fact that the community based projections does not consider the fact that some of these areas are near buildout already. For example, as the coastal communities reach buildout, the growth in the tourist commercial demand will also begin to level out. The county wide control total is next applied to the communities to allocate the commercial uses throughout the County. This allows the results to be compared to the total available/undeveloped acreage remaining in each community.

This countywide acreage need was then disaggregated across the county into the unincorporated Planning Communities. This was accomplished by allocating commercial acreage based on the existing development, approved developments, and areas designated for commercial development. The amount of vacant commercial zoning was also taken into account in the disaggregation.

Industrial Use

Future Industrial needs for Lee County were originally studied and projected in a study completed in August 1983 by Thomas H Roberts. This study has been revised and modified over time and was most recently revised during the litigation process of the EAR. However, this study and its revisions focused

on how much land Lee County needed to designate on the Future Land Use Map as industrial. These studies were concerned with providing enough land for future industrial development and its ancillary uses. The Lee Plan allows for limited commercial development in industrially designated lands to support the surrounding industrial uses. This means the some uses that are envisioned to occur within these industrial areas will not be inventoried as industrial uses. For example, a small deli who's customer base is from a surrounding industrial park will be inventoried as a commercial use even though it may be located within an area designated as Industrial on the Future Land Use Map. Therefore, it is important to further refine the accepted industrial study from the existing Lee Plan Support Documentation to ascertain how much land will need to be allocated for industrial uses for the Year 2020. Staff has concluded that the appropriate unit of measure for the industrial component of the 2020 allocations is acres. Much of Lee County's industrial uses occur out of doors such as concrete batch plants, lumber yards, and distribution centers. The location of industrial uses, while not limited to areas designated as Industrial Development, Industrial Interchange, Industrial Commercial Interchange, and Airport Commerce, are primarily located in these areas. Staff has made the following effort to determine the appropriate allocation of industrial uses for the year 2020.

To accomplish this task, the original Thomas Roberts study was modified to focus on how much land will be utilized by industrial uses by the year 2020. The data in the study was also updated to include the latest National Planning Association data which has been consistently used in the industrial needs study, and is recognized as one source of best available data. The primary change in the methodology was the elimination of the number of acres needed to support the ancillary uses associated with industrial developments. Theses uses will be inventoried under in the database under their appropriate use category whether it is a commercial, public, or conservation use. Furthermore some uses have always be assumed to have locations which may be out of industrial land use categories. For example, only 50% of warehouse uses were assumed to be located in industrial land use categories in the original Roberts study and its subsequent revisions. However, in reality, approximately 75% of these types of uses are inventoried as industrial in the Lee County Land Use Inventory. There are ancillary commercial uses associated with this type of use that have and will be inventoried as commercial uses. The breakdown of percentages for the inventory's purposes are shown in table Year 2020 Industrial Allocation Needs along with its estimated 2020 employment figure. These employment figures were then utilized in the same manner as the previous industrial studies to estimate the need for industrial lands. First the assumption is 7 employees per acre to determine the minimum acreage need. A market safety factor was then applied to this acreage figure and subsequently a flexibility factor is applied to this figure. Since the allocations are for the unincorporated county the amount of industrial lands in the cities were removed from this figure. Mirroring the discussion in the discussion under Commercial Uses, areas for true industrial development are not abundant in the county's municipalities. Clearly, the "industry" in the county's coastal communities, Sanibel and Fort Myers Beach, is tourism. The desire of Lee Plan Policy 7.1.4 is to afford an opportunity to expand the County's economic base beyond tourism. As with commercial development, the City of Cape Coral has limited opportunities for industrial uses equal to its expected population base. Taking all this into consideration, this final unincorporated industrial need for Lee County is calculated to be 6,799 acres.

This countywide acreage need was then disaggregated across the county into the unincorporated Planning Communities. This was accomplished by allocating industrial acreage based on the existing development, approved developments, and areas designated for industrial development. The amount of vacant industrial zoning was also taken into account in the disaggregation.

Parks and Public

The countywide allocations in the original Year 2010 Overlay were exceeded in only two areas Parks and Public, and Active AG. The under allocation in the Parks and Pubic category can be attributed to a difference between the allocation and inventorying methods. The Parks and Public allocation was based on how much land was designated Public Facilities in each Sub-district. The first problem with this technique is that only parcels 20 acres or more in size were mapped. Furthermore, not all publicly owned lands were included in this designation. Properties designated as Public Facilities were generally schools, parks, hospitals, and utility plants. Lands owned by the state and other agencies for conservation purposes were not consistently mapped as Public Facilities. The main discrepancy is with no publicly owned lands which are inventoried in the Park and Public category but are not owned by a public agency. These uses include, but are not limited to, golf courses developed within a residential community, other residential amenities, government buildings, clubs, open space within private developments, and churches. .

Staff can see no useful purpose in regulating an upper limit in the Parks and Public land use. The acreage figure contained in the Acreage Allocation Table for this use should not be regulatory. To do so would be counter productive. Staff admits there is merit in tracking this acreage figure and intends to update this use in the database.

Active and Passive Agriculture

The Active Agriculture component of the land use inventory also exceeds its allocation. In reality this should be expected. Although the current Year 2010 Overlay is not written this way, it is expected that, in an urbanizing county such as Lee County, over time agricultural uses will be displaced with other non-agricultural uses. However, it cannot be assumed that there will only be a reduction in the amount of agricultural acreage in all areas of the county. While agricultural uses are displaced in some areas of the county they are expanding in other areas of the county primarily in the areas designated as Rural and Density Reduction/Groundwater Resource. Therefore, the acreage projections should be used as 2020 targets and not as a regulatory number that cannot be exceeded or fallen below. This also applies to Passive Agricultural uses. Currently, Lee County exceeds its projected combined 2010 agricultural acreage allocation by approximately 3,050 acres. Clearly in a county that is urbanizing as Lee County is requiring the retention of passive agriculture use in lands designate within the urban boundary is counter productive. Staff, again, sees the merit of maintaining the database inventory of these uses, but believes the regulatory requirement not to let the 2020 component of this use be exceeded in the present is unwise.

Vacant Land

Similar to the agricultural uses, the amount of vacant land should also be expected to reduce over time. Lands classified as a vacant use are only those with no structures and no other use. For example, a vacant commercial building will still be classified as a commercial use and a parcel used as open space with no building will be classified as Public Open Space. Therefore, unlike, agricultural uses, vacant lands will not decline in one area and increase in other areas, with the exception of some demolitions of condemned/damaged buildings and also the occasional agricultural use which is abandoned and reverts back to vacant. For these reasons, the vacant acreage allocation, if used as a regulatory number, should be viewed as a number that cannot be fallen below during the life of the overlay.

Conservation Land

The Conservation Allocation is also one that is impractical to regulate. The current allocations in the Year 2010 Overlay are based on the amount of land designated on the 1989 Lee Plan Future Land Use Map as RPA (resource protection areas) and TZ (transition zones). Since these areas were digitized off of 1987 quad sheet maps which were at a 1" to 2000' scale there accuracy, while good for the illustrative purposes they were intended for, are not precise enough for a regulatory acreage figure. Furthermore, since the original mapping of these areas, the definition of what lands qualify as wetland has also changed. Staff has review possible methods to improve the original mapping of wetlands. In a pilot project staff used the jurisdictional boundaries at Florida Gulf Coast University and compared them to several wetland and soils maps. No single mapped system showed superior results in identifying the ground truthed wetlands. Staff concluded that the current mapping system was the best available.

Recent revisions to the Lee Plan have moved the county from a regulatory roll in wetlands to one more of enforcement. If the county does not regulate this use, the acreage allocations can not be regulatory. Staff, again, sees the merit of maintaining the database inventory of these uses, but believes the regulatory requirement not to let the 2020 component of this use be exceeded in the present is unwise.

B. CONCLUSIONS

In accordance with Policy 1.7.6.3 planning staff has conducted this comprehensive evaluation of the Year 2010 Overlay system. Upon completion of this analysis planning staff concludes the following:

- The current Year 2010 Overlay system was not based on an accurate existing land use inventory;
- Projecting accurate long range future land use into small geographic is extremely difficult and does not constitute a good planning practice;
- The original boundaries for the Year 2010 Overlay sub-districts were erroneous, often crossing property or development lines;
- Elimination of the Year 2010 Overlay is not practical at this time;
- The planning horizon of the 2010 Overlay is not consistent with the horizon of other comprehensive planning efforts.
- Major modifications to the overlay should be considered for adoption;
- Larger, community based planning districts should be utilized and the proposed new Map 16 should replace the current map;
- The previous EAR population projections have been shown over time to be too high;
- The BEBR Mid-Range population projection for the year 2020 are the most appropriate projections and should be used for the county's planning efforts;
- Planning staff has created a reliable parcel based database of existing land use, suitable for tracking development patterns;
- Utilizing a 25% buffer above the expected incremental increase in population is an accepted planning practice;
- Planning staff has performed an in-depth evaluation of future land use needs and concludes that, for a planning horizon of 2020 the county should use the proposed Table 1(b) Acreage Allocation Table as a replacement for Map 17;
- The regulatory aspect which limits Residential, Commercial, and Industrial should be retained; and,

- The regulatory aspect which limits Parks and Public, Active and Passive Agriculture, Vacant, and Conservation acres should be eliminated.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment to the Future Land Use Element and the Future Land Use Map Series. Future Land Use Map 16 is to be replaced with the attached Map 16. Future Land Use Map 17 is deleted and held in reserve. A new table, Table 1(b) Acreage Allocation Table, will replace the function of Map 17. The text of the Future Land Use Element should be amended as indicated in Part I, Section C. of this report.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. October 27, 1997

A. LOCAL PLANNING AGENCY REVIEW

The LPA formally heard this proposed amendment at their October 27, 1997 Public Hearing. Prior to the date, the LPA and planning staff had discussions at all of the previous amendment hearings regarding this proposal. Conceptual approval of the proposed Map 16 was indicated fairly early on in this process. Other areas of discussion were commercial acreage allocation and population projections.

LPA members had several questions regarding the methodology for determining need and allocation. Staff knew that the process that was utilized could not be easily translated to a written document and was prepared to answer the questions. Planning staff did answer all of the questions concerning the methodology to the LPA's satisfaction. Staff also informed the LPA that they were planning on dealing directly with DCA staff to walk them through this somewhat complicated process. The LPA identified three areas where they had concerns regarding the final allocations. Ultimately, there was only one recommendation for increasing or decreasing allocations. Staff did offer to take a closer look at these areas between the transmittal and adoption hearings. The LPA also expressed interest in including a footnote on Table 1(b) indicating the uses that are being regulated and those that are not.

Also discussed was the lack of residential allocation in the wetland category. No solution to this issue was proposed. Staff was concerned that such an allocation would encourage new development in the wetland areas. Under Chapter 13 of the Lee Plan, legally existing lots in the wetland areas do have the advantage of the single family residential provision.

Two members of the public addressed the LPA on this issue. The first suggested some additional language for Policy 1.7.6 to clarify the intent to adjust the allocations if necessary as part of the EAR review. The LPA concurred with this, as did staff. This person also suggested that the staff report include a discussion, similar to the one in the commercial use section, that highlights the limitations of the municipalities to accommodate industrial development. The LPA and staff agreed. The third request was to include the sections 1, 2, and 3 of Township 48 South, Range 26, East in the Bonita Springs Planning Community. The LPA made a motion to this effect. The second speaker urged the LPA to adopt the amendment and complimented staff's efforts on this amendment.

The LPA offered two motions concerning this amendment. The first, as mentioned above, was to include the specified sections in the Bonita Springs Planning Community, and to also move the rural residential allocation, which applied directly to these three sections, on Table 1(b) Acreage Allocation Table.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Motion #1 The LPA recommended that the BoCC includes sections 1, 2, and 3 of Township 48 South, Range 26, East in the Bonita Springs

Planning Community and to also move the rural residential allocation, which applied directly to these three sections, on Table 1(b) Acreage Allocation Table.

Motion #2 The LPA recommended the BoCC transmit this amendment as recommended by staff and amended by the above motion.

1. **BASIS AND RECOMMENDED FINDINGS OF FACT:** Motion #1 This area is more closely associated with the Bonita Springs Planning Community.

   Motion #2 As contained in the staff analysis.

C. **VOTE:** Motion # 1

BARBARA BARNES-BUCHANAN	ABSTAINED
RICHARD DURLING	ABSENT
MITCH HUTCHCRAFT	AYE
RONALD INGE	AYE
BILL SPIKOWSKI	AYE
GREG STUART	AYE
MATT UHLE	ABSTAINED

Motion #2

BARBARA BARNES-BUCHANAN	AYE
RICHARD DURLING	ABSENT
MITCH HUTCHCRAFT	AYE
RONALD INGE	AYE
BILL SPIKOWSKI	AYE
GREG STUART	AYE
MATT UHLE	AYE

PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: November 5, 1997

A. **BOARD REVIEW:** Two issues were brought up during board review and were discussed by the public and the Board. First, the three sections of land designated "Rural" in the southeast portion of Lee County were discussed. A member of the public brought up this issue, a local land use attorney, and was agreed upon by the board. The board agreed that the entire strip of land south of Bonita Beach Road should be in the Bonita Community. They also concurred that the Rural allocation that was included in the LPA staff report for the Southeast Lee County Community should be added to the proposed Rural allocation in the Bonita Community.

The second issue addressed was the allocations in the San Carlos/Estero Community. The concern brought forward by a member of the public, also a land use attorney, was that the allocations do not accommodate all the development approved in the Corkscrew Road CRSA. The board agreed with the concern and instructed staff to review the San Carlos/Estero Community allocations prior to the adoption hearing.

B. **BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

1. **BOARD ACTION:** The Board voted to transmit this amendment with revisions to the Bonita Springs and Southeast Lee County Planning Communities.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff and the LPA with the direction to staff to "re-look" at the San Carlos/Estero Community

C. **VOTE:**

JOHN ALBION	**AYE**
ANDREW COY	**AYE**
RAY JUDAH	**AYE**
JOHN MANNING	**AYE**
DOUG ST. CERNY	**AYE**

PART V – DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT: February 5, 1998

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

2. Amendment PAM/T: 96-13: (Replacement of 2010 Overlay with 2020 Overlay): This is a proposal to amend the FLUM series, Map 16, the Year 2010 Overlay Sub-districts and Map 17, the Year 201 0 Overlay Map and FLUE policies, and converting the Lee Plan's 2010 planning horizon to 2020.

Objections:

The Department does not object to the general concepts being proposed as part of the 2020 Overlay. However, specific details need further justification and/or refinement.

la. According to the information provided, as a basis for projecting land use allocations needed in each planning district trends were extrapolated for 2020 based on the 2020 projected population of 602,000, with a 25 percent increment allowed for unexpected need. However, the proposed 2020 Overlay concept is not supported by adequate data and analysis because the methodology does not clearly state how the actual land use needs for each planning community were determined. In the absence of this information the relevance of the projected land use needs, and the professional acceptability of the method used to derive the actual land use needs of each planning community, cannot be assessed.

b. The methodology used to project the land use allocations does not demonstrate how vested developments, including developments of regional impact, were taken into account. For example, Lehigh Acres is currently identified as a vested community and there is no indication as to how this was considered in allocating residential and nonresidential land use needs for the Lehigh Acres planning community. Rule 9J-5.005(2)(a), (b), & (c), and Rule 9J-5.006(2)(c), (3)(c)1., (5), & (5)(g)1., F.A.C. mm

Recommendation: Include an analysis showing how the projected land use need for each planning community was derived for each land use type. The analysis should clearly state the assumptions and mathematical derivation that was used to produce the anticipated land use needs shown in Table I (b), for all land use types. Please, provide a narrative description, and step by

step summary of the method and all assumptions used, and justify the professional acceptability of the method.

Also include an analysis showing how vested developments, including DRIs, were taken into account in determining the land use allocations for each planning community including Lehigh Acres.

2. The boundaries of the planning communities are not supported by adequate data and analysis demonstrating and justifying how they were determined. For instance, the eastern boundary of Planning 10 cuts through the low density area east of the airport and there is no justification for this the boundary. Also, the southern end of Planning Community 3 curves eastwards to embrace Sections 1, 2, 3, 4, 5, and 6., and there is no information provided to demonstrate why this boundary includes these properties. Furthermore, the boundaries do not show a clear separation between urban and rural land uses. Rule 9J-5.005(2)(a), (b), & (c), and 9J-5.006(2)(c), (3)(b)8, (3)(c)1., (5), & (5)(g)9., F.A.C.

Recommendation: Include an analysis showing how the boundaries of the planning communities were derived. The boundaries shall be based on adequate data and analysis; and the method used to delineate them has to be based on rational and justifiable assumptions that are professionally acceptable. Planning community boundaries should ensure a clear separation between urban and rural areas.

B. STAFF RECOMMENDATION

Adopt the amendment essentially as transmitted, with the technical and minor amendments contained in the revised Table 1(b) Acreage Allocation Table and the revised Planning Communities Map.

C. STAFF RESPONSE

Objections 1a and b. Objections 1a and b both relate to the allocation methodology and will be addressed in the same discussion as they are interrelated. The following steps were followed to create the Year 2020 Allocation Tables. Many of these steps were undertaken simultaneously, so their completion order did not necessarily follow the numerical order. For example, the 2020 countywide population projection was independent of the creation of the community boundaries; however, both were needed to complete the allocation of units by community for the year 2020.

1. Population projections.

The Division of Planning conducted a review of its adopted population projections from the Evaluation and Appraisal Report (EAR) against the annual population estimates from the Bureau of Economic and Business Research's (BEBR) for the years since the EAR projection was adopted. This review showed that the EAR population projections were exceeding the annual population estimates. The EAR projections were completed in 1993 and included population projections for every half decade. By 1995 these projections were exceeding the annual BEBR estimate by more that 10%. Planning Staffs review also showed that the EAR projections were between 25% and 35% higher that the BEBR projections by the year 2020.

The estimates done by staff in the spring of 1997, which included four more years of historical data, showed that Lee County's population growth projections were more closely following the BEBR "Mid-Range" population projections. The BEBR "Mid-Range" projections are also being used by other agencies and by other County divisions to develop long range plans. Most notable would be the MPO's intention to use these numbers for the update of the 2020 Transportation Plan. Therefore, the Division of Planning has based the re-evaluation of the Year 2020 Overlay on the BEBR Mid-Range population projections.

2. The creation of the Year 2020 community boundaries is described in detail in the response to objection 2.

3. Evaluation of census data.

Once the 20 planning community boundaries had been established, the 1980 and 1990 census data for population and housing units (occupied and vacant) was broken out for each community.

Population. These estimates were determined from the 1980 and 1990 censuses by summing the population figures of each tract or block within the community. (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Columns - D and E) When community lines split census geography, the population estimate for the community used the methodology described below for unit counts. Occupied unit estimates were multiplied by the person per unit estimate for the corresponding year and this population estimate was added to the sum of the tract/block populations wholly contained within the community.

Unit Counts. It was not feasible, in all cases, to create the community boundary lines along existing census geography, although this was done whenever justifiable. Several census units had to be manually broken down using 1980 and 1990 aerials. Rooftop counts were completed to determine how many units from the split census geography (tracts or blocks) were located in each community (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Columns -H and I).

Occupancy Rates. Reviewing the countywide occupancy rates for Lee County revealed that for both censuses the county had a 73% occupancy rate. This rate was not consistent through the county, with some of the Planning Communities much higher and others lower. Staff utilized the following methodology to determine the occupancy rate for each community. An occupancy rate was derived from the occupancy rates of the census tracts within each community. (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Columns - AE and AF) In areas where census geography was split the occupancy rate of the tract was assigned to each community. For example, if a community contained 80% of a tracts total 1000 units (800 units) and the remaining 20% (200 units) were in a separate tract, and the tract had a total of 750 occupied units, the two community would have been assumed to have had 600 and 150 occupied units respectively from this track. The estimate of occupied units were then divided by the community's total number of units to determine a Planning Community's occupancy rate.

This procedure was completed for both 1980 and 1990 census information. With only two historical data points, however, no reliable trend could be projected. Planning Staff concluded that the most appropriate method for projecting the occupancy rates was to somehow average the 1980 and 1990 rates for each community (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Column - AD). Staff realized that a new large development that was primarily seasonal in a community that had a small unit count in 1980 could skew these results, it was decided that the best method was to perform a weighted average for the occupancy rate. The total number of occupied units from each time period were added together and then divided by the sum of the total units for the two years. Applying this averaged occupancy rate to the 1980 and 1990 census countywide information yielded an estimated occupied unit count that was off by only 861 and 21 units respectively. This error factor is acceptable, especially with the 1990 data, the most recent, correlating so well.

Persons Per Unit (PPU). A similar analysis off this census data yielded no correlation for the Planning Communities between the two censuses. The overall trend of the county is for the persons per unit figure to be declining

over time. The statistical analysis performed on the PPU showed some community's PPU increasing dramatically over time, while the same models showed others dropping below 1 person per unit, it was decided that the best available data for this information was the county estimates adopted in the Evaluation and Appraisal Report (EAR). The EAR projected PPU's for the decennial years of 2000, 2010, and 2020 (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Cells – Y26, Z26, AA26, AB26, and AC26). The PPU for years not projected in the EAR were derived by projecting a straight line between the preceding and following PPU projections.

4. Estimating the 1996 units and population.

Dwelling Units. The dwelling unit count for 1996 was generated from the planning division's existing land use inventory (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Column - L). This inventory contains land use information, including the number of dwelling units, for every parcel in the unincorporated portions of Lee County. The first step in accomplishing this task was to update the inventory to include the newly created community information. Then the information could be disseminated by planning community. The division's database contains the year built for residential properties. This information is reliable for structures built since the creation of the inventory (fall 1994). The report generated from the database included total units for January 1, 1994, 1995, and 1996 (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Columns – J, K, and L). A straight-line forecast using the 5 known data points (1980, 1990, 1994, 1995, and 1996) was used to project a preliminary dwelling unit count for the years 2000, 2010, and 2020. It was understood that this was just a "first look" as many other variables need to be considered (see the discussion in 4. below).

Population. The 1996 population estimates were derived by multiplying the community's 1996 unit count by the community's occupancy rate and by the estimated 1996 PPU of 2.29. (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Column L * Z26).

5. Estimate the units for the years 2000, 2010, and 2020 for each community.

No two Planning Communities are alike, therefor no one method of projecting their future development will provide adequate results. Planning Staff took an objective and subjective look at each of the communities to determine these estimates. The straight-line dwelling unit estimates were used as a guide in the allocation process.

A straight-line forecast of units from the years 1980, 1990, 1994, 1995, and 1996 was preformed to generate these estimates utilizing the forecasting tool included in Microsoft Excel (Work Book - ACRES BY FLUMC2.XLS; Sheet – Communities; Columns – M, N, and O). Other forecasting methods were also utilized. These include logarithmic model, inverse curve model, quadratic model, compound model, power model, s-curve model, growth model, exponential model, logistic model and cubic model.

A correlation test was run on the data for all 20 communities using a statistical software package called SPSS for Windows. The results of this test on the straight-line model were significant for most of the communities (see Appendix 1). This correlation test evaluates the fit of the projection curve to the input data. The coefficient of determination, or, measures the strength of the linear relationship. The closer to 1 R^2 is, the stronger the relationship.

The communities of Boca Grande, Captiva, Buckingham, Gateway, Fort Myers Shores, and Southeast Lee County do not return high correlation scores in this test. These low correlation results can be explained.

The historical data for Boca Grande does not fit any of the projection models well. The R^2 for all the models fall between 0.707 and 0.711 with the straight-line model being 0.709. The final projection used for Boca Grande was actually based on the Boca Grande Study of 1989 which projects a higher unit count for 2020 (nearly build out) than any of the models. The historical data was drastically effected by the development of Boca Bay, which contains significant development not reflected in the 1990 census.

The unit estimate situation for the Captiva Community is identical to the Boca Grande situation. Captiva is estimated to have only 2 vacant acres of land by the year 2020, approaching build out. The R^2 for all the models fall between 0.748 and 0.762 with the straight-line model being 0.757.

Buckingham is also similar statistically to Captiva and Boca Grande. The R^2 for all the models fall between 0.829 and 0.851 with the straight-line model being 0.830. Buckingham, however, is not expected to reach build out by 2020.

The Gateway/Airport area is the one community that does not correlate well with the linear model and does have a better fitting curve. The growth, exponential, and compound curves all fit the data from the Gateway/Airport area better than a simple linear model. However, these models still do not

have a high R2 (correlation). With the exception the Gateway DRI development, this community does not allow substantial amounts of residential. Therefore, staff utilized the approved Gateway DRI figures to estimate growth in this community. The residential allocation allows for the build out of the DRI and for minimal additional development in the Rural, DRGR, and Industrial Development areas. Of these three areas, only the Rural lands are expected to have future residential development of any consequence.

The communities of Fort Myers Shores and Southeast Lee County have suspect 1990 census information. Both of the communities have 1990 housing unit counts which appear to be in error. When the 1990 census information is dropped from the estimating equation, the linear model has a high correlation (good fit) with the data. Since these forecasts were only used for as a guide, this was the tactic used to deal with these two communities.

6. Determine the developed and undeveloped land by future land use map category and break down the developed land by existing use.

This step required a report from the existing use inventory. This report calculates the acreage of uses by community. Within each community, the acreage totals are broken down by future land use map categories. For parcels containing more than one future land use map category, a manual check of the property was required. These figures were input into the Excel Work Book - ACRES BY FLUMC2.XLS as follows: for each individual Planning Community Sheet[1] Columns – B (number of parcels; C (Sum of acres D+F+H+I+J+K+L+M); D (Commercial Acres); E (Commercial Building Square Feet) referencing the data in Sheet "com by pc and year" Columns C-BK, by year, totaled in column BQ row titled Running SF); F (Industrial Acres); G (Industrial Building Square Feet); H (Public Acres); I (Active Agricultural Acres); J (Passive Agricultural Acres); K (Conservation Acres – Wetlands); L (Vacant Acres); M (Total Residential Acres); and, N (Total Residential Units). The building square feet for commercial and industrial uses were not recorded by future land use category for this study. As stated, this information was reported by year built and community. The total for each community was reported in the total row cell E19, commercial, and G19, industrial.

7. Determine the total acres of each future land use category within each community.

While the acreage of future land use by parcel was achieved by the previous step, it does not include acreage of roads and other rights-of-way not

identified with a county STRAP number. Also, the division's inventory does not include parcels within the municipalities. Although the overlay has no regulatory authority over the cities, it is important for this information to be included in the evaluation of future needs. Tracking of future land use map category acres is accomplished with the use of a separate Excel worksheet named "*Lee Plan and EAR FLUM acres.xls*". Currently this worksheet includes tables showing acreage by community at the time of the EAR, the EAR changes, and the acreage changes resulting from amendments made to the Lee Plan since the EAR. Rather than retrofitting the existing EAR data by breaking it out by community, a new run was made of the land use map against the community map in the Property Appraiser's GIS system. (Sheet – planuse, Columns B-X) This allowed planning staff to have the most current data. Also, the data most closely resembling the acreage source for the existing use inventory which is the same GIS system. This was completed before the first post EAR map amendment, a small scale amendment, was reflected on the Future Land Use Map. Therefore, the worksheet was then altered to include a list of map amendments occurring within the communities since the initial acreage query. To date only a few small scale amendments have been approved and added to this list. It is staff's intention to maintain this spreadsheet to track acreage changes in the Future Land Use Map by community.

8. Estimate the potential remaining residential.

Two approaches were taken to determine the maximum residential acreage remaining to be developed within each community. This estimate was also used as a guide for the 2020 residential allocations.

Estimate based on Lee Plan assumptions (modified). In the past, the residential acreage estimates and population accommodation were based on the following assumptions. (ACRES BY FLUMC2.XLS; Sheet – Assumptions; Column - F (Descriptions), G (Units Per Acre), and I (Historical Percent Residential)

Description	Units Per Acre	% Residential
Airport	0	0
Airport Commerce	0	0
Central Urban	5.75	0.8
Density Reduction/ Groundwater Resource	0.1	0.1
General Commercial Interchange	0	0
General Interchange	0	0
Industrial Commercial Interchange	0	0
Industrial	0	0
Industrial Interchange	0	0

Intensive Development	7.5	0.5
New Community	4.6	0.768
No Designation	0	0
Outer Island	0.3	0.3
Open Lands	0.2	0.3
Outlying Suburban	2.5	0.89
Public Facilities	0	0
Rural	0.8	0.45
Rural Community Preserve	0.8	0.45
Wetlands	0	0
Suburban	3.5	0.89
Urban Community	3.5	0.84
University Community	2.6	1
University Village Interchange	0	0

Historically the "percent residential assumption" was applied to the total acreage figure for the corresponding future land use category and at times was broken out by planning districts or sub-districts. This acreage figure was used to determine how many residential units could be expected and ultimately the population accommodation for each future land use category and if applicable, within each district/sub-district. The aggregation of these districts/sub-districts was the population accommodation of the Lee Plan Future Land Use Map.

This process neglected to consider a few points. First, based on a study of a number of existing and approved developments, on average, 23% of raw land is used by rights-of-way. Therefore only 77% of a category is available for any type of non-ROW development. (ACRES BY FLUMC2.XLS; Sheet – Assumptions; Column - L) However, in most of the urban categories allowing residential uses, the assumed residential component was 80% or higher. Therefore, utilizing the old methodology, the population accommodation could exceed the potential.

Second, the previous method for determining the amount of residential land did not take into consideration how much development was existing and what uses had been developed. In some areas, the amount of commercial, industrial, and public uses exceeded the assumed non-residential acreage.

For this analysis, both of these factors were considered. Even with these corrections, this methodology still remains inaccurate, yet useful as one tool in solving for estimated development. First, the assumption for percent of land used for residential use was modified to deduct the land anticipated as future rights-of-way. The original percent residential assumption was multiplied by the average percent of land remaining for development after

ROW has been deducted. (ACRES BY FLUMC2.XLS; Sheet – Assumptions; Columns – L * I = H – Revised Percent Residential)

This new percent residential was then linked to the individual community[i] sheets (column R). This percentage was multiplied with the total future land use acreage within the community (column C) and the amount of existing residential acreage was subtracted to calculate one estimate of acreage left for new residential uses R * C – M = T. In some instances this was a negative number because the existing residential uses exceeded the assumption based on the Lee Plan (i.e. there was no residential use assumed for General Interchange, yet there are some existing houses in the General Interchange areas). This information was used later in the process when the allocations were formulated. Primarily, this figure was used as a reality allocation cap for future development. However, there is the possibility that the final allocation may exceed this number.

Also, when reviewing approved developments, what has already been approved for residential uses but not yet developed may be greater that what is assumed using this equation. Depending on how close to build out these developments are expected to reach by 2020, the allocation for the future land use category within the subject community may exceed these generally assumed residential acreage.

Estimate based on undeveloped land. The second method for determining the maximum amount of additional acreage available for future residential development is based on the amount of land remaining vacant or used for agricultural purposes (ACRES BY FLUMC2.XLS; Sheet – individual community[i]; Columns – I + J + L = S) Historically, much of Lee County's agricultural property has been converted to other uses; therefore, the existing agricultural lands are included in the amount of land available for future development. This review of the existing conditions is also used to set constraints on the amount of lands allocated for additional development. This figure is also important for the allocations of non-residential uses. This acreage figure is broken down by future uses and added to the amount of existing acreage to determine the allocation for each use. For residential allocations this figure was also compared with the assumption above.

9. Review of previously approved projects.

To further refine the allocations to rely more on real world data and less on mathematical models, staff also reviewed the existing approvals within each area. This entailed inventorying all the approved planned development zoning

cases (including all Development of Regional Impacts, DRIs) and existing subdivision plats such as San Carlos Park. For this step, the subject projects were reviewed to determine the total approvals by use including acreage and units for residential and square feet for industrial. Two new tables were created in the Existing Use database to store this information. First a table with the development names and information such as zoning type, development id and community id. The second table contains specific approvals for each development. The community id links the approval information to the community table and the development id allows parcel information in the existing use inventory to be summarized by development. Utilizing the existing land use database allowed staff to determine how much of the approved development is remaining to be built. This information was entered into the spreadsheet and was utilized to show how much allocation above the existing inventory of each use would be required to accommodate the development that has already been approved(ACRES BY FLUMC2.XLS; Sheet – individual community[i]; Columns – W though AH). Since only the residential, commercial, and industrial allocations are proposed to be regulatory, only these approvals are tracked in the spreadsheet. Also, since commercial and industrial uses were not being allocated by future land use map category (flumc), these uses were not broken out by flumc. The spreadsheet also differentiates between those developments that are vested from the overlay allocations and those that will be required to adhere to these thresholds. Due to time constraints this breakdown has not been finalized.

Vested developments, such as Lehigh Acres or DRI's approved prior to the adoption of the Year 2010 Overlay, were evaluated as part of the allocation process. DRI's were reviewed and the amount of these developments both built and yet to be built was recorded. Residential and commercial land use needs for Lehigh Acres were done in accordance with the projections for population and commercial need generated by the "Lehigh Acres Commercial Land Use Study." As can be seen in Table 1(b), the permanent population for Lehigh Acres in the year 2020 is 91,734. This figure comes within one person of the projection from the study, contained on page 4-5. Projected populations for the other vested developments were obtained from their approvals. As with Lehigh Acres, buildout of these vested developments was not necessarily assumed during this planning horizon. The allocation process was one of balance and judgment, taking careful consideration of approved development yet holding total population to within 25% of the increment of new population. It should be noted that the fact that vested development could exceed the Year 2020 Allocation Table allotment is no different than the situation under the current Year 2010 Overlay. Vested development is just that, vested, and the original overlay and the current proposal cannot, legally, prevent them from developing. Utilizing the current methodology, these approvals were clearly identified and given proper consideration. Staff made

every attempt to allocate sufficient acres for these developments, however, as clearly shown by Lehigh Acres, full allocation cannot always be assigned.

10. Determine the projected development for 2020 exceeding the amount of existing and approved (not built) development. This is where the preceding steps were used to determine the final increase in residential development.

Number of additional acres. First, the number of additional acres is calculated. The equation for this step is 1) the lesser of following: "Potential Residential Acres" – column S - and "Residential Acres Remaining" – column T – minus 2) the total of the approved residential - columns W+AC - minus 3) the existing residential acreage – column M equals additional acres – column AI. In some communities, the number of units approved and existing exceeds the number estimated as needed by the year 2020. In those cases, professional judgement was used to determine if the 2020 estimate was too low or if the build out time frame for some of the approvals was beyond the year 2020. In instances where it was presumed that the build out of the approved development was beyond the year 2020 a negative acreage figure was entered into the additional development column. This approach was also used when projections needed to be altered to balance the affect of communities growing faster than the straight-line forecast was projecting. Since the combined straight line estimates for each community resulted in a unit estimate consistent with the BEBR 2020 mid range population estimate being used for this plan, if one allocation exceeded the straight line forecast, another needs to be adjusted down to balance that projection. This equation was completed for each of the future land use categories within a community.

Number of additional units. Once the number of acres is calculated, the assumption of units per acre is used to determine how many units this acreage will accommodate. Once again, the new methodology varies from the old adopted Lee Plan Methodology. In the adopted Lee Plan back up documentation, there is a countywide unit per acre assumption for each future land use designation. This was done because it was known that all developments were not designed/approved at the maximum allowable number of units per acre within the future land use category. For example, Lehigh Acres and San Carlos Park both contain a large number of approximately quarter acre residential lots (4 units per acre) however, these lots have future land use designations which allow up to 6 and 10 units per acre. Furthermore, the new methodology is based on net residential acres and the old assumptions were based on gross residential acres. The switch in methodologies is based on the proscribed method of inventorying the land from the Sheridan vs. Lee County Final Order. The existing land use inventory, which is used as the basis for this 2020 land use allocation plan, is

based on net acres. To estimate a new unit per acre (UPA) assumption, the UPA's of existing developments within each community for each future land use category was calculated. This allowed differences between communities to be acknowledged. For example, the lands designated as Urban Community in the Alva Community (1.67 upa) are not developing at as high a density as those in the Bonita Springs Community (4.67 upa).

These new UPA's are for net residential acres. The Lee Plan allowable density regulations are calculated on gross residential acres which may include golf course, open space, ROW, etc. Therefore, in some instances, the net UPA may exceed the allowable gross UPA. The equation for the number of units in addition to what are existing and/or approved is: ACRES BY FLUMC2.XLS; Sheet – individual community[i]; Column – AI (the number of additional residential acres) * the greater of columns P or Q (residential dwelling units per acre)=AJ. In sum communities some of the existing UPA assumptions were higher that the UPA's of existing developments. Since staff has seen a slight increase in the requested UPA's in recent years, it was decided that in instances where the current Lee Plan assumption was greater than the existing developments cumulative UPA the Lee Plan assumption was used for this analysis.

11. Residential allocations for acreage and units.

The final step in preparing the 2020 residential allocation for each community was simply to sum the existing, approved not built and additional development estimates. The equation for residential acres is ACRES BY FLUMC2.XLS; Sheet – individual community[i]; Columns – M+W+AC+AI= AT. The equation for residential units is ACRES BY FLUMC2.XLS; Sheet – individual community[i]; Columns – N+X+AD+AJ=AU.

12. The final community permanent population estimate.

The final unit count for each future land use category within each community was then multiplied with the community's occupancy rate and then the county wide PPU assumption to determine the permanent population of the area (ACRES BY FLUMC2.XLS; Sheet – 2020 Summary; Column F * Sheet – Communities; Column AD * Cell AC26 = Sheet – 2020 Summary; Column I). These population estimates by future land use category were summed to generate the communities 2020 population estimate. For the reader's ease, this estimate is also shown on the 2020 Summary sheet in column N in the row entitled Permanent. The community's occupancy rates and person per unit assumptions are also shown on the 2020 Summary Sheet.

13. Seasonal population estimated.

A county wide assumption has been made that 5% of all units are not occupied at any time during a year. This accounts for units for sale or rent, left vacant by the owner, and those which are considered not occupyable. The number of units between the 95% and the estimated occupancy rate for each community was then multiplied with the estimated seasonal persons per unit (PPU) estimate of 2. (ACRES BY FLUMC2.XLS; Sheet – 2020 Summary; Column F * Sheet – Communities; Cell AD24 - Column AD * Cell AD26 = Sheet – 2020 Summary; Column N in the row titled Seasonal)

14. Running total of population.

The Allocations sheet contains a population 2020 population figure for each community in row BX with a total county allocated population figure in cell BX24. This number is compared to the BEBR 2020 estimate of 602,000 and the estimated 1996 population. This information is stored on the Communities Sheet in cells AC27, BEBR 2020 estimate, and L26, the 1996 Lee County estimate. The two 2020 population figures were compared to determine how many people above the BEBR estimate the 2020 allocations were accommodating. Lee County set a target of 25% to allow an adequate buffer for market fluctuations and errors in estimates. Unlike past efforts, the 25% target is based on the increment of population growth, that is the difference between the current population and the BEBR 2020 estimate, between 1996 and 2020. The equation for this percentage is "allocated 2020 population-1996 estimate/BEBR 2020 estimate-1996 estimate" {((Sheet – Allocations, Cell – BX24) – (Sheet – Communities, Cell - L26))/(Sheet – Communities, Cells - AC27-L26) = Sheet – Communities, Cell – AE24}. A link to this cell was included on all of the individual community sheets (cell BB23) so changes to the unit counts could be monitored for their effects on the overall population goal.

15. Inventory of Existing Commercial.

The initial inventory of existing commercial uses by community was completed in step 6. The next step was to determine how much commercial was needed for the projected entire population of Lee County. This was accomplished by utilizing existing commercial land use information. In order to project the future needs of commercial by community, however, more information was needed.

A number of methods were used to project the needed population for Lee County and the individual communities. To do this commercial totals were

generated for previous years and input into the Workbook "ACRES BY FLUMC2.XLS". The sheet created for this information is called "com by pc and year". Initially eight rows of information were included in this sheet for each community. The row titles are Planning, Year Built, Parcels, Commercial, Building Area, Running Acres, FAR, and Running SF. The information in these rows are as follows: Planning Community Number; the year the information pertained to; the number of new commercial parcels that were built that year; the number of acres converted to commercial use that year; the amount of commercial building area that came online in that year; the total number of commercial acres existing in the community that year; the floor area ratio for that community that year (Floor Area/Land Area); and, the total commercial floor area in that community that year. This information is contained in columns B through BJ. Column BK is a summation column for this information.

16. Comparison of Commercial data with dwelling unit information.

Columns BL through BQ is a repeat of this information for the years that unit counts and population figures were available. These years are 1980, 1990, 1995 (Dec 31, 1994), 1996 (Dec 31, 1995), and 1997 (Dec 31, 1996). The information carried over in these columns included the total number of acres, the total commercial floor area, and the floor area ratio. In the row titled "Planning" a link to the communities sheet was created to show the number of units in each community. The row titled "Year Built" a calculation of the amount of commercial floor area per dwelling unit was calculated. This was simply [Floor area]/[Units]. The Building Area row was modified to be the percentage of the county's new commercial each year that occurred in each community

17. Commercial Projections for the years 2000, 2010, and 2020.

Column BV contains new titles for the years 2000, 2010, 2020 rows. These titles are: 1.Projected Units, 2.Square Feet Per Unit, 3.square feet by Unit, 4.Square feet by %, 5.% of SF, 6.Acres, 7.FAR, and 8.Square Feet. The information in these rows is described in the following steps.

1. The number of units estimates from the communities sheet for these respective years was linked to this sheet.

2. Using the forecast tool in Excel, the amount of commercial floor area per unit was projected for these 3 timeframes.

3. This projection was applied to the projected number of units to estimate the amount of commercial area needed in each community.

4. The next step involves the 5th row of each community section. Using the forecast tool in Excel, the percent of the county's total commercial floor area within each community is projected.

5. The estimated percentage from step 4 was applied only to the incremental commercial floor area change. This number was then added to the previous time interval's estimate of floor area. In some communities the estimated percentage of new commercial occurring in the community was a negative number. In those community, rather than decreasing the commercial floor area within the community, a factor of zero was applied for new commercial. The resulting 2020 estimate of commercial floor area was used as a guild for the amount of new commercial floor area with in a community. The end results through the allocation process is that each community was allocated some new commercial ranging from 3 acres and 15,000 square feet in Captiva to over 2,000 acres and 2 million square feet in the San Carlos/Estero community.

6. Using the forecast tool in Excel, the amount of commercial acreage is projected for these 3 timeframes for each community. This acreage estimate is applied to the estimated FAR described in step 2 to estimate the commercial floor area for each community

7. Using the forecast tool in Excel, the commercial floor area ratio is projected for these 3 timeframes for each community.

8. Using the forecast tool in Excel, the amount of commercial floor area is projected for these 3 timeframes for each community.

These forecasts were used as guides through the allocation process. The three commercial floor area estimates are averaged to use as the guiding estimate on the individual community sheets. This floor area estimate is also used to project the appropriate commercial acreage allocation for each community. This also is used as only a guide. The acreage needed for the allocation may also be effected by any existing approvals that have not been constructed. This information is not accounted for in these estimates and the FAR in these approvals may differ from the existing development information.

18. Additional Commercial Development.

As discussed in step 9, the amount of approved commercial was entered into the "ACRES BY FLUMC2.XLS workbook on the individual community[i] sheets. The next step was to determine how much commercial floor area is needed in addition to what is approved, or, in some communities, how much of the approved commercial exceeds the actual need of the community. While the equations described above are useful tools in estimated the need by community, they also do not consider factors such as available land and how much of the vacant land is suitable for commercial development. These factors required each community to be evaluated by staff. No equations could be applied to measure these conditions. Staff also feels it is important for a community to have some potential for new commercial within the next 22 years. It is important to offer some commercial development within each community to attempt to capture some trips especially for daily needs. With the estimates from the previous steps as a guide, the needed additional floor area was entered into cell AL19 on each of the community's worksheet. The initial equation used to give the guiding estimate is Sheet - com by pc and year; Cell BZ5 minus (Sheet - individual community[i]; Cell E19 +Z19+AF19) plus Professional Judgment.

19. Additional Commercial Acres.

The next step is to determine how much land is needed to accommodate the commercial building space estimated in each community. As described in previous steps, each community has a different FAR. In the urbanized areas, such as South Fort Myers, multi-story commercial buildings are not uncommon and therefore the FAR is higher than the rural areas where the single-story buildings are the norm. For this reason, the FAR listed in column BU in the 7th row of each community's section is divided into the estimate for additional commercial square feet to estimate the amount of land needed to support this commercial floor area.

20. Commercial Allocation.

This step is the same as for the residential allocations. The main difference is that this allocation is for the total need for the community while the residential is broken out by future land use category. The step here is to add the columns containing the existing, approved, and additional commercial figures. The equations for commercial are contained in the Excel Work Book - ACRES BY FLUMC2.XLS for each individual Planning Community Sheet[i]. The Commercial Acres: J19+AD19+X19+D19=AV19 and Commercial Square Feet: AK19+AE19+Y19+E19=AW19.

21. Industrial employment estimates.

First the entire county need is estimated using the Methodology described in the Thomas H. Roberts Industrial Land Use Needs Study, 1983. This report has been updated with more recent 1994 NPA data. The 1994 NPA data's longest range projection was for the year 2015, and is therefor inconsistent with the 2020 time horizon of this plan. The 2015 information had to be projected out to the year 2020. This adjustment was also a necessary step because the NPA population estimates for Lee County are not the same as the BEBR mid-range. This estimate was done using simple ratios. The NPA 2015 employment estimate for each employment category was divided by the NPA population estimate for 2015. This employee per population ration was then multiplied with the 2020 Lee County permanent population estimate for BEBR to generate an employee estimate for 2020.

The exception to the above methodology deals with the manufacturing sector. Currently, Lee County has 1.68% of its population employed in the manufacturing sector of its economy. This percentage is also the figure that the NPA data uses for projected estimates. The Lee Plan in Policy 7.1.4 sets a desired employment rate of 3% of the county's population in manufacturing. Therefore, the 3% figure is used in the 2020 estimate of employment to estimate manufacturing employment. The Roberts methodology further identified the percentage of employees in the various employment sectors that would be located in the industrial land use categories. To reflect this, the NPA data, as adjusted for the 3% desired manufacturing estimate, were multiplied by this "Roberts Percent of Employment in Industrial District" assumption. This returned an estimate of 35,966 employees anticipated to be employed in an industrial area in the Year 2020.

22. Industrial acreage estimates.

This employment estimate is then applied to Roberts' estimate of 7 employees per acre to generate the need for industrial land. Roberts then applies a safety factor of 30% to the estimated need (see page 65 of the Thomas H. Roberts Industrial Land Use Needs Study, 1983). Finally, Roberts' study applies a flexibility factor of 25% to the acreage need estimate. This produced an acreage amount of 8,349 for county wide industrial use.

23. Unincorporated industrial acres estimate.

Once the total industrial acreage need estimate was finalized, the number of acres needing to be allocated for the Year 2020 in the unincorporated area of Lee County is estimated. This was done by simply reducing the total

industrial acreage need by the amount of industrial acreage in the cities (developed and undeveloped). The final estimate for unincorporated Lee County is 6,799 acres.

24. Industrial allocation.

This countywide acreage need is then disaggregated across the county into the unincorporated Planning Communities. This was accomplished by allocating industrial acreage based on the existing development, approved developments, and areas designated for industrial development. A starting point for acreage allocation was calculated. This was done by using the following allocation equation: : ACRES BY FLUMC2.XLS; Sheet – individual community[i]; Column – C (the total acres in a given FLUMC) multiplied by the modified Roberts assumption of how much land would be devoted to industrial uses within each of the given FLUMC multiplied by 80% for future ROW needs less Column – F the amount of existing industrial development in the given FLUMC equal to AM19. The ROW assumption was reduced to 20%, leaving 80% for development due to the nature of industrial uses locating on larger lots. The percent of how much land would be devoted to industrial uses within each of the given FLUMCs is as follows, 90% in Industrial Development and Industrial Commercial Interchange, 50% in Industrial Commercial Interchange, and 12% in New Community. This figure was the base allocation for each community. Utilizing a report from the existing land use database, staff also reviewed all the vacant land with industrial zoning within each community. Using "professional judgement" this information was used to adjust the industrial allocations within each community. Careful attention was given to the unincorporated industrial acreage need to make sure the control total of 6,799 acres was not exceeded.

Staff Response to Objection 3, Year 2020 Community Overlay Community Boundary Description/Methodology

As part of the effort to improve the problematic Year 2010 Overlay and to create a more useful planning tool, the Year 2010 Overlay Sub-districts Map 16, is proposed to be replaced with the new Year 2020 Communities Map. This map, while still allowing the county to allocate the amount of land by use which is professionally accepted to accommodate Lee County's projected 2020 population, allows more flexibility to accommodate a fluctuating market for the next 22 years. These community boundaries allow the land use allocations to be more oriented towards the needs of Lee County's communities. These larger, community based allocation district boundaries help to remove the problems inherent in the smaller sub-districts caused by unforeseen condition changes.

Community Boundary Creation

The number of communities designated on the Community Map was based primarily on how areas identify themselves. In some instances these boundaries were modified due to political and regulatory issues. The result of the creation of these communities is the division of the county into 20 Planning Communities. These Planning Communities are proposed to replace both the 115 Year 2010 Overlay Subdistricts and the 15 Planning Districts. The actual boundary descriptions for these communities are included in appendix 2, "Physical Descriptions". These descriptions are not intended to be "legal descriptions" but do allow the reader the ability to determine the exact boundary of a community. When possible, these descriptions follow section lines, road centerlines, river channels, and platted development boundaries. In some instances these descriptions reference parcel lines. Therefore, it is important to realize that these are for parcels as they exist in April of 1998.

First, four communities were drawn to reflect the four incorporated cities. The two island municipalities were drawn to include only the land within their corporate boundaries.

Sanibel – This community includes all land incorporated in the City of Sanibel as of this date. Sanibel does have a strong retail base for tourist needs and the daily needs of the residents. However, for more major needs residents do utilize businesses outside of this community.

Fort Myers Beach – This community includes all land incorporated in the Town of Fort Myers Beach as of this date. The town of Fort Myers beach has a similar non-residential base as Sanibel. One significant difference is the existence of the boating and marina industry on the island.

The community boundaries for the cities of Cape Coral and Fort Myers, however, include enclaves likely to be annexed during the time frame of this overlay. This helps to minimize the issue of how to manage the allocations when property within a community is annexed thereby removing it from the county's land use jurisdiction. This issue was never fully resolved with the 2010 Overlay sub-districts where many of the districts surrounding the City of Fort Myers had property annexed into the city. In reality, while the amount of land regulated by the overlay within the sub-district declined, the actual allocations within the sub-district remained the same.

Cape Coral - The Cape Coral Community includes all the unincorporated enclaves with the exception of the few enclaves located on Pine Island Road West of Chiquita Boulevard. Some of these enclaves may never annex into the City of Cape Coral, such as the Matlacha Isles area. These areas have historically been included with the Pine Island Community, and will remain so. Other of these enclaves may annex into the city and it may be advantageous at that time to amend the Community Map and the corresponding allocation tables to reflect such annexations. The Fort Myers

Community includes much more unincorporated area. While commercial and industrial opportunities of all varieties exist in the City of Cape Coral, many of the residents still satisfy these needs outside of the city. Likewise, many residents of less intense areas of the county will utilize Cape Coral's commercial and industrial opportunities for their needs.

Fort Myers - The City of Fort Myers is annexing land in an aggressive manner, especially in the vicinity of Gateway. An urban reserve overlay for the City of Fort Myers is no longer in effect. This planning tool was deleted from the Lee Plan in the 1992/1993 amendment cycle. This was done due to cessation of the interlocal with the City of Fort Myers. The Fort Myers Community includes all land within the City of Fort Myers along with most areas included in the repealed Fort Myers Urban Reserve and the portions of Gateway which are in the process of annexing or expected to annex into the City of Fort Myers. The only areas not included in the Fort Myers Community which had been in the Fort Myers Urban Reserve is the Morse Shores/Tice area which is west of I-75 north of Tice Street. It is unlikely that these areas will annex into the city. The other area previously in the Fort Myers Urban Reserve which is not in the Fort Myers Community is the Twin Lakes RPD and neighboring properties in the northeast quadrant of the I-75/SR82 interchange. There are properties southeast of the City of Fort Myers that are included in the community due to existing interest in their annexation into the City of Fort Myers. While the emphasis of new commercial and industrial activity in Lee County has been moving south along US 41, The community of Fort Myers remains a commercial/industrial center for the rest of Lee County.

Once the community boundaries for the cities were drawn, the remaining portions of the county were studied to determine existing "communities". Planning Staff's first goal was to completely follow census geography in this task. It was quickly realized that tract lines did not necessarily follow community boundaries and that the community lines would need to deviate from census geography. The next geography, which was used to base the community boundary lines on, was Traffic Analysis Zones (TAZ's). However, as with census geography, these zones also did not always create a good community border. When these geographies were not available, Planning Staff relied on future land use designation lines, section/property lines, and natural features such as rivers and creeks. One of the problems with the original 2010 overlay sub-districts, which were based on TAZ's, was that many properties were split into multiple overlay sub-districts. This resulted in staff spending additional time determining which side of the sub-district line a property's use was actually occurring. With the exception of less than 10 parcels, the goal of not splitting parcels into multiple communities was achieved. Through this exercise, twenty distinct communities emerged.

The Second type of community reviewed and defined was the island based communities. Five island based communities were identified on the 2020 Planning

Community Overlay Map. Two of these are the incorporated islands described above. The other three are Boca Grande, Captiva, and Pine Island.

Boca Grande – This community includes the portions of Gasparilla Island within Lee County and the surrounding smaller islands. The smaller islands in this community have minimal if any development. The core of this community is the unincorporated town of Boca Grande. This community is unique in that it has no direct road access to the rest of Lee County. All access to Boca Grande is via Charlotte County or by boat.

Captiva – This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Casta Island, Usseppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community.

Pine Island – This community includes the major islands of Pine Island, Little Pine Island, and Matlacha, the surrounding smaller islands, and the previously mentioned enclaves in the City of Cape Coral. This community has an overall identity of Pine Island; however, there are four sub community centers within the overall community. Pine Island itself has three communities, Bokeelia at the north tip, St James City at the southern tip of the island, and Pine Island Center at the intersection of the two main roads of this community, Pine Island Road and Stringfellow Boulevard. Pine Island Center would be considered the most major of these three communities. The are numerous other islands immediately surrounding Pine Island. Of these, Matlacha has somewhat of its own identity. This area, along with Matlacha Isles, has always been included in the area known as Greater Pine Island. While there are four small communities within the larger Pine Island community and this community does contain more commercial zoning than is needed to support its projected population, many of the residents do leave the islands to satisfy their commercial needs.

The remainder of the county was divided into thirteen non-island communities. However, these communities do include some islands such as San Carlos Island, Black Island, and Bonita Beach. This task did involve some professional judgement on the part of Planning Staff and the boundaries were modified during the public hearing process.

The following are general location/boundaries of the remaining areas and these area's current conditions including the existing and planned infrastructure. The widening of Interstate 75 is not specifically mentioned in these descriptions since it is a regional/state resource effecting all of the communities.

Alva - This Community is located in the northeast corner of the county and is focused on the rural community of Alva. The majority of this area is designated as

Rural, Open Lands, or Density Reduction/Groundwater Resource. The lands surrounding the Alva "Center", which lie north and south of the Caloosahatchee River at the intersections of the Broadway (the bridge at Alva) and SR 78 and SR 80, are designated as Urban Community as are the lands in the vicinity of the Hickey Creek Mitigation Park. The mitigation park lands are, however, slated to be placed in a more suitable Conservation Lands land use designation. There are some lands designated as Outlying Suburban within the Alva Planning Community, most of which are located south of Bayshore Road west of SR 31. This community roughly includes lands in Township 43 South/Range 27 East, lands north of the Caloosahatchee River in Township 43 South/Range 26 East, and, lands north of the Caloosahatchee River in Sections 1,2, 11-14, and 23-27 of Township 43 South/Range 26 East.

The lands west of SR 31 were included in this community to more closely reflect census tract lines. This area currently has a rural character similar to the rest of the Alva Planning Community; however, its location/accessibility to I-75 may render it more closely related to the North Fort Myers Community. If during the 2000 census, a tract split along SR 31 can be accomplished, it may be desirable to move these lands into the North Fort Myers Planning Community.

While the Alva community does offer some non-residential opportunities, most residents do find themselves shopping for these goods out side of this community in the more urbanized communities to the west and south.

This Community is served by three substantial transportation facilities, SR 80 (Palm Beach Boulevard) SR 78 (North River Road/Bayshore Road) and SR 31. Currently, all these roads are two lane facilities.

Properties in this area are typically served by well and septic systems and no major utility expansions are expected in the near future.

North Fort Myers - This Community is located north of the Caloosahatchee River between the Alva Planning Community and the City of Cape Coral. This community includes a wide mix of Future Land Use designations from Intensive Development to Density Reduction/Groundwater Resource. The one exception is the lack of the Industrial Development land use designation in this community. There are only 2 small areas in the North Fort Myers community with this designation. The existing core of this community is in the area of the two US 41 routes near the river. The old US 41 corridor is the current focal point of the North Fort Myers CRA and the new 41 Corridor is home to a number of new major commercial endeavors. These corridors are what give this community its commercial identity. They are surrounded by residential that have a country atmosphere. While US 41 Corridor contains businesses that have an inter-community draw, there are also commercial nodes that are more neighborhood oriented. These would include the commercial areas along Hancock Parkway (although the new Winn Dixie grocery store will draw

from areas outside the community), Bayshore Road, and Pondella Road. The North Fort Myers community contains major commercial concerns that attract consumers from outside of the community.

The North Fort Myers Community is serviced by a number of major roads/highways including US 41, Business 41, Interstate 75, and SR 78 (Pine Island/Bayshore Road). There are also road improvements in the community, which have been recently completed, are under construction, or are in the planning process. These include the widening of Business 41 north of Pine Island Road to the intersection of US 41. This corridor currently links North Fort Myers to Downtown Fort Myers and there are plans to continue this corridor south to reconnect with US 41 in the Alico Road area via Metro Parkway. This would create an alternate north/south route through Lee County. Pine Island Road (SR 78) has recently been widened into Cape Coral and the segment between old and new 41 is in the process to be widened to 4 lanes. Bayshore Road (SR 78) was widened to 4 lanes for a short distance from its intersection with Business 41 east, and the remaining segments to I-75 are planned to be widened in the future. Pondella Road was recently widened from US 41 to Orange Grove Blvd and plans exist to continue the widening and its extension to Del Prado Blvd in Cape Coral. Diplomat Parkway, an existing east/west road in Cape Coral, is under construction to through the Hancock Creed Industrial Park to US 41. There are also discussions underway to build a new road from the Del Prado Blvd Extension east to connect with Henderson Grade Road and build a new interchange on I-75.
Properties in this community are serviced by both water and sewer and well and septic systems. North Fort Myers Utilities continuously expands the area serviced within its franchise area to meet the needs of the area's growth.

Burnt Store - This Community is located in the northwest corner of the mainland of Lee County excluding any portions of the City of Cape Coral. The majority of the property in this community is Open Lands. The land west of Burnt Store Road is designated as Rural with the exception of 10 acres, which are designated as Outlying Suburban. This community is primarily a residential area with a high percentage of seasonal residents. There are some commercial and marine oriented amenities within the Burnt Store Marina Development which serve primarily residents of that development. Most of the community's commercial needs are served outside of the community in Cape Coral, North Fort Myers and Fort Myers, or in Charlotte County. The Burnt Store Development actually encompasses land in both Lee and Charlotte Counties.

The primary road corridor servicing the Burnt Store Community is Burnt Store Road. No major improvements to this facility are planned in the foreseeable future in the Burnt Store Community. The extension of Burnt Store Road within the Cape Coral Community is shown on the 2020 Financially Feasible Plan. This connection from the southern terminus of Burnt Store Road at SR 78 to the new Mid-Point

Memorial Bridge corridor will give residents in the Burnt Store Community better access to central Cape Coral and South Fort Myers.

The Burnt Store Marina development is serviced by water and sewer facilities. The area between Burnt Store Road and the North Fort Myers community relies on wells and septic systems.

Tice/Morse Shores/Fort Myers Shores - This Community is located south of the Caloosahatchee River, east of Hickey Creek, and north of the Orange River; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Rural, or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial Interchange Area, and General Interchange. This community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva and Buckingham. There are two major shopping areas in this community to satisfy resident's primary needs such as food and automotive needs. However, the residents of this community utilize commercial establishments in the more urbanized areas for other commercial needs.

The major roads servicing this Community are Interstate 75 and Palm Beach Blvd (SR 80). Palm Beach Blvd was recently widened to 6 lanes between Ortiz Blvd and SR 31 and 4 lane from Ortiz Blvd to the existing 4-lane segment in the City of Fort Myers. This Community also has 2 I-75 interchanges within its boundaries. The Interchange at Palm Beach Blvd is a major entryway into the county/City of Fort Myers for motorists from the north.

Utility services in this community are similar to those in the North Fort Myers community. This community is serviced by both water and sewer and well and septic systems. Lee County Utilities continuously expands the area serviced within its franchise area to meet the needs of the area's growth.

Buckingham - This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. There is an active push, by the residents, to maintain the rural nature of this area of the county. The residents have supported an amendment to the Lee Plan which limits the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community.

The major roads serving this community are Buckingham Road, Gunnery Road, and Orange River Blvd. None of these are state or federal highways.

The primary source for potable and wastewater systems is well and septic systems; however, Lee County Utilities has extended a few sewer lines in the area. The Buckingham community residents have opposed any infrastructure improvements that would encourage urban development within their community. Goal 17 of the Lee Plan addresses these concerns. The following objectives are in the adopted Lee Plan:

> ***OBJECTIVE 17.2: TRANSPORTATION.*** *To protect the rural character of the Buckingham area, all future rights-of-way in Buckingham shall be no greater than 100 feet (except for Buckingham Road and Luckett Road extensions). (Amended by Ordinance No. 94-30)*
>
> ***OBJECTIVE 17.3: SEWER AND WATER.*** *In order to discourage unwanted urban development, central sewer and water lines shall not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Maps 6 and 7 as Future Water and Sanitary Sewer Service Areas and to the site of the proposed resource recovery facility.*

Lehigh Acres - This Community is located between the southern line of Township 43 South and SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community contains the Lehigh Acres development, which was platted starting in 1954. The plat contains primarily quarter and half acre lots on a grid street pattern. This community is designated as Urban Community and Central Urban with the exception of one small strip of Rural and a few properties with the Public Facilities designation.

The transportation network within this community has been very problematic and will continue to be challenging in the future. The community is serviced by Lee Blvd/Joel Blvd (CR 884), SR 82, and Gunnery Road. Gunnery Road is planned to be the connecting point for the extension of Daniels Road to SR 82, and Lee Blvd is currently being widened from its 2-lane state. Many roads within the Lehigh Community are also being improved to assist in the flow of traffic within the community. There is also a proposed amendment to the Lee Plan, the Lehigh Commercial Study, that will help address some of these same issues.

Central water and sewer service much of the highly developed area of the Lehigh Community and as areas of the community develop these services are extended into the area. However, many areas of the Lehigh Community are still utilizing wells and septic systems.

Gateway/Southwest Florida International Airport - This Community is located South of SR 82, generally east of I-75, and north of Alico Road. The community includes those portions of the Gateway development which have not been or not anticipated to be annexed into the City of Fort Myers. It also includes the Southwest International Airport and the properties it is expected the airport will use

for its expansion. In addition, the community contains the lands designated as Airport Commerce, and the only portion west of I-75 is the land designated as Industrial Development, which is also, one of the primary flight paths into the airport. In addition to these two land use designations, properties in this community are designated New Community (the Gateway development), Airport, Density Reduction/Groundwater Resource (primarily the anticipated airport expansion areas), Rural, and General Interchange.

Daniels Parkway, Interstate 75, Commerce Blvd, Alico Road, and SR 82 service this community. The road network in this community is planned to change dramatically over time. The first scheduled improvement is the extension of Daniels Parkway to SR 82 and its connection with Gunnery Road. This will create a direct link from Lehigh Acres through this community to the southern portions of Lee County. Currently this is achieved by utilizing Commerce Blvd through the Gateway development. SR 82 is also projected to be widened, as is Alico Road. There are also many new road facilities planned within this community. In conjunction with the expansion of the airport, Treeline Blvd is planned to be extended south from Daniels Parkway to Alico Road and connect with Ben Hill Griffin Parkway. This road facility will contain the main entrances to two of the county's premiere facilities, the Southwest International Airport, and Florida Gulf Coast University, the newest state university. The Lee County MPA 2020 Financially Feasible Plan also shows Treeline Blvd extending north to SR 82 creating a continuous road from Corkscrew Road to Colonial Blvd. Another facility appearing on the Lee County MPA 2020 Financially Feasible Plan for future evaluation is the South County East/West Expressway. Although no alignment has been determined, it is expected that if built this expressway would be located parallel to the existing Alico Road on the north side through the Industrial Development area of this community.

As stated above, and implied in the name of the community, this community is the home to an international airport. This facility is currently planned to be greatly expanded. The expansion plans call for adding a second parallel runway and a new terminal building. These improvements will more than double the existing capacity of the airport.

Central water and sewer service the majority of the developed land in this community and the expansion of these facilities is expected to continue with the development of the area.

Daniels Parkway - This Community is located between I-75 and the Six Mile Cypress Slough, south of the City of Fort Myers and north of the Alico Road industrial area. The community contains lands designated Rural, Outlying Suburban, and a small area of General Interchange. This community is considered one of the primary gateways to Lee County.

Daniels Parkway and Interstate 75 are the primary roads servicing this community. No major improvements are planned for these facilities in the near future. The one major road improvement project in this community included on the Financially Feasible Plan is the future connection of Fiddlesticks to Three Oaks Parkway.

Central water and sewer service the majority of the developed land in this community and the expansion of these facilities is expected to continue with the development of the area. There are areas in this community that are developed at very low density which are utilizing septic systems and some are also using private wells for potable water.

South Fort Myers - This Community is located in the center of Lee County. South of the City of Fort Myers, east of the Caloosahatchee River, west of the Six Mile Cypress Slough, and north of Gladiolus Drive. This community primarily has the higher intensity land use categories such as Intensive Development, Central Urban, Urban Community, Industrial Development, and Suburban.

Along with this community's higher intensity future land use designations comes a large number of transportation corridors. The community is served by the following: US 41, Metro Parkway, Summerlin Road, McGregor Blvd, Six Mile Cypress Parkway/Gladiolus Drive, Cypress Lake Drive/Daniels Parkway, College Parkway, and Boy Scout Rd/Fowler St.

Central water and sewer service the majority of the developed land in this community and the expansion of these facilities is expected to continue as this community builds out.

Iona/McGregor - This Community is located primarily south of Gladiolus Drive west of Hendry Creek and contains all of the islands not included in the Town of Fort Myers Beach. The northern boundary is generally the channel in the Caloosahatchee River and the community includes islands approximately 2 miles west of the mainland. This community primarily has lands designated as Urban Community and Suburban, both having a standard density cap of 6 units per acre. There are some areas designated as Central Urban and others as Outlying Suburban. There is also an industrial area located along the west side of Pine Ridge road north and south of Summerlin Road.

The road network in this area includes the major road corridors of Summerlin Road, Gladiolus Drive, McGregor Blvd, and San Carlos Blvd. McGregor Blvd is currently programmed to be 4-laned from Cypress Lake Drive to Gladiolus Drive. This will complete the 4-laning of McGregor from College Parkway to the Sanibel Causeway. Improvements shown as financially feasible include the widening of Summerlin Road to 6-lanes, the completion of the 4-laning of Gladiolus Drive, and the widening of San Carlos Blvd from Summerlin Rd. to Gladiolus Drive.

San Carlos Park/Island Park/Estero - This Community is located in the southern portion of Lee County, east of Hendry Creek and, for the most part, south of Alico Road. It is north of the Estero River on the west side of US 41 then north of the new Brooks of Bonita development east of US41. The community does extend east of I-75 to include the approved developments along Corkscrew Road and all lands designated University Community. The majority of the land in this community is designated as Suburban and then Urban Community (both having a maximum standard density of 6 units per acre). There are some properties designated as Rural, Outlying Suburban, and Industrial Development, however, these lands make up a small portion of the Community.

As with the South Fort Myers Community, this community must also accommodate any traffic moving from the northern portions of the county to the southern portions and visa versa. Even north/south interstate traffic funnels through this community. To accomplish this movement in addition to the internal (origin and destination) trips there are two major north/south corridors: US 41 and Interstate 75. To aid the movement to and from these corridors, there are two major east/west routes in this community: Alico Road and Corkscrew Road. The location for the newly opened Florida Gulf Coast University will increase the number of trips beginning and ending in this community. Road improvements programmed to assist with this traffic are: the widening of Alico Road and Corkscrew Road to 4-lanes; the 4-lane extension of Ben Hill Griffin Blvd from the campus entrance to Corkscrew Road; and, the widening of US 41 to 6-lane from San Carlos Park north (these final two projects are currently underway). In addition, the Lee County MPO 2020 Financially Feasible Plan includes the widening of Three Oaks Parkway and its extension north to Daniels Pkwy and south to Old US 41 in Bonita. The widening of US 41 to 6-lane south, the widening and extension of Ben Hill Griffin Blvd to Treeline Blvd. and the extension of Koreshan Blvd. across I-75 (no interchange is planned) to Ben Hill Griffin Blvd are also planned. Another major north/south route which will be located in the northern extremity of this community is the metro parkway extension from its terminus at Six Mile Cypress Parkway to US 41 and Alico Road with an interchange planned for this intersection. Additionally, the potential south county east/west expressway which is shown for future evaluation on the MPO's 2020 plan may also be constructed.

Bonita - This Community is located in south Lee County and abuts the Collier County line. It is generally west of I-75 except south of Bonita Beach Road where it extends all the way to the east county line. These General Interchange, Outlying Suburban, and Rural lands east of I-75 are included because they do not fit within the Southeast Lee County community described below, which is almost entirely Density Reduction/Groundwater Resource. The Community contains all the islands south of the Town of Fort Myers Beach and includes those in the area of Mound Key. The northern boundary of this community is the San Carlos Park/Island Park/Estero Community, which are the Estero River, then the northern boundary of the Brooks of Bonita development. This community has a wide variety of Future

Land Use designations from Rural to Central Urban. It includes Industrial Development areas and a General Interchange area.

While this is one of the fastest growing communities in Lee County, Bonita Springs only contains three major transportation corridors: US 41, Interstate 75, and Bonita Beach Rd. Bonita Beach Road was recently 4-laned from Vanderbilt Beach Dr to Bonita Grande Dr and the portion from Vanderbilt Beach Dr to Hickory Blvd is currently programmed to be 4-laned. Bonita Beach Road is planned to be 6-laned on either side of its intersection with US 41 and between Imperial St and I-75. US 41 is also planned to be widened from 4-lanes to 6-lanes through the entire Bonita Springs Community. Another north/south road planned for the area is the extension of Three Oaks Parkway connecting it to Old US 41 north of the Bonita Springs Town Center. Extensions of Matheson Ave north to Strike Lane and Imperial Street south to Collier County ultimately connecting with Livingston Road in Collier County are also shown on the Recommended Network and Alignments from the Bonita Springs Traffic Circulation Study which was approved by the BoCC and amended the Lee County MPO 2020 Financially Feasible Plan. Passing through the community east of I-75 is the proposed road connecting CR951 in Collier County with Ben Hill Griffin Blvd in Lee County. The only new east/west road planned for the Bonita Springs Community is the extension of Coconut Rd through the Brooks of Bonita development east of I-75 connecting with the new north/south road planned for east of I-75.

Southeast Lee County – As the name implies, this Community is located in the southeast area of Lee County. South of SR 82, north of Bonita Beach Road, east of I-75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities) and west of the county line. With the exception of the Public Facilities and the Wetlands, the entire community is designated as Density Reduction/Groundwater Resource on the Future Land Use Map.

This community contains the most remote areas of Lee County and does not contain an abundance of public infrastructure. SR 82 and Bonita Beach Rd are the northern and southern boundary of the community. Alico and Corkscrew Roads are the only major roads located in the community. Corkscrew Road does extend out of Lee County into northern Collier County. No improvements are planned for these roads in the Lee County MPO 2020 Financially Feasible Plan. An amendment was made based on recommendations from the Bonita Springs Traffic Circulation Study to extend Ben Hill Griffin Blvd south from Corkscrew Road intersecting with Bonita Beach Road and continuing on to connect with CR 951 in Collier County. In addition, an extension of Coconut Road through the Brooks of Bonita development to connect with this extension of Ben Hill Griffin Blvd has been recommended by this study.

Although the area does contain a water treatment plant, the only water lines are those running from the plant along Alico Road. No major sewage treatment facilities exist in the area. Some developments do have multiple user package plant facilities in the area. Septic systems and private wells serve the majority of the area. These conditions are not expected to change in the future.

Recommended Changes. In response to the recommendation from DCA, staff is recommending that the Density Reduction/Groundwater Resource lands originally located in the San Carlos Park/Island Park/Estero community be transferred into the Southeast Lee County community.

PART VI - BOARD OF COUNTY COMMISSIONERS HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING: June 3, 1998

A. **BOARD REVIEW:** The Planning Director discussed two issues not included in the distributed packets. A letter requesting an increase to the commercial acreage in the Burnt Store Community, to accommodate development expectations of the Burnt Store Marina development was distributed. Staff had an opportunity to review this request and concurred with it. Staff proposed to allocate the additional commercial acreage to the Burnt Store Community and reduce by 2 acres the commercial allocation in the San Carlos/Estero Community to compensate for this change. It was also discussed that the change was not a 1 acre for 1 acre change. The commercial acreage allocations are based on the county's need for commercial floor area. Each community's commercial floor area ratio (FAR) was included in the commercial acreage methodology. These FAR's are based on an analysis of the communities and are different between the various communities. The FAR for San Carlos/Estero Community is higher than that for the Burnt Store Community

The second issue discussed by staff was the need to include additional language in the Response to ORC to address vested development and Developments of Regional Impact (DRI's). This language was distributed to the commissioners prior to the hearing.

Public testimony was received regarding a misprint in the staff report stating that the majority of the land in the Burnt Store Community is Density Reduction/Groundwater Resource. In reality the majority of the land in this community is designated as Open Lands. Staff agreed to make the correction.

Public testimony was received regarding Table 1(b) the Year 2020 Allocations. The speaker was concerned with the inclusion of the available unit estimates in this table, specifically how they would apply to the Open Lands Category. Staff responded that, from the language in Policy 1.7.6, it is clear that the acreage allocations are the regulatory figures. A follow up question was exactly how the acreage figures are calculated. As stated in the methodology under steps 9 and 10, the acreage for residential use is a net acreage. The question was then raised about clustering of units and how that affects the acreage calculation. It was explained that only the areas that actually develop as residential would be counted. Preservation areas and other uses, such as golf courses would be placed into a conservation or recreation category.

Additional public testimony was received from a second speaker regarding three issues: the issue of clustering, when the allocation acreages area applied to development, and the amendability of the allocations. The speaker was satisfied with the previous discussion on clustering. The speaker was seeking clarification that the new allocations would be applied at the development order stage not the rezoning stage. The final concern was whether these allocations were amendable in the future as conditions change. Primarily, that an amendment could be initiated to remove allocations from areas not growing as expected and moved to a community growing faster than expected. The Planning Director addressed each issue: First, clustering was a viable option in all areas of the county, second, Policy 1.7.6 specifically states that "No final development orders ... will be issued", and finally that the

allocations will be reviewed by staff and that the applications to amend the allocations can be submitted through the plan amendment process.

The Board asked staff to include a discussion about this topic in the record. The following paragraphs address this issue.

The Lee Plan allows, and to some degree encourages, the clustering of units within a development. Clustered development can provide larger areas for more open space, indigenous vegetation and/or recreation uses. Clustering may also reduce the amount of infrastructure needed over non-clustered developments. The clustered form of development can also assist in reducing the amount of urban sprawl. By clustering development near collector or arterial roads, more removed areas of a property can be left in a more natural state.

The Lee Plan calculates allowable density based on gross residential area. Gross residential density (Density) is defined in the glossary of the Lee Plan. All proposed development must be consistent with this density. The methodology inventories only the land that is developed with residential use as residential land, equating to net density. In smaller condo and apartment developments the common areas, such as parking and the pool areas, will be included in the residential acreage. Therefore, the entire parcel would be included in the net density figure. However, in larger developments with golf courses and preserve areas, these portions of the development are inventoried to reflect the actual use. Golf course areas are inventoried as "public/non-county golf course," open space areas are designated as "public/open space." Most other uses within the development will be inventoried as "public/residential amenities." These anomalies are and will be acknowledged in the allocation reviews of each district/community. The "Existing Use Designations" contained in Attachment 22 reflect this fact. The historical dwelling unit per acre figures that are contained in column Q of the individual community sheets of the workbook ACRES BY FLUMC2.XLS show this fact. Some of these figures exceed the allowable unit per acre within a land use category even though there may be no developments within the area which are inconsistent with the Lee Plan density limitations.

For example:

> The Gulf Harbor (formerly Rivers Edge) development has a density of 4.1 units per gross acre (UPGA). This density is under the maximum density of 6 UPGA allowed in the Suburban Category, however, when the open space and golf course acreage are removed from the equation the units per net acre (UPNA) is 8.27.
>
> The Legends (Section 28 RPD) has an approved UPGA of 2.4, this is under the maximum allowable 3 UPGA in the Outlying Suburban category. However, the UPNA of this project is 9.6. This project, originally approved in 1995, was administratively amended to preserve an additional 31 acres of land. This increased the UPNA to the current 9.6 from 8.04.

In fact virtually all developments cluster to some extent and the allocation of residential acres takes this fact into account. The residential allocations included in Table 1(b) are net acre allocations for the year 2020. There are two future land use categories which could exploit this approach to inventorying clustered development. These are the Open Lands and Density Reduction/Groundwater Resource land use categories. In these areas little residential development is expected and relatively small amounts of acreage were allocated for residential use. In theory, a property owner could propose a development of

a large tract of land with all of the units clustered in a relatively small portion of the property. Such a scenario would still be restricted to the land use category's density limitations, but the clustered development could exceed what was envisioned for this area by the methodology. It should be noted that this practice could happen with the current Year 2010 Overlay just as easily. The ability to cluster units on a large tract exists with either system. While this approach is possible, it is not likely.

The ability to utilize this approach has been in place for over 8 years now and no one has used it. It should be noted that this development scenario could be looked at as a positive thing. While the number of units anticipated by the methodology in this area would be exceeded, the limited density of these categories would result in a unit increase that would not be significant on a county-wide basis. Also on a positive note, this development scenario would place large areas of land into conservation classifications. The land used for density purposes but not developed as part of the cluster would be held by the zoning approval as conservation or open space. This would preclude development of the majority of these sensitive lands. In any case, the next evaluation of the acreage allocations would take this development into account and reflect the changing community character.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board adopted this plan amendment with the revisions to Table 1(b) concerning the minor change to the commercial allocations in the Burnt Store and San Carlos/Estero Communities. The Board directed staff to include a discussion on the administrative policy regarding residential acreage and clustering in the support documentation.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	**AYE**
ANDREW COY	**AYE**
RAY JUDAH	**AYE**
JOHN MANNING	**ABSENT**
DOUG ST. CERNY	**AYE**

[1] Individual Community refers to the 20 worksheets within the ACRES BY FLUMC2.XLS workbook that are for individual communities. These worksheet names are Alva, Boca Grande, Bonita Springs, Fort Myers Shores, Burnt Store, Cape Coral, Captiva, Fort Myers, Fort Myers Beach, Gateway Airport, Daniels Parkway, Iona McGregor, San Carlos Estero, Sanibel, South Fort Myers, Pine Island, Lehigh, Southeast County, North Fort Myers, and Buckingham.

DRAFT EXHIBITS A, B, and C
North Ft. Myers Community Plan, Lee County, Florida
HDR Engineering Inc. | 11.30.06

EXHIBIT A: SCOPE OF PROFESSIONAL SERVICES

Task 1 - Project Kick-Off. Upon Notice to Proceed, HDR will convene a meeting with County personnel and North Fort Myers Community Planning Panel members to discuss the project objectives, timeline, and responsibilities of each party. During the kick-off meeting, the County will provide the consultant with pertinent data and information to support the project, including, among others, the following items:

- Census data, population projections, and other demographic data for the study area.
- Aerial photography, GIS data, and other readily available mapping data.
- Zoning, FLUM and property appraiser's data.
- Studies, reports, or raw data regarding current water supply sources, stormwater management facilities, wastewater systems, waste collection and disposal, and other utilities information.
- Readily available information regarding other community planning studies in Lee County, if available.

Task 2 – Field Reconnaissance and Photographic Documentation of the Study Area. HDR will complete a reconnaissance of the area and develop photographic documentation for the project. The field reconnaissance will be accomplished within the same day as the project kick-off meeting. We anticipate one or more representatives of the County and the Community Planning Panel will accompany and guide us in this reconnaissance.

Task 3 – Data Evaluation. With the exception of data generated in the public meetings, the County and Community Planning Panel will supply all necessary data for the project. HDR will evaluate the information in order to assist the County and the North Fort Myers Community in developing the vision, goals, objectives, and policies to be included in the Community Plan. HDR will not gather primary data in the field nor perform data manipulation or technical analyses of data provided by the County and Community Planning Panel. HDR will not prepare impact assessments related to potential changes in land use and development conditions. Should such analyses or assessments be required, the County will arrange for their completion.

Task 4 – Public Meetings. HDR will facilitate two public meetings. Meetings will be organized by the County or Community Planning Panel, including the location, invitations, and logistics. HDR will provide up to 50 copies of a final agenda and provide audiovisual materials including PowerPoint presentations, display boards, flipcharts, and ancillary materials. Each meeting will be three hours long.

- Meeting 1 (Vision) – The first meeting will focus on discussing the current conditions of the planning area and will include a participatory exercise to help the community identify its strengths, weaknesses, opportunities, and threats (SWOT). This exercise will lay the foundation for the community plan.
- Meeting 2 (Goals and Strategies) - The Consultant and County staff will conduct a meeting to identify community-wide goals and strategies for inclusion in the plan.

Within one week after each meeting, HDR will provide the County and Community Planning Panel with a summary of findings.

Task 5 – Community Plan Work Session. HDR will facilitate a 2-day technical workshop with the County and representatives of the Community Planning Panel, in which we will work together to develop the objectives and policies necessary to further the community's goals, in the context of the Lee Plan. Each Comp Plan element will be addressed as needed. HDR assumes that some elements will not be applicable.

Task 6 – Prepare and Deliver Draft Community Study. After the 2-day technical workshop, HDR will prepare the Draft Community Study Report. HDR will work with the County and the Community Planning Panel to develop an outline for the document. For each comp plan element addressed, there will be a brief discussion of current conditions, a brief discussion of the community needs, and then the goals, objectives and policies. Cost benefit analysis of policies will be limited to comparing alternatives based on a semi-quantitative basis for a set of 3-5 criteria. No econometric modeling, cost estimating, transportation analyses, or exhaustive funding or feasibility analyses are included.

We propose that the outline of the Community Plan be a streamlined version of the Lee Plan, including the following sections:

1. Introduction (background, relationship to County Comp Plan and State requirements, summary of current conditions). Approximately 10 pages.
2. Community Planning Process. A description of the community involvement process and results, including the goals. Approximately 4 pages.

3.X Sections for each pertinent Comp Plan element. For each goal pertinent to the element, the section will include:
- Summary of Current Conditions (pertinent to the goal). One to two pages.
- Summary of Community Needs. About one page.
- Objectives and Policies.

4.X Implementation Plan. A description of the implementation steps and general responsibilities to carry out the Community Plan.

HDR will submit the Draft Plan electronically, in a print-ready PDF format. The County will be responsible for reproducing and distributing the Draft Plan.

Task 7 – Prepare and Present Final Community Plan. The County and Community Planning Panel will review the draft plan and provide HDR with one set of consolidated comments. HDR will address the comments and finalize the plan. HDR, if requested by the County, will assist in presenting the plan to the Board of County Commissioners. HDR will submit the Final Plan electronically, in a print-ready PDF format. The County will be responsible for reproducing and distributing the Final Plan.

EXHIBIT B: COMPENSATION & METHOD OF PAYMENT

Task Number	Task Title	Amount of Compensation	Indicate Basis of Compensation LS or NTE	If Applicable Indicate (W.I.P.P.)
1	Project Kick-Off	$1,870.00	LS	
2	Field Reconnaissance	$1,350.00	LS	
3	Data Evaluation	$7,250.00	LS	
4	Public Meetings (2)	$8,835.00	LS	
5	Work Session	$6,650.00	LS	
6	Draft Community Plan	$8,895.00	LS	
7	Final Plan and Presentation	$15,150.00	LS	
		$50,000.00		

ATTACHMENT NO. 1 TO EXHIBIT B

(1)	Current Direct Payroll Average Hourly Rate	Multiplier	Hourly Rate to Be Charged
Principal	$68.00	2.6	$190.40
Sr Planner	$60.00	3.1	$186.00
Jr Planner	$33.00	3.1	$102.00
Planner Tech	$27.00	3.1	$84.00
Admin	$19.00	3.1	$59.00

EXHIBIT C: TIME & SCHEDULE OF PERFORMANCE

Task Number	Task Title	Number of Calendar Days for Completion of Each Phase And/or Task	Cumulative Number of Days For Completion From Date of Notice to Proceed
1	Project Kick-Off	30	30
2	Field Reconnaissance	15	45
3	Data Evaluation	45	90
4	Public Meetings (2)	30	120
5	Work Session	14	134
6	Draft Community Plan	30	164
7	Final Plan and Presentation	45	209

WEBB BUCKINGHAM CPA

(a.k.a. Cartlon Property)

CPA2005-00002

RECEIVED
NOV 29 2006
PERMIT COUNTER

COMPREHENSIVE PLAN AMENDMENT

STRAP #19-44-26-00-00003.0000
LEE COUNTY, FLORIDA

Quattrone &

WEBB BUCKINGHAM CPA

Quattrone & Associates, Inc.

EXHIBIT E 1-4
INTERNAL CONSISTENCY WITH THE LEE PLAN

WEBB BUCKINGHAM CPA (a.k.a. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

INTRODUCTION

The property is located in the Buckingham Planning Community on the south side of Buckingham Road adjacent to the Buckingham Park, just east of the Lee County Incinerator, north of the City of Fort Myers future wastewater treatment plant site currently under DEP review, and west of an FPL easement, canal and Lehigh Acre single-family housing. The property occupies 95.6 acres and in the 1970's was the Lee County land fill. The property is currently in the Rural land use category. The status as a former landfill makes residential housing undesirable, but commercial or light industrial uses appropriate. We contend that the parcel is more accurately represented in the Lehigh Acres community and a land use change to Urban Community is a public benefit.

REQUEST

The application is requesting a change to the Future Land Use Map (Lee Plan Map 1) by moving the property from Rural to the Urban Community FLUC. Also requested is moving the property from the Buckingham Planning Community to the Lehigh Acres Planning Community by revising Lee Plan Map 16. Development plans are for a mixed use commercial and industrial park including retail and office commercial, commercial recreation and light industrial park ranging from mini-storage to indoor manufacturing to warehousing. The intent is to create a shopping and employment center to benefit the Lehigh Acres shortfall in these areas.

THE INTENT

A zoning change to an industrial and commercial planned development allow business park, industrial park employment centers with uses such as:

- self storage,
- commercial recreational uses (bowling, family fun center),
- retail commercial within the areas determined by the commercial site location standards and development parameters to be determined in the planned development process,
- professional / general / and medical offices, and
- limited light industrial uses.
- NO RESIDENTAIL!

WHY A LAND USE CHANGE?

Currently the Rural FLUC limits the site to very minor commercial of very limited size and uses and 1 housing unit per acre. Since the land is a former landfill, residential housing would be, at best, difficult to sell and placing families over a landfill would be irresponsible, bad planning, which in my capacity as a certified planner I can not recommend. Moreover,

any areas abutting Lehigh Acres do not need more opportunities for rooftops, particularly single-family housing, a point that I feel all can agree.

By requesting the Urban Community FLUC and agreeing to limit the property to commercial and light industrial uses only, we can look towards meeting the needs of a growing Lehigh Acres community desperately in need of lands dedicated to uses other than residential housing.

SMART GROWTH
Van Buskirk, Ryffel, and Associates, Inc.
"Population Model to Forecast Population Growth of Lehigh Acres Over Time to Build-out"
The original planning of Lehigh Acres as a pre-platted community left a lack of designated support land uses. Lands for commercial and industrial uses (and other uses) were not provided in sufficient amounts to meet the needs of future populations. The result: residents of Lehigh Acres, for the most part, will need to travel outside their community for goods, services and employment opportunities. This increase in vehicle trips and trip lengths puts added loading on the county's transportation network that results in added cost of road improvements and traffic congestion and is an added burden on county finances.

The lack of needed support land uses such as commercial, industrial, parks, and schools are long-term inhibitors to Lehigh Acres from being what is generally considered a sound, well-balanced, quality community.

So what is the deficiency . . .

Allocated Land Uses vs. Needed Land Uses for Lehigh Acres

Land Use	Allocated	Need	Deficient
Commercial	1,599	2,895	(**1,296**)
Industrial	370	690	(**320**)
Parks	7	2,629	(2,622)
Schools	251	975	(724)

In summary, the lack of designated land uses in Lehigh Acres results in a deficiency of sufficient lands designated for economic viability such as commercial lands for retail trade, services and industrial development This disapportionment of necessary designated land uses, results in lower values of developed land, resident's quality of life and higher cost of services.

An industrial and commercial employment center at this location supports fundamental smart growth principals, whose goal is a balanced community, and looks FORWARD to the inevitable growth of east Lee County's preplatted destiny.

WHY PLANNING COMMUNITY CHANGE?
To this point there has been almost no mention of the Buckingham Planning Community. Of course, I am not ignoring the significance of the parcel to the Buckingham residents, but rather have been speaking to the importance of this parcel to the needs of the Lehigh Acres

Community. The Buckingham residents care deeply about the character of the land within their community. The portion of the proposal removing the land from the PC ignites fears that their planning boundaries can be eroded in a piecemeal manner. I would argue that releasing the property from the PC actually enhances the hard physical boundary of Buckingham Road as the southern and eastern extents – a line to not be crossed, if you please.

Our logic to remove the parcel from the PC runs in this manner:

1. Support from planning staff. The Lee Plan vision statement seems to place the parcel in Lehigh Acres.
2. Physical boundaries of the Buckingham PC remain steadfast to Buckingham Road, except for this parcel which follows the CRA line established in the 1970's;
3. The property is outside of the Rural Preserve;
4. The surrounding properties do not encompass the values or development potential of the Buckingham Community. The property character is much more like Lehigh than Buckingham; and

We agree with staff recommendations that the property makes more planning sense to be considered part of the Lehigh Planning Community.

Nevertheless, planning on paper can represent a vacuum. After **meeting** with the Buckingham residents in October and again December 6, my understanding of their primary concern is the removal of the property from the PC and the precedence that could set. Wishing to remain **flexible**, we listened. The residents have proposed to keep the property in the Buckingham Planning Community, while understanding the development potential of the property. I believe they understand that residential development is not a good use for the property. I believe they understand that an industrial and business park is a logical use. While I can not say they agree with the proposed development intensity, the residents have expressed that they would rather have the development take place while under the auspices of the Buckingham Community. If they feel that this will better preserve there influence over a rezoning process and allow for a greater weight of input on development limitations, then I understand. We do not object to the property remaining in the Buckingham PC with there blessing to allow the land use change to Urban Community or Commercial FLUC.

JUSTIFICATION

The subject property is unique in both location and characteristic and despite being in the Buckingham Community the site looks, feels and is surrounded by existing or proposed uses similar in intensity to Lehigh Acres, more so than the rural nature of the Buckingham Community and particularly the Buckingham Rural Preserve. The property is the only parcel south of Buckingham Road to be included within the Buckingham Planning Community. The subject parcel is the only parcel south of Buckingham Road not in the City or Lehigh. The site is also the southern most portion of the Buckingham Community and is separated from the Buckingham Community Preserve by Buckingham Road, Buckingham Park and the Lee County Incinerator. The Lehigh Acres Planning Community description in the Lee Plan Vision describes the community area as *". . . generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County*

line." By all accounts this would seem to include the subject property. Although we do understand that the description is very general and should in fact state that the Lehigh Acres Community is north of SR 82 and south/east of Buckingham Road to the eastern county line. Likewise, the Buckingham Community Vision description seems to not include this land. *"This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve."* The parcel is definitively not in the preserve area. We propose that in terms of Lee Plan consistency the parcel "fits" much better within Lehigh Acres Vision description.

The property is surrounded by existing or proposed intense uses that are incompatible with the Buckingham Vision and should therefore be in the Lehigh Acres Community. To the north of the property is the Lee County Incinerator, the Buckingham Park and the Buckingham Preserve separated by what will be a 4 lane arterial. To the south of the project is former land fill area part of the City of Fort Myers currently vacant and zoned MU (Intense Mixed Use). This property is currently the subject of Department of Environmental Protection (DEP) permitting for the City of Fort Myers future 12-24 million GPD wastewater treatment plant proposed to be operational in 2009. To the west is a dense multi-family development under construction (Olympiad) in the City of Fort Myers. The project's eastern boundary abuts the northwestern most portion of Lehigh Acres. The eastern boundary is separated by a 120 foot canal and 100 foot Florida Power and Light easement. The properties in Lehigh (east) of this project are single-family platted lots that are mostly developed. The proximity to Lehigh enables this project to fulfill some of the needs of the Lehigh residents concerning employment centers.

The Board of County Commissioners has recognized the growing need to provide employment centers, commercial nodes and industrial land uses within the Lehigh Acres Community. Earlier this year they passed **Ordinance 06-04** to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and need for tracts of land capable of providing commercial and industrial land uses for the community. The massive pre-platting has caused shortages in several areas affecting the long term viability and self-sufficiency of the Lehigh community. In addition to needs for alternative housing choices there are shortages of large tracts of land for commercial and industrial employment centers and retail shopping areas. Without these the regional transportation network will be over burdened with Lehigh residents commuting long distances for basic, daily needs and work. The site is not appropriate for residential housing of any kind due to the former land fill status and intense industrial uses described in the prior paragraph (Incinerator and wastewater plant), but is appropriate in location, compatibility and road access in light of the expansion of Buckingham Road to four lanes (2020 Financially Feasible) for a mixed retail, office and light industrial park. As stated in the Lee Plan, "*Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services.*"

On the other hand the Buckingham Community policy is ". . .*that the majority of the communities commercial needs be met outside of their community*". The two policies are at odds. The subject property is centered between these two communities which creates a

logical compromise position for the county and the applicant. The County can permit commercial and industrial uses through a land use change that provides employment, shopping and commercial uses "outside" of Buckingham without over burdening the County's road network by forcing Buckingham residents into long commutes for basic needs. Meanwhile, the industrial and commercial centers will serve local Lehigh residents near the intensely developing western SR 82/Lee Boulevard area providing alternatives for shopping and employment from Lee Boulevard and SR82/Colonial. The applicant can provide significant buffering and has ample space to arrange intensity of uses appropriately so that abutting properties are very minimally affected.

This development will assist to ease the burden on the traffic infrastructure and commuting patterns of Lehigh residents, and fulfill an identified need for commercial and industrial employment centers in Lehigh Acres. The move from Buckingham to Lehigh will increase the applicability of the Lee Plan descriptions for both communities through a more logical, well defined, consistent area definitions.

STAFF RESTRICTIONS

We agree to the following restrictions on the land use:

Policy 1.9.1: All development for this site will be by Planned Development.

Policy 1.9.2: Development will be limited to Commercial (both general and retail) and Limited Light Industrial uses to an intensity allowed under the Urban Community Land Use designation. No residential uses will be allowed on the parcel described in Objective 1.9

Policy 1.9.4: A buffer will be established along Buckingham Road that will integrate the required sidewalk with appropriate plantings and berms to provide adequate visibility and protection to the non-motorized public.

- **The buffer, pertaining to the area abutting Buckingham Road, will be a minimum of fifty (50) linear feet in depth with a total average of seventy-five (75) linear feet in depth for the entire distance along Buckingham Road.**
- In working with the county, the required **sidewalk** will be eight (8) feet in width and function as a multi-purpose trail and will be designed to incorporate the entire buffer area.
- The buffer area will be designed in a fashion to incorporate the proximity of the Buckingham Park and its potential to be utilized by park patrons.
- The future potential for transit accessibility will be designed into the buffer area.
- The buffer area will be designed to establish a boundary between the Buckingham Rural Preserve to the north and the urban uses to the south of Buckingham Road and will, at a minimum consist of five (5) canopy trees per one hundred (100) linear feet and hedges planted in double staggered rows three (3) feet from center with a height at installation of forty-eight (48) inches.

  Native species are to be utilized for the required vegetative buffer.

CHANGES SINCE LPA HEARING

1. **A new access road from Lee Boulevard to Buckingham Road:** One of the objections to the request was the access to the property. We recognize that the property is only accessible via Buckingham Road. Lehigh residents must access Buckingham Road through primarily residential neighborhoods or by using SR 82 and further exacerbating the terrible traffic situation on the SR 82 segment from Lee Boulevard to Buckingham Road. If the commercial and industrial uses are to serve the needs of Lehigh residents how are they to access it without worsening traffic patterns. A tentative solution is in the works. The City of Fort Myers desires a road from there property that lies directly south of ours and fronts Lee Boulevard (the future site of the proposed wastewater treatment plant). We are offering a dedication of right-of-way for public access across our property to Buckingham Road with a connection to the treatment plant and Lee Boulevard. In a meeting with Saeed Kazemi and a letter from his office the City is willing to state that they intend to pursue this connection and our cooperation.

2. **A statement from the Lehigh Acres Planning:** Bo Tuberville was quoted in the News-Press after the LPA hearing stating that they planning group would not oppose commercial development near Lehigh. We placed calls to him but the reaction was there was not a great need to meet over a property that is not in Lehigh and that they would like to see anything but residential.

3. **Additional meeting with representatives from Buckingham:** to take place on December 6, 2006 after distribution of the application. But a subject to be discussed is NOT moving the property out of Buckingham. We can agree that the property can be retained in Buckingham and still move towards a commercial and industrial park.

SECTION I

TABLE 1(b)(Planning Community Year 2020 Allocations)

We are requesting a change in the **Planning Communities Map 16** so that the subject property is removed from the Buckingham Planning Community and included within the Lehigh Acres Planning Community. Text changes include moving 96 acres out of Buckingham non-regulatory vacant land into Lehigh Acres regulated industrial and commercial allocations.

Justification

The subject property presents a unique location and characteristic. The property is the only parcel south of Buckingham Road to be included within the Buckingham Planning Community. All other property to south of the arterial is in either the City of Fort Myers or Lehigh Acres Planning Community. The Buckingham Special Treatment Area boundary established for the Buckingham Rural Community Preserve uses Buckingham road as the boundary leaving this property as an unconnected piece of rural land separated from the preserve and Buckingham Community by a major arterial and further separated by the Lee

County Incinerator and Buckingham Park. The Lehigh Acres Planning Community description in the Lee Plan Vision describes the community area as *". . . generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line."* By all accounts this would seem to include the subject property. Likewise, the Buckingham Community Vision description seems to not include this land. *"This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve."* Moreover, the Board of County Commissioners has recognized the growing need to provide employment centers, commercial nodes and industrial land uses within the Lehigh Acres Community. Earlier this year they passed Ordinance 06-04 to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and levels of need for tracts of land capable of providing commercial and industrial land uses for the community.

Moving the subject property into the Lehigh Acres Planning Community and permitting the land use change to Urban Community helps rectify identified issues within the Lehigh Acres Community described in the Vision. *"Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services."* The move will also contribute to the solution sought by the community study by proving commercial and industrial uses within the planning community reducing commute times roadway traffic burdens outside of the community.

Analysis

According to our analysis the current Future Land Use Category for the 95.6 acre subject property is Rural. Table 1(b) of the Lee Plan specifies that the Buckingham Community has only 57 acres allocated for Rural (Residential by Future Land Use Category). This means that the allocation for the former land fill did not go to a residential designation. The table also provides regulatory allocations to Industrial and Commercial. Nevertheless, in Buckingham only 18 acres for Industrial and 5 acres for Commercial uses were allocated. It is our conclusion that the Lee Plan did not allocate the subject property to a regulatory category.

Table 1(b) continues to break down the 11,255 acres in the Buckingham Planning Community to five non-regulatory categories: Public, Active Agriculture, Passive Agriculture, Conservation and Vacant. The properties status as a former land fill leads us to believe that the allocation would not have been either Agricultural category nor Conservation. We believe the allocation for the subject property has to be within the 2,114 Public acres or in the 1,278 Vacant acres. It appears that a large amount of land has been mapped as Public on the FLUM most of which is dedicated to public purposes as the Lee County Incinerator and Buckingham Park. The subject property does not have a current public purpose and is in private ownership; therefore, we believe that the allocation for the subject property is within the 1,278 acres of vacant land in the Buckingham Community.

Conclusion

LEE PLAN GOALS & OBJECTIVES

LEE PLAN GOALS & OBJECTIVES

Quattrone &

We request that this category be reduced and redistributed to the regulatory category of Industrial and Commercial in the Lehigh Acres Planning Community as follows:

BUCKINGHAM

Current Non-Regulatory Category Allocation		REQUESTED CHANGE	
VACANT	1,278 Acres	1,182 Acres	(-96 Acres)

LEHIGH ACRES

Current Regulatory Category Allocation		REQUESTED CHANGE	
COMMERCIAL	452 Acres	490 Acres	(+38 Acres)
INDUSTRIAL	216 Acres	274 Acres	(+58 Acres)

The distribution to Commercial and Industrial is based on the master concept plan that depicts approximately 40% of the project for commercial purposes and 60% for industrial.

SECTION II
THE LEE PLAN

This request is consistent with the goals, objectives, policies and intent of the Lee Plan in accordance with the following:

LEE PLAN VISION

Planning Community

Lehigh Acres *- This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)*

The project abuts to the west the northwestern most portion of Lehigh Acres. The property is separated by a 120 foot canal and 100 foot Florida Power and Light easement. The properties in Lehigh to the west of this project are single-family platted lots that are mostly developed. The proximity to Lehigh enables this project to fulfill some of the needs of the Lehigh residents.

The massive pre-platting has caused shortages in several areas affecting the long term viability and self-sufficiency of the Lehigh community. In addition to needs for alternative housing choices there are shortages of large tracts of land for commercial and industrial employment centers and retail shopping areas. The site is not appropriate for residential housing of any kind due to the former land fill status, but is appropriate in location, compatibility and in light of the expansion of Buckingham Road to four lanes (2020 Financially Feasible) for a mixed retail, office and light industrial park. As stated above "*Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services.*" This development will greatly ease the burden of the traffic network and commuting patterns of Lehigh residents.

Buckingham *- This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan. (Added by Ordinance No. 99-15)*

The proposed project, at first, seems to be at odds with the Buckingham communities policy. If the project were in a different location within Buckingham it is agreed that the project would be inappropriate and incompatible with the communities goals, objectives and policies. However, below are substantial reasons why the project does not adversely affect the policies of the Buckingham Planning Community and is in fact a positive use of the land as well as a beneficial change for the area.

- The site is the southernmost portion of Buckingham abutting Lehigh Acres the entire length of its eastern boundary and the City of Fort Myers for its entire southern boundary and separated by Buckingham Road along its entire north and western boundaries. The site is cut-off from the Buckingham Rural Community Preserve and is not considered in the Preserve FLUC. Intense development from the City of Forty Myers and Lehigh Acres surrounds the projects east and south. North and west are large public uses that again separate the site from the preserve. In short, the site feels, looks, and is more a part of Lehigh Acres than Buckingham.
- The parcel's former use as a land fill makes environmental conservation and large lot housing unreasonable.

- Proximity to large industrial public uses (Lee County Incinerator and Buckingham Park) make it compatible and appropriate for light industrial uses and commercial recreation as proposed.
- The site will increase traffic on Buckingham road but the traffic will mostly be directed towards the major arterials such as I-75, SR 82, Colonial and Lee Boulevard, all west and south of the Buckingham Community, except for the traffic from Buckingham who would use the facilities, shop at the site or be employed in the industrial uses. If the Buckingham policy is ". . .*that the majority of the communities commercial needs be met outside of their community*", then the Urban Community FLUC and move to Lehigh Acres is a compromise that provides employment, shopping and commercial uses "outside" of the community without overly burdening the County's road network by forcing Buckingham residents into long commutes for basic needs.

We feel the Urban Community FLUC is appropriate whether the land is in the Lehigh Acres or Buckingham Community.

GOAL 1: FUTURE LAND USE

OBJECTIVE 1.1: FUTURE URBAN AREAS. *Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services.*

POLICY 1.1.1: *The* ***Future Land Use Map*** *contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2020. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, and Sanibel arc depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a). (Amended by Ordinance No. 94-29, 98-09)*

The intent is to amend the Future Land Use Map to **Urban Community** and the Planning Community Map (16) to allow the subject property to be part of Lehigh Acres and developed as a light industrial park with certain recreational and commercial uses. Although the subject property is in the Rural Land Use Category and is within the Buckingham Planning Community, given the property's proximity to the County Incinerator to the west which is zoned IPD, medium density residential lots in the Urban Community directly to the east and the City of Fort Myers MU zoning to the south with a pending wastewater treatment plant, and the high density residential development to the west (Olympiad) the proposed change appears to be consistent and not detrimental to the surrounding community.

See the project narrative, Section I, for more detail concerning the justification for the request.

Included above in Section II is the request for reallocating the uses depicted in Table 1(b) to accommodate this request.

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

Given the subject property's location and prior use in the 70's as a County landfill, this property is ideally suited for Commercial and Industrial Development, uses greatly needed for the growing Lehigh Acres Community. Lehigh Acres, which is comprised of over 100 square miles of medium to high density residential development, has only one industrial park which is nearing build out and few large tract commercial opportunities. It has long been acknowledged that the Lehigh Acres Community has a severe shortage of industrial and commercial property to serve its anticipated population. A fact the Board of County Commissioners recognized earlier this year when they passed Ordinance 06-04 to place a moratorium on single-family residential rezonings in order to give the community time to produce a study determining the areas and levels of need for tracts of land capable of providing commercial and industrial land uses for the community. Therefore, it is critical to Lehigh Acres' economic well being to look for opportunities to create additional industrial parks within its boundaries and/or adjacent to it.

The subject property fronts on a 2 lane arterial roadway (Buckingham Road) which is slated to be four-laned by 2020 and is located only three miles from I-75. Currently Buckingham Road does not exceed its level of service standard and is not anticipated to do so with the conversion of this property to commercial recreation, retail, office, and light industrial uses.

GOAL 2: GROWTH MANAGEMENT

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)*

To maintain the integrity of the non-urban categories and still meet the needs of the Lehigh Acres Community it essential to be able to amend the land use category for the subject parcel to Urban Community to enable commercial and light industrial development.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

The subject parcel is currently served by an adequate road system that is below the level of service standard and is also served by adequate utilities (water and sewer). A 6" diameter force main and 12" diameter water main have been extended by the City of Fort Myers to serve the Incinerator across the street. The City has stated that the project will be able to connect to water immediately and sewer in 2009 pending the development of the wastewater treatment plan currently under permit review locate directly south of the project. In addition, the property is also across the street from the existing Buckingham Park and is served by the Tice Fire District.

OBJECTIVE 2.4: FUTURE LAND USE MAP AMENDMENTS. *Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications.*

POLICY 2.4.1: *The County will accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Procedures, fees, and timetables for this procedure will be adopted by administrative code. (Amended by Ordinance No. 94-30).*

In accordance with this policy the applicant is requesting approval to amend the Land Use Map to put in place a Land Use that is more appropriate for the subject parcel given its location, past use as a landfill and need for commercial and industrial employment centers by the Lehigh Acres Community.

POLICY 2.4.4: *Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No, 00-22. 04-16)*

This application is driven by the shortage of commercial and light industrial land in and near the Lehigh Acres Community and is a direct attempt to contribute to the needs of the Lehigh community for employment centers. The 1,400 acres added to the Tradeport category doesn't directly benefit the Lehigh Acre Community and the existing Westgate Industrial Park is nearing build out.

GOAL 5: RESIDENTIAL LAND USES

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

The site is a former landfill making the property unable to support residential development from an environmental and marketing standpoint.

GOAL 6: COMMERCIAL LAND USES

Policy 6.1.1: *All applications for commercial development will be reviewed and evaluated as to:*

- *Traffic and access impacts are minimal given projected trip ends.*
  Access point are minimized and align with Buckingham Park and Neal Road. Only two access points are being requested for the entire 95.6 acres.

- *Screening and buffering can be provided to meet County standards.*
  The Master Concept Plan depicts buffers that exceed the County standards in all cases.

- *Sewer and water facilities are available, as well as all other utilities.*
  Sewer and water facilities are available through the City of Fort Myers. The property is actually in the FGUA utilities area and is not within Lee County's future Franchise areas for sewer or water. The Cities utilities run very close to the subject property with a six inch force main and 12 inch water main running to the Lee County incinerator adjacent to the west. The City has agreed the project can connect to the City water immediately and sewer in 2009 after the construction of the wastewater treatment currently in permit review by DEP located to the south of the project.

- *No residential uses adjacent to the project are impacted.*
  The commercial uses are located very far from any existing residential uses. The light industrial uses will be separated by a minimum of 220 feet (FPL easement and canal) and heavy vegetation from the existing homes to the east in Lehigh Acres.

- *Similar uses are located in the area.*
  Industrial uses are located north and west of the subject property. Commercial uses are not in the immediate area.

- *There are no environmental concerns with this property.*

The site was a former landfill. There are not any conservation or preservation concerns, nor any wetlands or environmentally sensitive plant communities.

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.*

The property is located on an arterial. Neal Road is a county maintained minor collector and is adjacent to the northern boundary of the project. Alvin Avenue is a county maintained major collector located approximately 300 feet to the east of the project nearly abutting the eastern boundary of the project. The site development plan calls for a 60 foot wide road transecting the site from the Neal Road entrance south to the center of the project and then continuing west to the entrance of Buckingham Park on Buckingham Road. It is our belief that this will serve as an extension of Neal Road and the road serving Buckingham Park and assist the project with an additional location at an intersection of an arterial and collector. With this criteria the entire western portion of the site should fall "at the intersection" of an arterial and collector enabling the site from Neal road south along Buckingham Road to its southern border to fall under Neighborhood Commercial and support up to 100,000 square feet of retail commercial uses.

POLICY 6.1.3: *Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:*

- *provide visual harmony and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary services and facilities where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 00-22)*

The project intends to provide substantial screening and buffering as depicted on the MCP with 50 buffers and Type "F" plantings. The location of the project provides necessary services (commercial, industrial) to Lehigh Acres residents. The surrounding transportation network is adequate and in line to be expanded in the 2020 Financially Feasible Plan.

Policy 6.1.6: *The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.*

The project intends to adhere to all LDC requirements as well as those put forth by the Buckingham Community in the Lee Plan.

GOAL 7: INDUSTRIAL LAND USES

OBJECTIVE 7.1: *All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30)*

POLICY 7.1.1: *In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:*

1. *The development must comply with local, state, and federal air, water, and noise pollution standards.*
2. *When located next to residential areas, industry must not generate noise levels incompatible with the residential development.*
3. *Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.*
4. *Contamination of ground or surface water will not be permitted.*
5. *Applications for industrial development will be reviewed and evaluated as to;*
   a. air emissions (rezoning and development orders);
   b. impact and effect on environmental and natural resources (rezoning and development orders);
   c. effect on neighbors and surrounding land use (rezoning);
   d. impacts on water quality and water needs (rezoning and development orders);
   e. drainage system (development orders);
   f. employment characteristics (rezoning);
   g. fire and safety (rezoning and development orders);
   h. noise and odor (rezoning and development orders);
   i. buffering and screening (planned development rezoning and development orders);
   j. impacts on transportation facilities and access points (rezoning and development orders);
   k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);
   l. Utility needs (rezoning and development orders); and
   m. Sewage collection and treatment (rezoning and development orders). (Amended by Ordinance No. 00-22)

The property is ideally suited for complying with the above standards. The property is buffered from the adjacent residential property to the east by a 120' wide East County Water Control District Canal and by a 100' wide FP&L Utility Easement. The majority of the property to the south is zoned in the City of Fort Myers as Recreational Use and the balance is zoned Mixed Use which allows a variety of uses, including uses which are potentially more intensive than the current proposal. There is only a small amount of Agriculturally zoned property to the north and the balance of the property to the west of Buckingham Road is the County Park and Incinerator.

POLICY 7.1.2: *Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to:*

- *promote compatibility and screening;*

- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary facilities and services where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 98-09, 00-22)*

The project intends to provide substantial screening and buffering as depicted on the MCP with 50 buffers and Type "F" plantings. The location of the project provides necessary services (commercial, industrial) to Lehigh Acres residents. The surrounding transportation network is adequate and in line to be expanded in the 2020 Financially Feasible Plan.

POLICY 7.1.3: *Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips: and utilities: greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Amended by Ordinance No. 93-25, 94-30, 00-22)*

As stated above the subject property is located within 3 miles of I-75 via SR 80 (Immokalee Road) and Buckingham Road. The property is also directly adjacent to Lehigh Acres which allows it to directly serve the need of that community for industrial property. In addition, given the prior use of the property, it is not suitable or desirable for residential use.

POLICY 7.1.4: *The Future Land Use Map must designate a sufficient quantity of land to accommodate industrial development that will employ 3% of the county's population in manufacturing activities by the year 2010. A report will be prepared by county staff every two years to monitor the county's progress towards this employment goal. (Amended by Ordinance No. 93-25, 94-30, 00-22)*

The intent of the amendment is to further the goal of the County to reach the 3% manufacturing goal. The goal is to also assist the Lehigh Acres community in attaining commercial and industrial employment centers in response to Ord 06-04 and other stated BoCC goals concerning employment centers in Lehigh Acres.

POLICY 7.1.5: *The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. (Amended by Ordinance No. 00-22)*

The need for the industrial park is immediate and the there are adequate services and facilities that can serve the property.

POLICY 7.1.6: *Land that is located outside of the Industrial Development, Tradeport, and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available, the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:*

a. *The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or*

b. *The parcel is located in the Intensive Development, Central Urban, Urban Community, General Interchange, Industrial Commercial Interchange, or University Village Interchange land use categories, and is zoned as a Planned Development. (Amended by Ordinance No. 94-30, 98-09, 99-18, 04-16)*

The intent is to amend the land use for the subject property to Industrial Development whereby making this policy not applicable.

POLICY 7.1.8: *Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Amended by Ordinance No. 00-22)*

The subject property will be adequately buffered in accordance with the Lee County Land Development Code. In addition the ECWCD Canal and FP&L easement along the eastern property line will further aid in buffering the property and an enhanced buffer is being offered along Buckingham Road (50 feet wide in lieu of 15 feet).

POLICY 7.1.9: *Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Amended by Ordinance No. 00-22)*

The subject parcel is located directly on a 2 lane arterial road and will not have direct access to any other road, including any residential local roads.

GOAL 11: WATER, SEWER, TRAFFIC, AND ENVIRONMENTAL REVIEW STANDARDS

Standard 11.1: Water
Standard 11.2: Sewer

Utility connections are available through the City of Fort Myers. Water immediately and sewer in 2009.

GOAL 39: DEVELOPMENT REGULATIONS.

Maintain clear, concise, and enforceable development regulations that fully address on-site and off-site development impacts and protect and preserve public transportation facilities. (Amended by Ordinance No. 98-09, 99-15)

OBJECTIVE 39.1: DEVELOPMENT IMPACTS. *The county will maintain and enforce development regulations to ensure that impacts of development approvals occur concurrently with adequate roads, and to achieve maximum safety, efficiency, and cost effectiveness. (Amended by Ordinance No. 99-15)*

POLICY 39.1.1: *New development must:*

- *Have adequate on-site parking.*
- *Have access to the existing or planned public road system except where other public policy would prevent such access.*
- *Fund all private access and intersection work and mitigate all site-related impacts on the public road system; this mitigation is not eligible for credit against impact fees. (Amended and Relocated by Ordinance No. 99-15)*

The project intends to adhere or exceed all LDC requirements.

POLICY 39.1.4: *Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided. (Amended and Relocated by Ordinance No. 99-15)*

Direct access to the project is on an arterial.

POLICY 39.1.5: *The Land Development Code will continue to require appropriate landscaping for developments abutting arterial and collector roads. (Amended and Relocated by Ordinance No. 99-15)*

The project plans to exceed the buffer requirements in terms of depth along Buckingham Road.

POLICY 39.1.6: *Through the zoning process, the county will direct high-intensity land uses to parcels which abut designated future transit corridors identified in Map 3C. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)*

While the location is appropriate for the uses requested, Lee Tran does not plan on providing service to Buckingham Road.

GOAL 53: POTABLE WATER INFRASTRUCTURE.

To ensure the public health, welfare, and safety by the provision of high-quality central potable water service throughout the future urban areas of unincorporated Lee County, and to ensure that the costs of providing facilities for the supply of potable water are borne by those who benefit from them.

OBJECTIVE 53.1: *The County will ensure the provision of acceptable levels of potable water service throughout the future urban areas of the unincorporated county. either directly by Lee County Utilities, or indirectly through franchised utility companies. (Amended by Ordinance No. 94-30, 00-22, 03-04)*

POLICY 53.1.1: *The Board of County Commissioners hereby establishes service areas for the Lee County Utilities water systems throughout which it will provide standard service as required by demand, and within which it will challenge applications by private water utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 6. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)*

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel. The City has agreed the project can connect to the City water immediately and sewer in 2009 after the construction of the wastewater treatment currently in permit review by DEP located to the south of the project.

GOAL 53: SANITARY SEWER INFRASTRUCTURE.

To protect the public health and environmental quality by encouraging and ensuring the provision of sanitary sewer service and wastewater treatment and disposal throughout the future urban areas of the unincorporated county and to Fort Myers Beach. (Amended by Ordinance No. 98-09)

OBJECTIVE 56.1: *The comity will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies. (Amended by Ordinance No. 00-22)*

POLICY 56.1.1: *The Board of County Commissioners hereby establishes service areas for the Fort Myers Beach Iona sewer system, the South Fort Myers sewer system, the East Lee County sewer system, and the Matlacha sewer system throughout which it will provide standard service as required by demand, and within which it will challenge applications by private sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 7. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.*

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel. The City has agreed the project can connect to the City water immediately and sewer in 2009 after the construction of the wastewater treatment currently in permit review by DEP located to the south of the project.

SECTION III

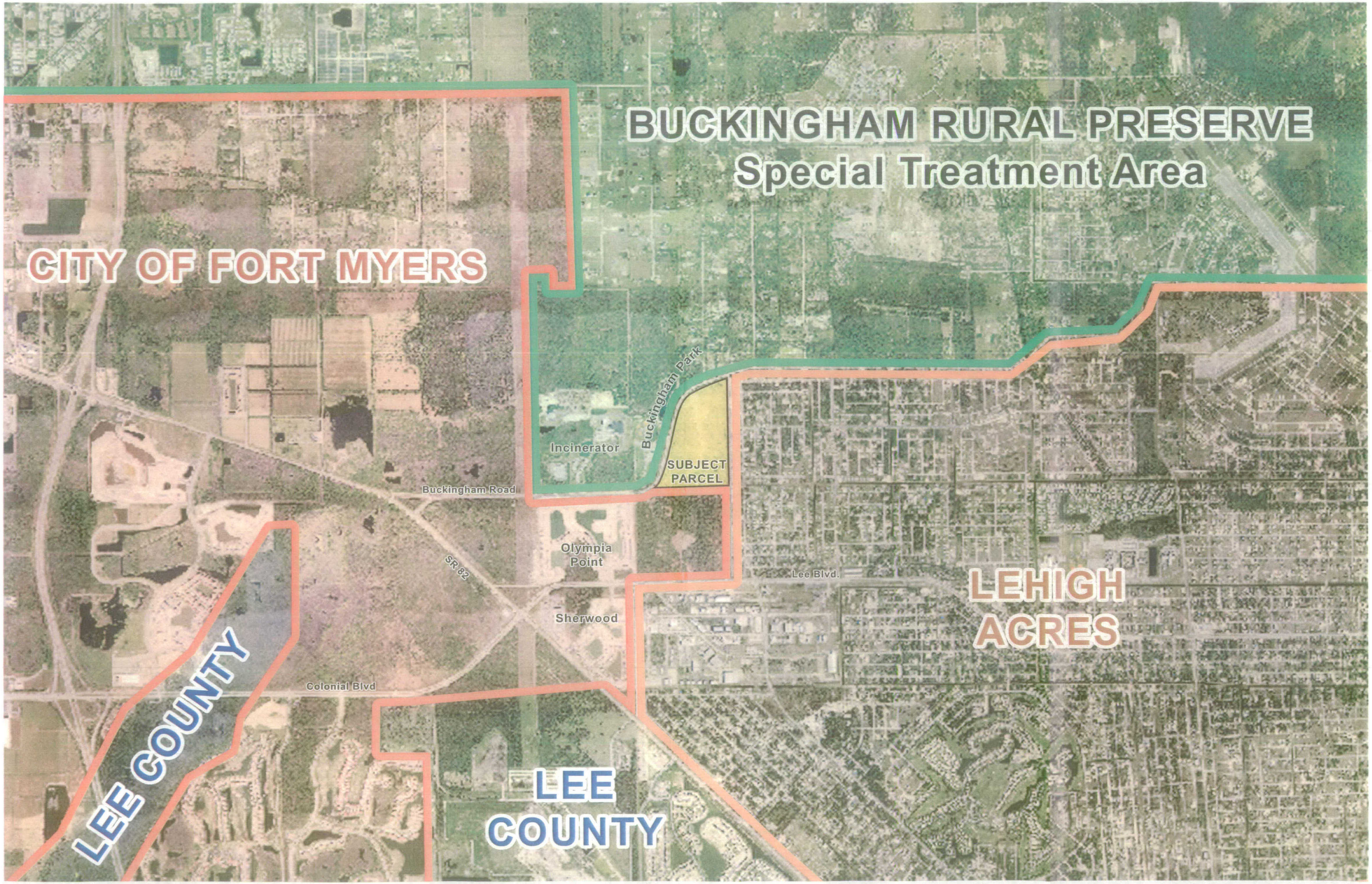
AFFECTS ON ADJACENT LOCAL GOVERNMENT AND ITS COMPREHENSIVE PLAN

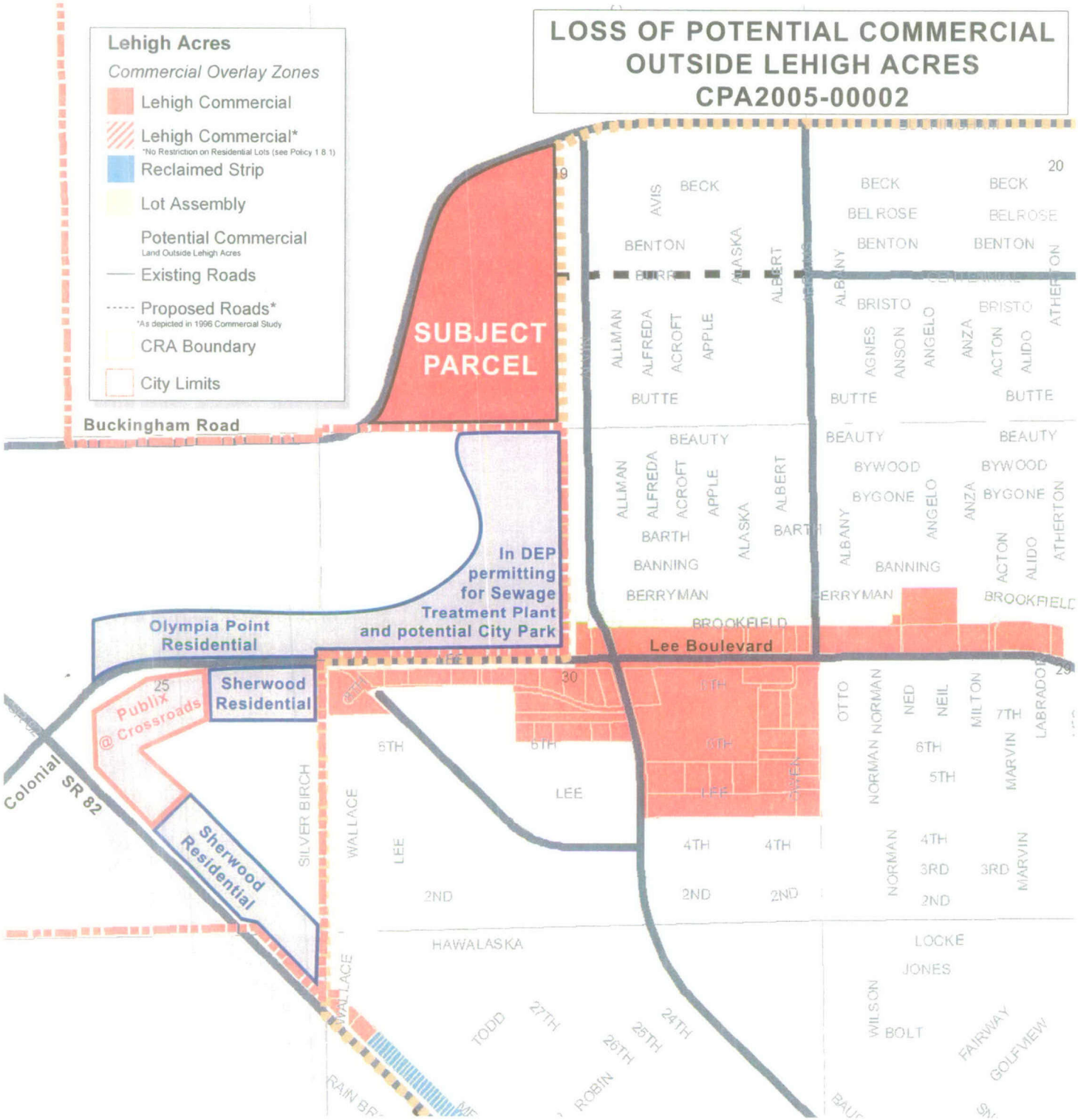
The subject property is located within the unincorporated portion of Lee County and is bound on the south by the City of Fort Myers. The adjacent City property although currently vacant is zoned MU which allows a wide variety of use upon approval through a public hearing process. The proposed amendment is unlikely to have an adverse impact on the City's properties.

SECTION IV

STATE POLICY PLAN AND REGIONAL POLICY PLAN GOALS AND POLICIES

State and Regional Policy Plans are consistent with the Lee County Comprehensive Plan and as such have been addressed.


BUCKINGHAM RURAL PRESERVE
Special Treatment Area
CITY OF FORT MYERS
Incinerator
Buckingham Park
SUBJECT PARCEL
Buckingham Road
Olympia Point
SR 82
Lee Blvd.
LEHIGH ACRES
Sherwood
Colonial Blvd
LEE COUNTY
LEE COUNTY


LOSS OF POTENTIAL COMMERCIAL
OUTSIDE LEHIGH ACRES
CPA2005-00002
Lehigh Acres
Commercial Overlay Zones
Lehigh Commercial
Lehigh Commercial*
*No Restriction on Residential Lots (see Policy 1.8.1)
Reclaimed Strip
Lot Assembly
Potential Commercial
Land Outside Lehigh Acres
Existing Roads
Proposed Roads*
*As depicted in 1996 Commercial Study
CRA Boundary
City Limits
SUBJECT PARCEL
Buckingham Road
In DEP permitting for Sewage Treatment Plant and potential City Park
Olympia Point Residential
Sherwood Residential
Publix @ Crossroads
Sherwood Residential
Lee Boulevard
Colonial
SR 82
BECK
BENTON
BELROSE
BRISTO
BUTTE
BEAUTY
BYWOOD
BYGONE
BARTH
BANNING
BERRYMAN
BROOKFIELD
LEE
HAWALASKA
LOCKE
JONES
BOLT
AVIS
ALLMAN
ALFREDA
ACROFT
APPLE
ALASKA
ALBERT
ALBANY
AGNES
ANSON
ANGELO
ANZA
ACTON
ALIDO
ATHERTON
OTTO
NORMAN
NED
NEIL
MILTON
MARVIN
LABRADOR
WALLACE
SILVER BIRCH
TODD
ROBIN
WILSON
FAIRWAY
GOLFVIEW
5TH
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7TH
4TH
3RD
2ND
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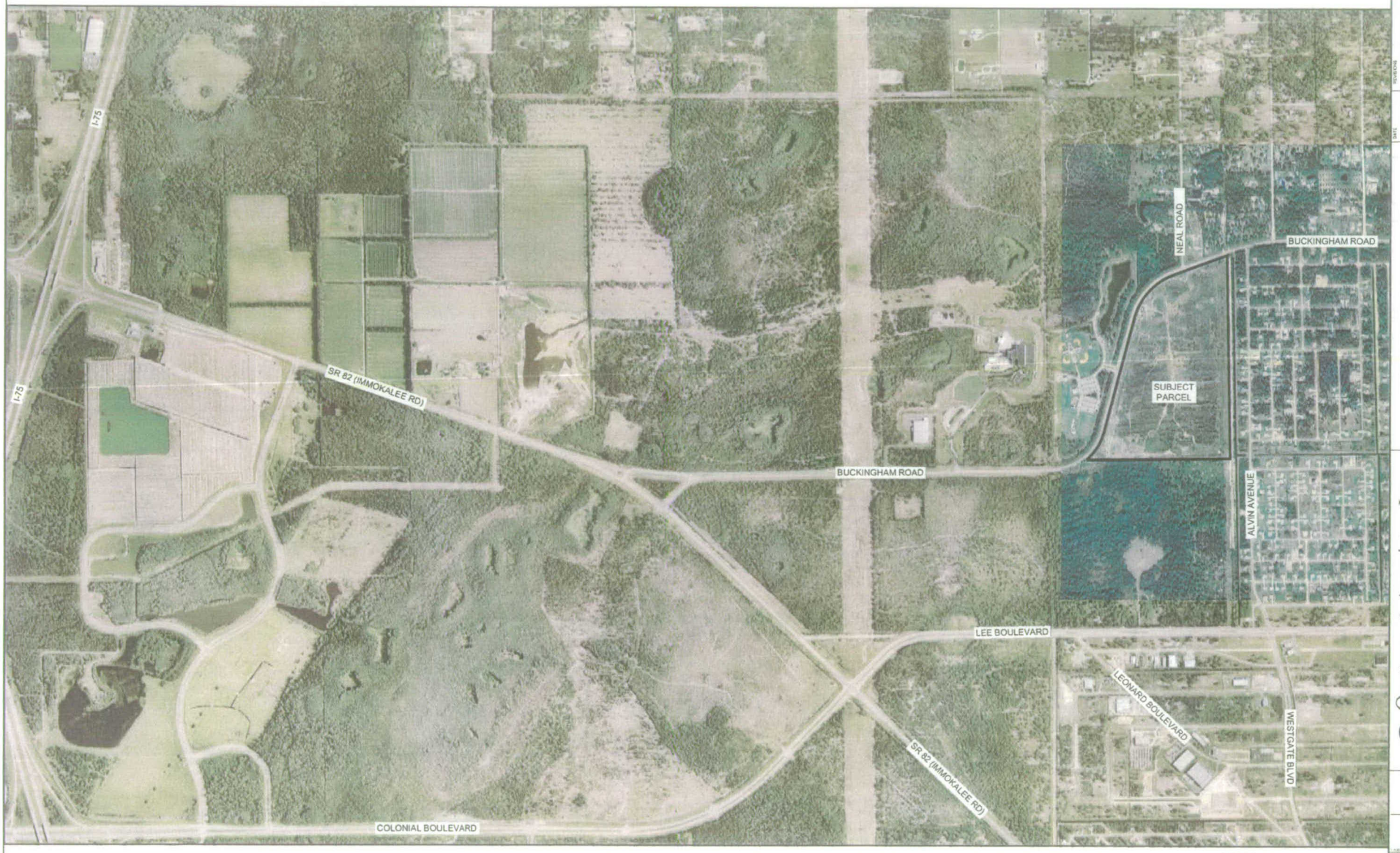
MAPS

EXHIBITS

Quattrone &



NORTH

600' 1200'

SCALE 1"=600'

WEBB BUCKINGHAM CPA
EXHIBIT A-7 VICINITY AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 20 - Fort Myers, Florida 33912 - 239-936-2222
Certificate of Authorization Number 4845

A-7

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A-7

Quattrone & Associates, Inc.
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11000 Metro Parkway, Suite 30 · Fort Myers, Florida 33912 · 239-936-5222
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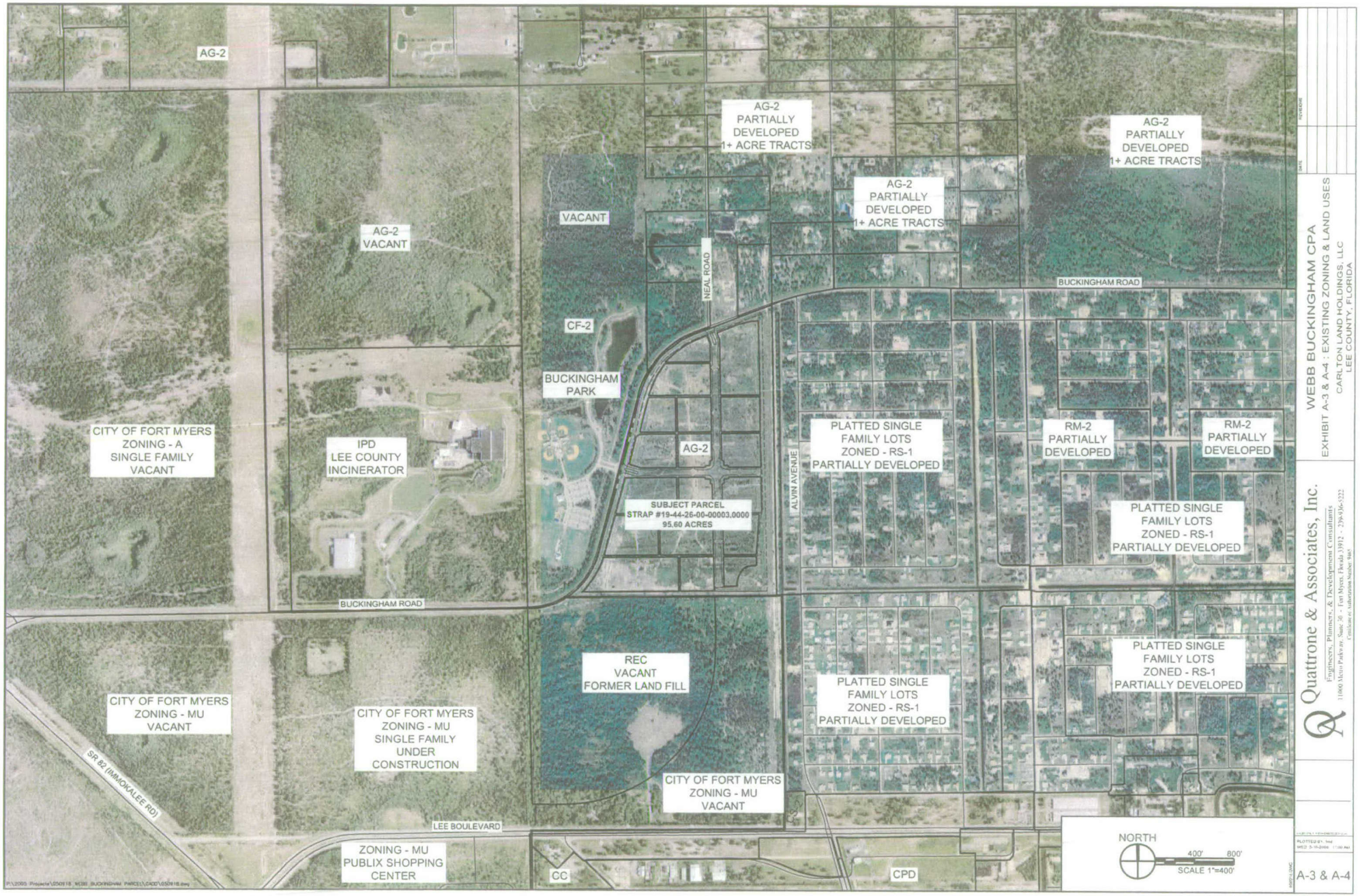
WEBB BUCKINGHAM CPA
EXHIBIT A-7 PROJECT AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

DATE	REVISIONS



WEBB BUCKINGHAM CPA

EXHIBIT A-3 & A-4 : EXISTING ZONING & LAND USES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
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11000 Metro Parkway, Suite 20 • Fort Myers, Florida 33912 • 239/936-1522
Certificate of Authorization Number 4947

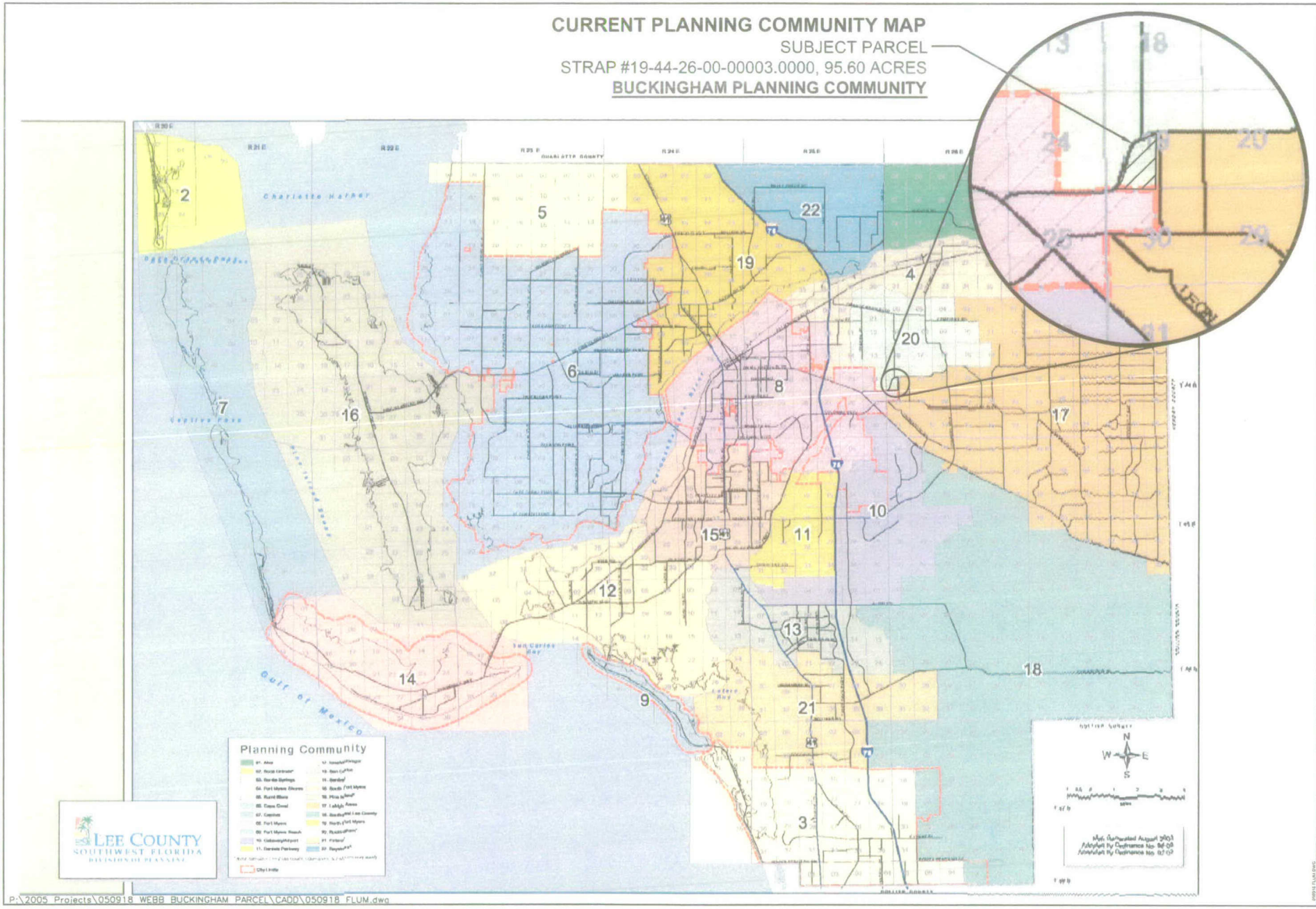
A-3 & A-4

CURRENT PLANNING COMMUNITY MAP

SUBJECT PARCEL

STRAP #19-44-26-00-00003.0000, 95.60 ACRES

BUCKINGHAM PLANNING COMMUNITY



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

WEBB BUCKINGHAM CPA
EXHIBIT A-2a: EXISTING PLANNING COMMUNITIES
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11800 Metro Parkway, Suite 38 - Fort Myers, Florida 33912 - 239-936-2322
Certificate of Authorization Number 1443

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A-2a

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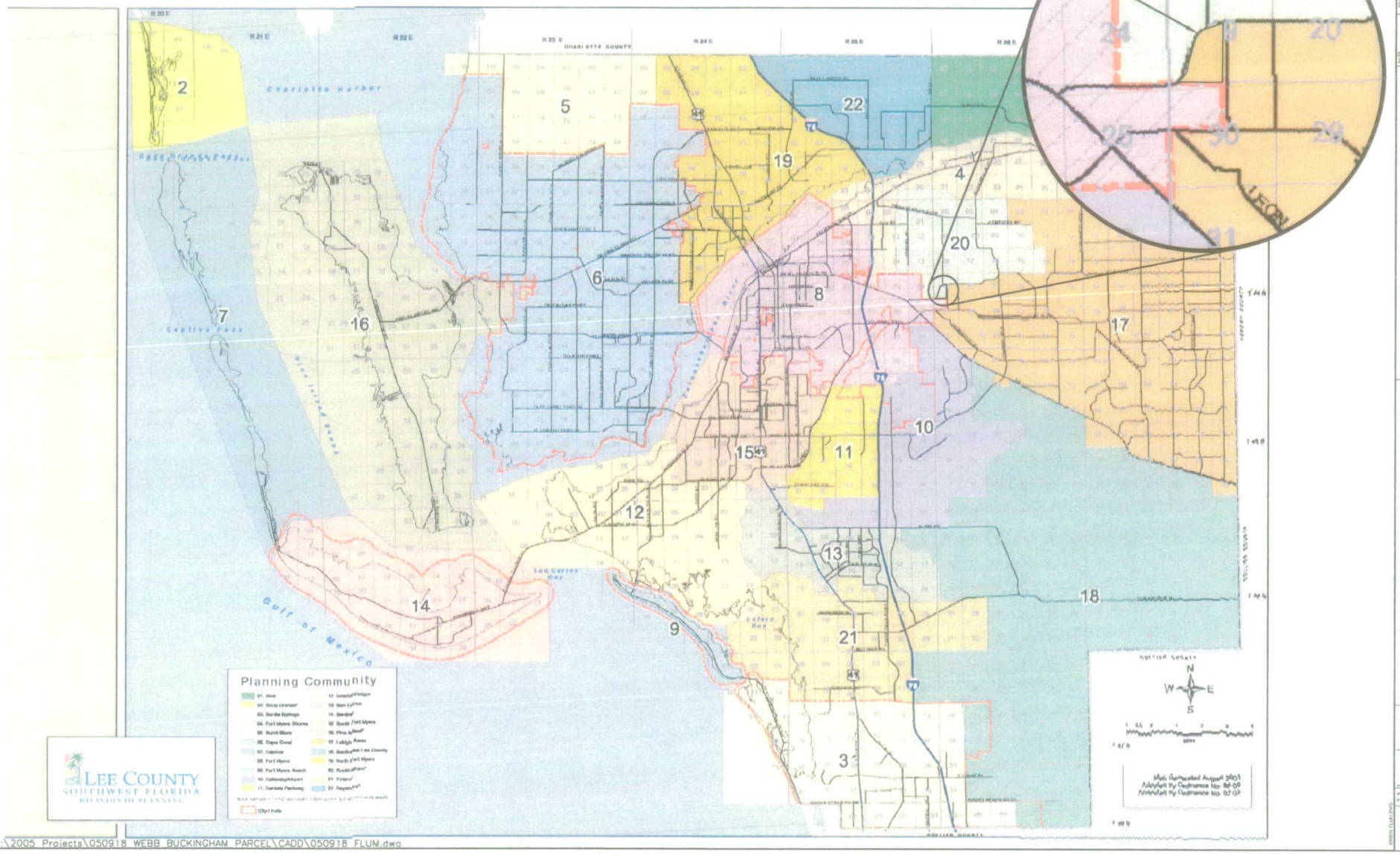
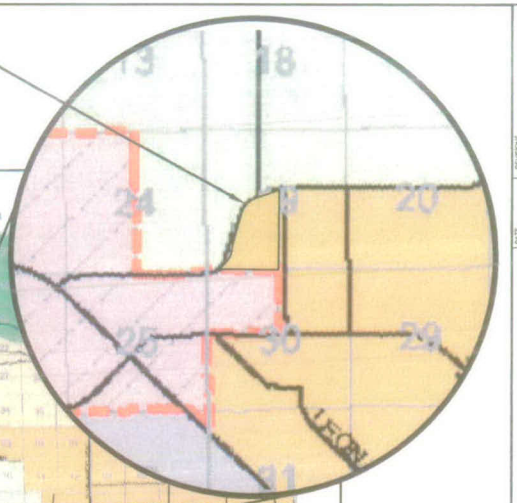
PROPOSED PLANNING COMMUNITY MAP

SUBJECT PARCEL

STRAP #19-44-26-00-00003.0000, 95.60 ACRES

LEHIGH ACRES PLANNING COMMUNITY





WEBB BUCKINGHAM CPA

EXHIBIT A-2b: PROPOSED PLANNING COMMUNITIES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.

Engineers, Planners, & Development Consultants

11000 Metro Parkway, Suite 20 - Fort Myers, Florida 33912 - 239-936-1222

Certificate of Authorization Number 3665

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ON: 7-7-2006 10:03 AM

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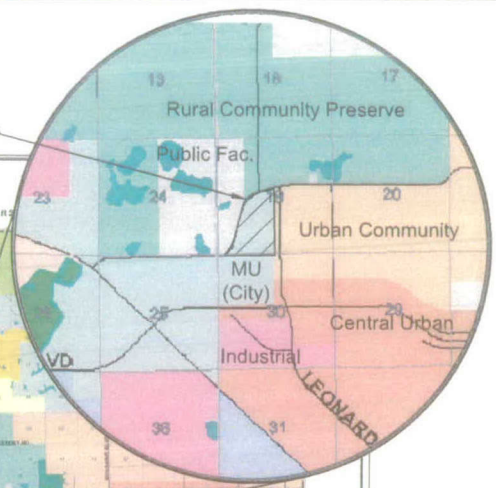
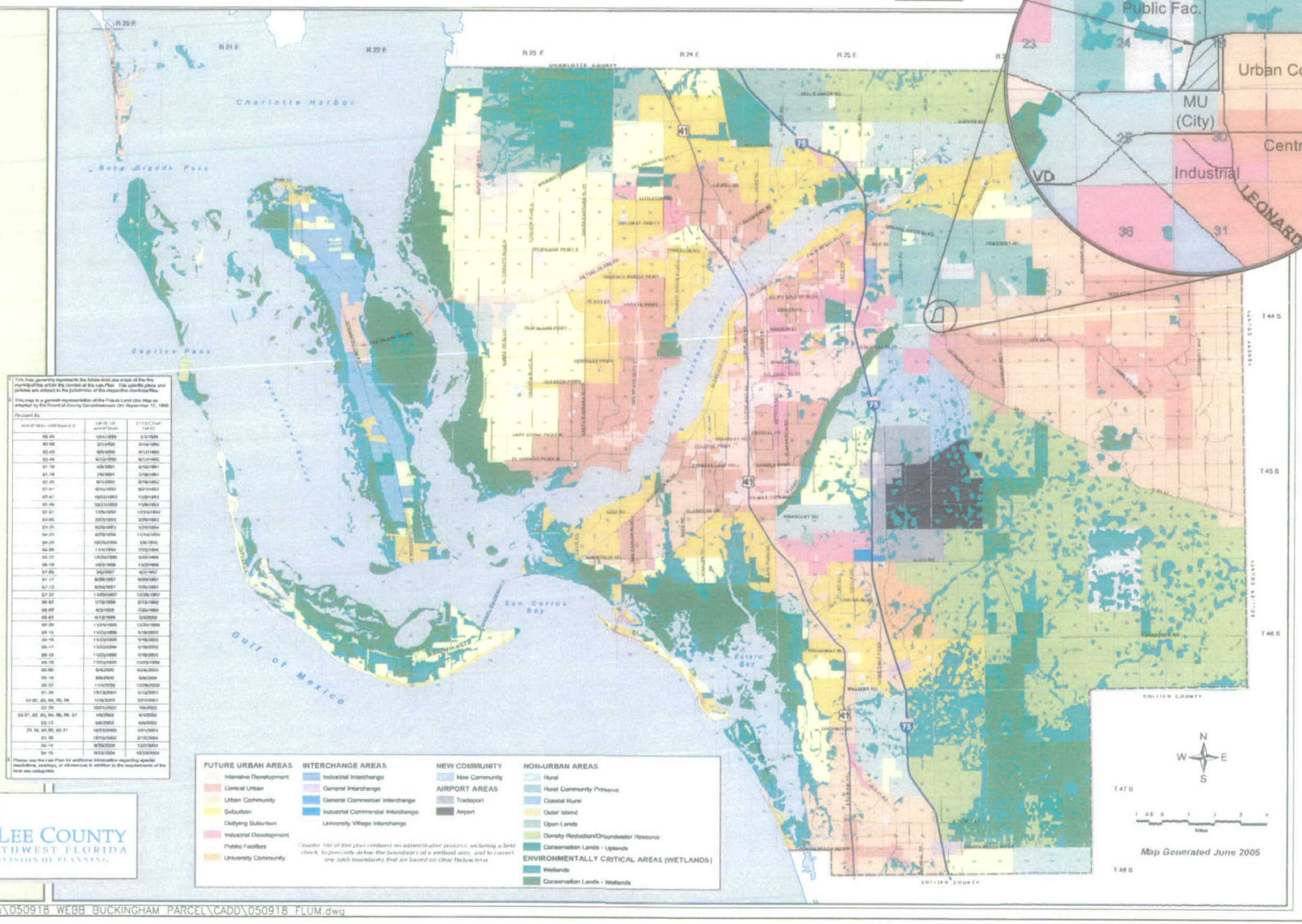
A-2b

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
CURRENT: **RURAL**





Revised By	Date of Amendment	Effective Date
89-05	5/1/1989	5/1/1989
90-08	2/1/1990	5/16/1990
90-45	8/6/1990	9/13/1990
92-44	9/13/1992	9/13/1992
91-10	4/8/1991	4/10/1991
91-19	7/8/1991	7/18/1991
92-26	8/1/1992	8/18/1992
97-01	6/11/1992	6/11/1992
92-47	10/31/1992	11/9/1992
92-48	12/21/1992	1/19/1993
93-01	1/26/1993	1/27/1993
93-05	2/23/1993	3/26/1993
93-20	6/29/1993	1/24/1994
94-03	6/29/1994	11/14/1994
94-20	10/25/1994	1/6/1995
94-29	11/1/1994	7/25/1995
95-21	12/29/1995	5/29/1996
96-19	10/2/1996	11/27/1996
97-05	3/5/1997	4/2/1997
97-17	6/26/1997	9/30/1997
97-13	6/24/1997	7/25/1997
97-20	11/26/1997	12/26/1997
98-03	1/12/1998	2/13/1998
98-09	6/2/1998	7/22/1998
99-01	6/13/1999	3/3/2000
99-08	11/24/1999	12/24/1999
99-15	11/23/1999	1/18/2000
99-16	11/23/1999	1/18/2000
99-17	11/23/1999	1/18/2000
99-18	11/23/1999	1/18/2000
99-19	12/21/1999	12/25/1999
00-06	5/8/2000	5/26/2000
00-16	8/8/2000	8/8/2000
00-32	11/14/2000	12/26/2000
01-24	12/13/2001	1/12/2001
02-02, 03, 04, 05, 06	1/15/2002	2/21/2002
02-09	10/21/2002	10/2002
03-01, 02, 03, 04, 05, 06, 07	1/6/2003	4/1/2003
03-13	6/6/2003	6/6/2003
03, 04, 05, 06, 07-01	10/23/2003	1/21/2004
03-09	12/15/2003	2/15/2004
04-14	9/29/2004	12/2/2004
04-15	9/23/2004	10/23/2004

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, 1984.
3. Please see the Lee Plan for additional information regarding specific restrictions, overlays, or allowances in addition to the requirements of the land use categories.

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

Chapter XIII of the 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.

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

Map Generated June 2005

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WEBB BUCKINGHAM CPA
EXHIBIT A-2 CURRENT FLUM
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 · Fort Myers, Florida 33912 · 239/936-5222
Certificate of Authorization Number 3667

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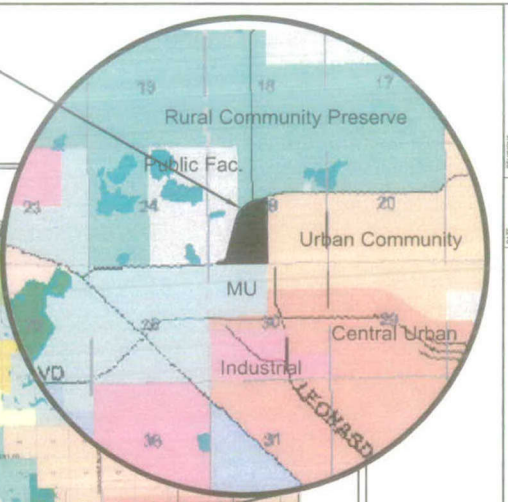
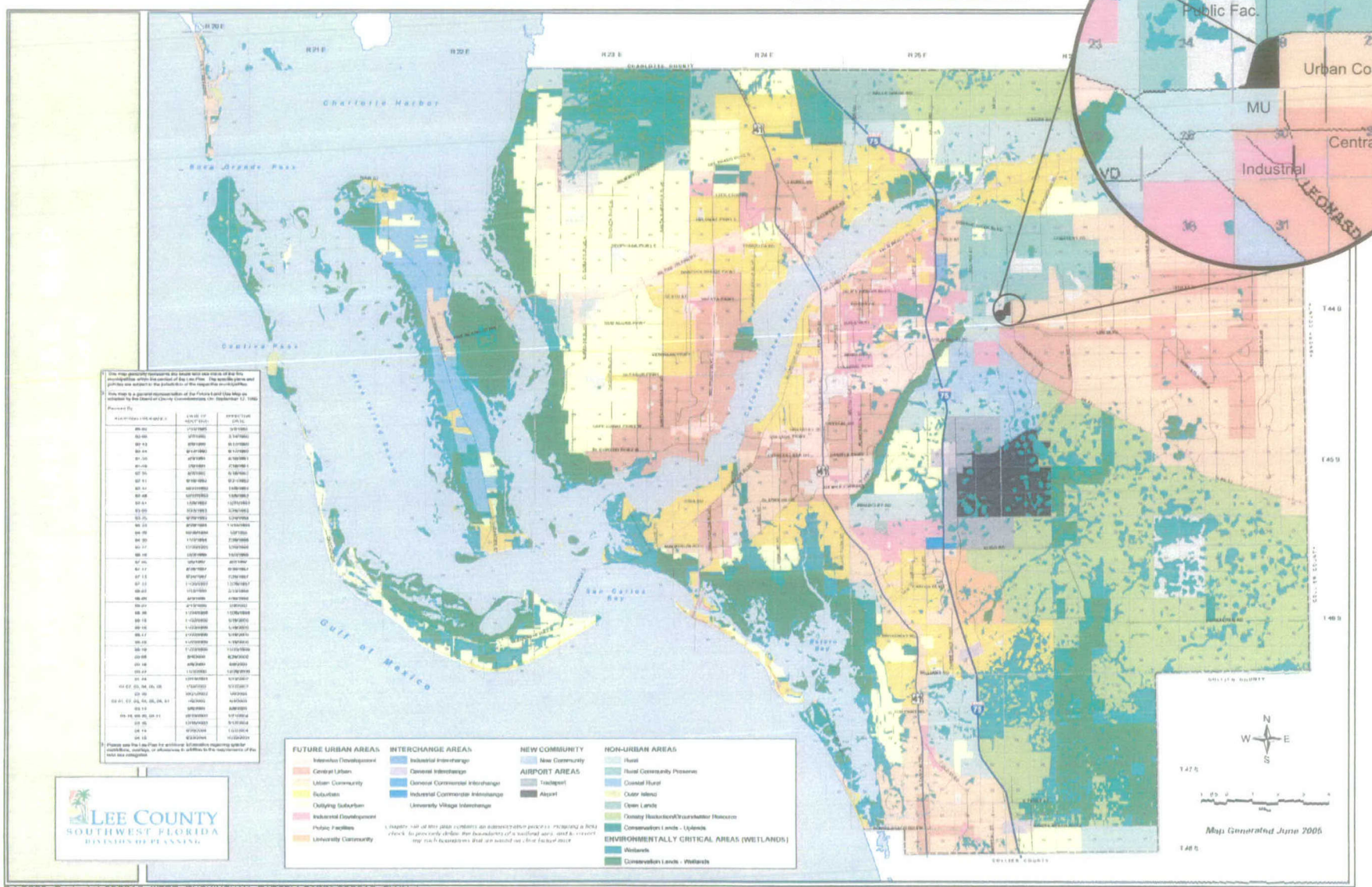
File: 5-5-2005 9:50 AM

A-2
1 of 2

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
PROPOSED: **URBAN COMMUNITY**





FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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WEBB BUCKINGHAM CPA
EXHIBIT A-2 PROPOSED FLUM
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 20 - Fort Myers, Florida 33912 - 239/436-1322
Certificate of Authorization Number 6645

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FRI, 9-9-2005 9:09 AM

A-2
2 OF 2

BUCKINGHAM ROAD
ALVIN AVENUE
832 - ELECTRICAL TRANSMISSION LINES (6.72 AC)
FLUCCS CODE 740 / 835*
88.88 AC.
SOIL #69
BUCKINGHAM ROAD
BUCKINGHAM ROAD
BAGLEY ENVIRONMENTAL & PLANTING SERVICES
4850 CEDAR HAMMOCK COURT
FORT MYERS, FLORIDA 33905
PH: 239-693-3919 FAX: 239-694-5405
CARLTON HOLDINGS PROPERTY
PROPOSED +95.60 ACRE DEVELOPMENT
LEE COUNTY, FLORIDA
STRAP# 19-44-26-00-00003.0000
SEPTEMBER 2005
FLUCCS Description Acreage
740 / 835* Disturbed Land / Solid Waste Disposal w/ Scattered Cabbage Palms 88.88 Ac.
832 Electrical Transimission Lines 6.72 Ac.
Soils Description Acreage
69 Matlacha Gravelly Fine Sand 95.60 Ac.
NORTH
200' 400'
SCALE 1"=200'
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number 5445
WEBB BUCKINGHAM CPA
EXHIBIT C-1 and C-2 FLUCCS/SOILS MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA
C-1 & C-2

WEBB BUCKINGHAM CPA

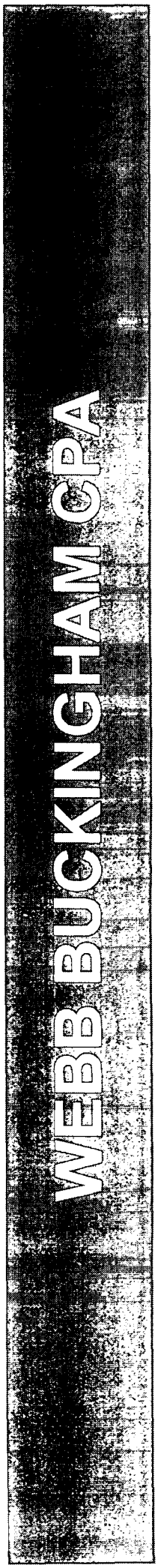
(a.k.a. Cartlon Property)

CPA2005-00002

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

STRAP #19-44-26-00-00003.0000
LEE COUNTY, FLORIDA

Quattrone &



LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D _____ REC'D BY: _____

APPLICATION FEE _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:
Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:
Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

_____
DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

CARLTON LAND HOLDINGS, LLC
APPLICANT

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	*FLORIDA*	*33413*
CITY	STATE	ZIP

TELEPHONE NUMBER FAX NUMBER

AL QUATTRONE – QUATTRONE AND ASSOCIATES, INC.
AGENT*

11000 METRO PARKWAY, SUITE 30
ADDRESS

FORT MYERS	*FLORIDA*	*33912*
CITY	STATE	ZIP

239/936-5222	*239/936-7228*
TELEPHONE NUMBER	FAX NUMBER

CARLTON LAND HOLDINGS, LLC
OWNER(s) OF RECORD

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	*FLORIDA*	*33413*
CITY	STATE	ZIP

TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

Text Amendment ✓ Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended
Maps 1 and 16

B. SUMMARY OF REQUEST (Brief explanation):

1. Amend the Future Land Use designation (Map 1): for a 95.60 acre parcel of land located in the West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida from Rural to Urban Community.

2. Change the Planning Community Boundary (Map 16): redefining the boundary between Lehigh Acres and the Buckingham Community by moving the subject property out of Buckingham and into the Lehigh Acres Planning Community.

3. Prepare a text amendment to adjust Table 1 (b): to make changes to the commercial and industrial regulated land totals to the Lehigh Acres Planning Community.

4. Rezone from AG-2 to a combination of a Commercial Planned Development (CPD) and Industrial Planned Development (IPD). The intent is to create a commercial office, retail and recreation center, and a light industrial park that is sensitive to and compatible with the Buckingham Community and the abutting single-family houses in Lehigh Acres.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location: **Subject parcel is located on Buckingham Road approximately 1 mile east of Immokalee Road (SR 82) and is approximately 3 miles from exit 138 on I-75 via Immokalee Road to Buckingham Road.**

1. Site Address: **9711 Buckingham Road, Lehigh Acres, Florida 33971**

2. STRAP(s): **19-44-26-00-00003.0000**

B. Property Information

Total Acreage of Property: **95.60 Acres**

Total Acreage included in Request: **95.60 Acres**

Area of each Existing Future Land Use Category: **Rural (95.60 Acres)**

Total Uplands: **95.60 Acres**

Total Wetlands: **0.00 Acres**

Current Zoning: **AG-2**

Current Future Land Use Designation: **RURAL**

Existing Land Use: **Vacant Agricultural Land, former Lee County Land Fill**

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: **No**

Airport Noise Zone 2 or 3: **No**

Acquisition Area: **No**

Joint Planning Agreement Area (adjoining other jurisdictional lands): **No**

Community Redevelopment Area: **No**

D. Proposed change for the Subject Property: **Move the subject property into the Lehigh Acres Planning Community (Map 16) and amend the Future Land Use Map (1) designation to Urban Community to allow a commercial office, retail and recreation area (i.e. bowling alley, arcade, miniature golf, batting range, etc) and a light industrial park.**

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density:	**95 units/1 dwelling unit per acre**
Commercial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**
Industrial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density:	**573 total residential units at up to 6 du/acre (maximum of 401 single-family units - 4.2 du/acre). However, former land fill status would restrict residential developments from occurring by both the market and environmentally.**

Commercial intensity:	**742,500 sq. ft. calculating 67.5 acres developable at an intensity of 11,000 square feet of building per acre.**
Industrial intensity:	**877,500 sq. ft. calculating 67.5 acres developable at an intensity of 13,000 square feet of building per acre.**

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps
NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
See attached document – Exhibit A-1.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
See Attached Map - Exhibit A-2.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

   See Attached Map - Exhibit A-3 and A-4.

   The subject property is located within the Buckingham Planning Community with a Future Land Use designation of Rural and is zoned AG-2. The subject property is currently vacant and is being used for cattle grazing. The site was used back in the early to mid 1970' as a county land fill and has remained vacant since ceasing the land fill operation in approximately 1976. Although the property is located with the Buckingham Planning Community and has a FLUM designation of

Rural, the prior use of the land renders the land unusable for residential use making it more consistent with a commercial or industrial type use. Given the type of uses to the west and south and the separation between the subject parcel and the residential lots to the east, it is unlikely the proposed land use change would adversely affect the adjacent parcels or the character of the Buckingham area.

The property to the east is part of the Lehigh Acres Planning Community with a Future Land Use designation of Urban Community and is zoned RS-1. Of the 35 residential lots adjacent to the subject parcel's east property line, less than half the residential lots are improved. The residential lots are separated from the subject parcel by a 120' wide East Canal Water Control District canal right-of-way and by a 100' wide FP&L easement located along the easterly 100' of the subject parcel.

The property to the south is within the City of Fort Myers city limits with a Future Land Use designation of Rural and is zoned MU, which allows wide range of uses. The City is in permit review with DEP for a 12-24 million GPD wastewater treatment plant slated to be operational in 2009.

Directly west of the site is the County owned Buckingham Park which consists of multiple football and baseball fields, a community playground, hiking trails, and recreational facilities for dogs. West of the park is the county incinerator. Both parcels have a Future Land Use designation of Public Facilities. The park is zoned CF-2 and the incinerator is zoned IPD. South west is a dense multi-family residential development within the City named Olympiad.

There are three parcels located directly north of the site and they are part of the Rural Community Preserve Planning Community with a Future Land Use designation of Rural and are zoned AG-2. Two of the three parcels have improvements on them.

4. Map and describe existing zoning of the subject property and surrounding properties.
   See Attached Map - Exhibit A-3 and A-4.

   Subject parcel is zoned AG-2
   East of subject parcel is zoned RS-1
   North of subject parcel is zoned AG-2
   West of subject parcel is zoned CF-2
   South of subject parcel is zoned MU & REC (City of Fort Myers)

5. The legal description(s) for the property subject to the requested change.

   West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida.

6. A copy of the deed(s) for the property subject to the requested change.
   See Attached.

7. An aerial map showing the subject property and surrounding properties.
   See Attached Map – Exhibit A-7.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.
   Applicant is the owner.

B. Public Facilities Impacts
NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

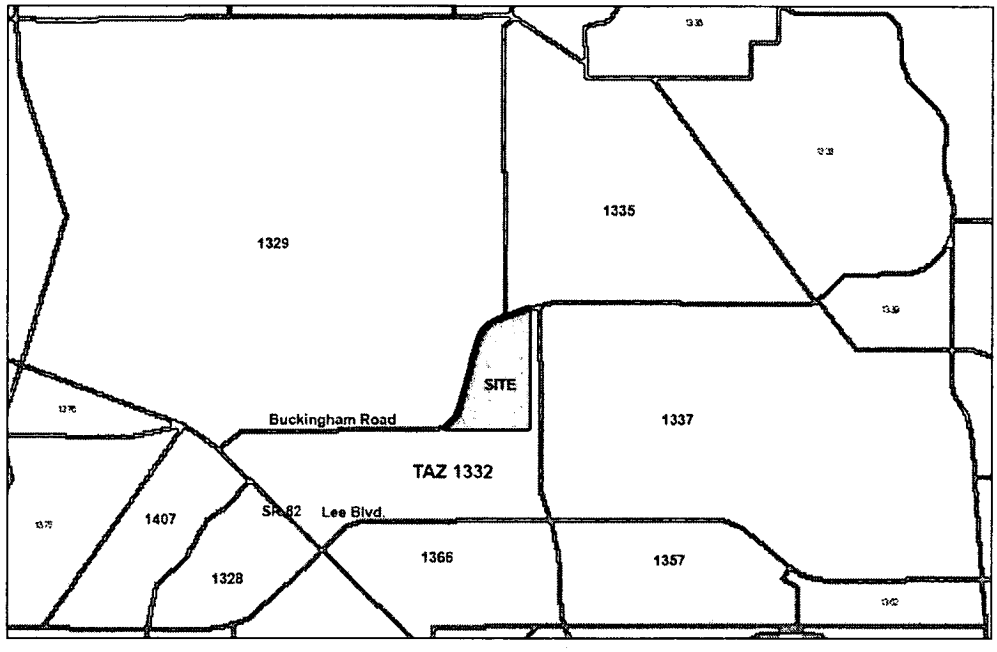
1. Traffic Circulation Analysis
   The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

   Long Range – 20-year Horizon:

   a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
      See Attached Document – Exhibit B-1a.

      The subject parcel is located in TAZ 1332 encompassing the area from SR 82 east to Alvin Avenue and from Buckingham Road south to Lee Boulevard as shown below. It is anticipated that the socio-economic data will need to be updated due to the intensity of this project. The updating will be done per Lee DOT running the FSUTMS model on the 2020 or 2030 Financially Feasible Plan network.

      See graphic on next page taken from the LDOT TAZ map.



b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

It is likely given the density and intensity possibilities for this parcel that the data will need to be updated. A change to Urban Community FLUM on 95.6 acres makes provisions for:

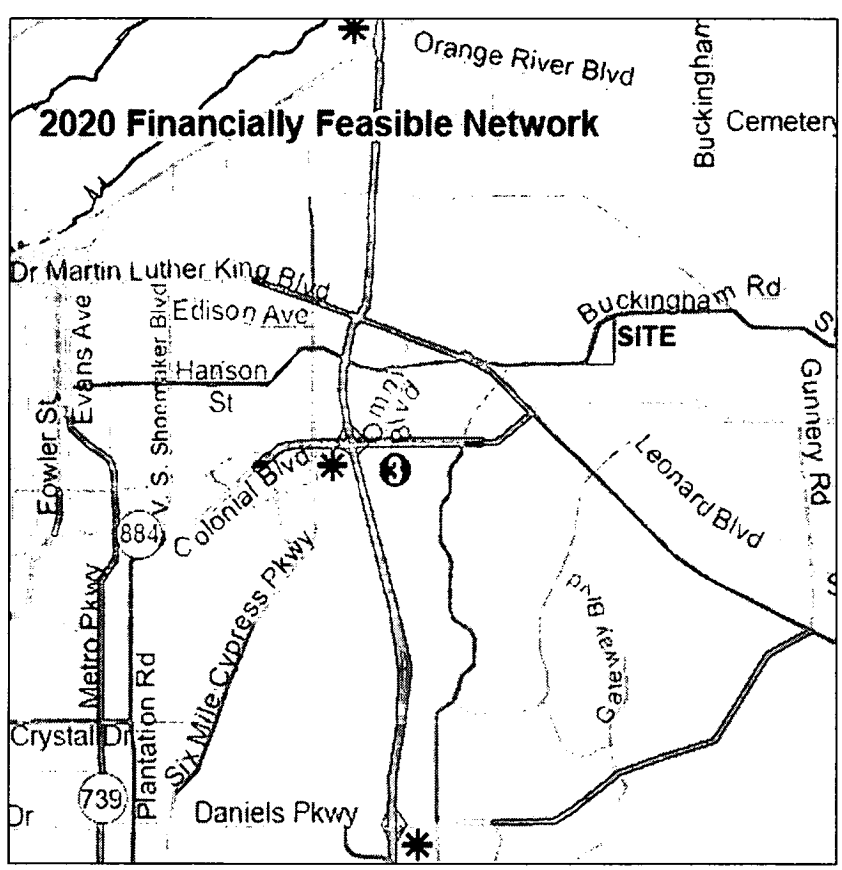
- **Up to 573 total residential units at up to 6 du/acre (maximum of 401 single-family units - 4.2 du/acre). However, former land fill status would restrict residential developments from occurring by both the market and environmentally. The single-family calculation is based on our experience with the Land Development Code. Due to the open space, minimum lot size requirements, lot coverage maximums, buffer requirements, water management regulations, access roads the maximum density a single-family development can realistically achieve through the planned development process is slightly greater than 4 units per acre; or**

- **Up to 742,500 square feet of commercial office, retail and recreational uses; or**
- **Up to 877,500 square feet of light industrial development.**

In a meeting with Lee DOT and planning we were advised to provide development parameters for this analysis to the conducted by Lee DOT.

c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;

We anticipate that the modifications are going to be minor given the TAZ includes intense development areas near SR 82 and Lee Boulevard. Additionally, the 2020 Financially Feasible Network includes four-laning Buckingham Road from the project west to SR 82 and from the project east/north to SR 80.Within the three-mile radius Colonial Boulevard is to be extended to six lanes from SR 82 to I-75 and SR 82 is to be widened to 6-lanes from Lee Boulevard/Colonial east to Daniels Parkway. Given the road expansions the overall traffic impact from the full development potential of this project the road network for 2020 and the newly proposed 2030 FFN should be able to be absorbed the impact adequately.



In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine if, given our development parameters whether an improvement to the road network would be necessary.

d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;

It is not anticipated that improvements to the road network beyond the 2020 FFN will be required; however, it is our understanding that the applicant would have an opportunity to financially contribute to the improvements necessary for the road network to absorb the traffic impacts created by the development if it were determined that the project made the network fail.

e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
Understood.

f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.
See Attached Master Concept Plan.

Short Range – 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediate development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);

It is anticipated that the subject parcel will have an immediate development plan prepared upon approval of the Future Land Use Amendment. The major roads within a 3-mile radius are as follows:

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*	*na*	*na*
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Colonial Boulevard from SR 82 west to I-75 is programmed to be six-laned. Project Number 4054 on the Lee County FY 05/06 to FY 09/10 (includes design for Six Mile Parkway to I-75 for City of Fort Myers).

c. Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for impacted roadways projected to 2020.

d. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways.

e. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the improvements necessary, if any, to accommodate the project on the road network within a 3-mile radius. We do not anticipate improvements will need to be made beyond those deemed financially feasible in the 2020 FFN map.

2. Provide an existing and future conditions analysis for:
   a. Sanitary Sewer
   b. Potable Water

The site is located within the Florida Governmental Utility Agency franchise service area. We understand FGUA does not have capacity to serve the project. Currently the subject parcel is NOT located within the

future water or sewer franchise areas as depicted on Lee Plan Maps 6 and 7.

Our intention is to connect to the City of Fort Myers Utilities for water and wastewater treatment. The City has an existing 6" Force Main and an existing 12" Water Main located adjacent to the site. A letter of response is attached from the City. In summary the City WILL grant connection to water and has adequate capacity. The City is also willing to commit to sewer connection in 2009. The City is in the process of DEP permitting to build and construct a wastewater treatment plant on the parcel abutting the southern border of the subject property. The 2009 commitment should not affect the status of this project. Development of this project will not be able to take place earlier than 2009. This application for a Comprehensive Plan Amendment (CPA) is vital to site development since we view a former landfill as undesirable land for 1-acre lot single-family housing and not the highest and best use of a large tract of land abutting Lehigh Acres. The CPA decision will not be rendered until mid 2007. At that time, if approved, the applicant will need to rezone the property from AG-2 to an IPD, CPD or a combination. That process will take until mid 2008 at best. At that time, if rezoning is approved, a development order must be submitted and approved taking until early to mid 2009. At that time, if the City is unable to provide a connection the applicant is willing to commit to an onsite package plant with an agreement to connect to wastewater utilities at the time of availability and cease onsite treatment.

The Lee County Incinerator, located directly west of the site, is serviced by the City of Fort Myers Utilities although that property is also in the unincorporated portion of Lee County. The Olympiad residential development 500 feet to the southwest is connected to the City utilities and within the City of Fort Myers limits.

We anticipate that the plan amendment will intensify the development potential of the property substantially. Currently the FLUM is Rural which allows the following development density/intensity:

Residential Units/Density:	**95 units/1 dwelling unit per acre**
Commercial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**
Industrial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**

The maximum allowable development under proposed FLUM based on the proposed site plan enclosed and/or maximum development potential:

Residential Units/Density:	**573 multi-family residential units; or 401 single-family units.** • **AN INCREASE OF 478 UNITS**
or	
Commercial intensity:	**742,500 sq. ft.** • **AN INCREASE OF 742,500 sq. ft.**
or	
Industrial intensity:	**877,500 sq. ft.** • **AN INCREASE OF 877,500 sq. ft.**

Based on these calculations the total expected water and wastewater treatment volumes will be approximately 90,555 GPD.

c. Surface Water/Drainage Basins

The subject parcel is located in the Orange River Drainage Basin and is located directly adjacent to an existing East County Water Control District canal that runs parallel to Alvin Avenue. The ECWCD can not make a commitment at this time to permit the site into the district. The District is mitigating potential flood issues with Orange River while pending development from Lehigh Villages is inside the district and requesting access. Until the Board rectifies these issues they can not make new commitments to outside parcels.

As a result, the project intends to maintain historical drainage patterns of the Orange River Drainage Basin. The project site is located in the Orange River Drainage Basin which has an allowable peak discharge of 35 CSM which equates to approximately 5.2 CFS for our 95 acre site. Onsite detention areas in the form of either lakes and/or dry detention areas will be constructed to provide water quality treatment and attenuate the additional runoff associated with the developed site to comply with the peak allowable discharge rates. Historical drainage patterns for this site are from South to North towards the Orange River. Therefore it is anticipated that an outfall structure will be placed on the north side of the project discharging into the South Buckingham Road swale. At time of project design, additional analysis will be made of the conveyance system from the project site to the Orange River to verify capacity. The onsite water management system will be designed accordingly and if necessary enlarged to further reduce offsite discharge rates.

d. Parks, Recreation, and Open Space.

The subject parcel is located directly across from Buckingham Park.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*	*na*	*na*
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

- Projected 2020 LOS under existing designation;

  In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways for 2020.

- Projected 2020 LOS under proposed designation;

  In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways for 2020.

- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and

  Colonial Boulevard from SR 82 west to I-75 is programmed to be six-laned. Project Number 4054 on the Lee County FY 05/06 to FY 09/10 (includes design for Six Mile Parkway to I-75 for City of Fort Myers). The improvements in the 2020 FFN should prove more than adequate for the proposed land use change.

- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

  We do not anticipate the need for parks or recreation to increase in the area do to the proposed possible development. Given the history f the parcel as a landfill the applicant does not intent to propose residential development. The project does propose to have commercial recreational activities such as bowling, go-carts, miniature golf.

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions;
   c. Law enforcement;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

   Letters from the above listed agencies are attached or correspondence included.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
   See Attached Map – Exhibit C-1 and C-2.

2. A map and description of the soils found on the property (identify the source of the information).
   See Attached Map – Exhibit C-1 and C-2.

3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
   See Attached Map – Exhibit C-3.

4. A map delineating wetlands, aquifers recharge areas, and rare & unique uplands.

See Attached Map – Exhibit C-4.
The site does not have any wetlands, rare & unique uplands and is not within an aquifers recharge area. As previously indicated the site was once a county land fill and as such has been previously disturbed.

5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).
See Attached Map – Exhibit C-5.

Due to the sites previous disturbed status there are not any protected or listed species located on the property.

D. Impacts on Historic Resources
List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.

Due to the sites previous disturbed status there are not any historical resources located on the property.

2. A map showing the subject property location on the archeological sensitivity map for Lee County.
See Attached Exhibit D-1.

Due to the sites previous disturbed status there are not any archeological resources located on the property. The subject parcel is NOT located in one of the two sensitivity areas.

E. Internal Consistency with the Lee Plan
1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
See Attached Exhibit E, Section 1.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
See Attached Exhibit E, Section 2.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
See Attached Exhibit E, Section 3.

4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.
See Attached Exhibit E, Section 4.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

   a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals.

   The subject parcel is located on a 2-lane arterial road (Buckingham Road) with direct access to SR 82 and I-75.

   b. Provide data and analysis required by Policy 2.4.4.

   With the growth rates of Lehigh Acres and new residential developments being constructed within the adjacent City of Fort Myers there is a growing need for light industrial and commercial uses to serve these areas. The closest industrial park to the subject site is the Westgate Airpark Center which is located south of the subject parcel on the south side of Lee Boulevard. This industrial park has seen tremendous development activity within the last five years and is close to build out.

   c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

   The proposed land use amendment will further the goal of policy 7.1.4. by providing light industrial related manufacturing uses that will serve primarily the Lehigh Acres area. The goal is to also assist the Lehigh Acres community in attaining commercial and industrial employment centers in response to Ord 06-04 and other stated BoCC goals concerning employment centers in Lehigh Acres.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

   a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or

conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

The adjacent properties are heavily developed with the incinerator and park to the north and west, a high density multi-family development to the southwest and Lehigh Acres platted single-family housing to the east. To the south is more former landfill which has yet to develop but is zoned Mixed Use (MU) which is to be developed into a wastewater treatment plant by the City for 2009.

Although the subject parcel is located in the Rural Land use category in the Buckingham Planning Community the proposed land use amendment to Urban Community FLUC is appropriate in that the parcel is located on the western fringe of the Rural Land use category and is directly adjacent to Urban Community land use on the east side. The project intends to develop as a mix of commercial, recreation and light industrial. There is industrial zoned property (Lee County Incinerator) located directly north/west of the subject parcel. A wastewater treatment plant is slated for the southern property abutting the parcel. To the west is a dense residential development and Buckingham Road is to widened to a 4 lane by 2020. The property is able to connect to City water now and will be able to connect to City sewer in 2009, well before the Comp Plan Amendment, Rezoning and Development Order is in place. An Urban Community FLUC is appropriate for the subject parcel given the fact that it was formerly a land fill and would not be best suited for even low density residential.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

   The lands are not in critical areas. The parcels status as a former land fill removes it from consideration.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

   The lands are not in critical areas. The parcels status as a former land fill removes it from consideration.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.
See Attached Exhibit E (Introduction to the Project).

Item 1: Fee Schedule

Map Amendment Flat Fee	$2,000.00 each
Map Amendment > 20 Acres	$2,000.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Small Scale Amendment (10 acres or less)	$1,500.00 each
Text Amendment Flat Fee	$2,500.00 each

LETTERS

EXHIBITS

Quattrone &

City of Fort Myers, Florida

Roger Powell Robinson, P.E.
2200 Second Street
Ft. Myers, FL 33902-2217
Telephone (239) 332-6822
Fax (239) 332-6604
rrobinson@cityftmyers.com

August 11, 2006

Al Quattrone
11000 Metro Pkwy., Suite 30
Fort Myers, FL 33912

Re: Parcel No.: 19-44-26-00-00003.0000
3410 and 3450 Hanson Street
Water and Sewer Availability

Dear Al:

SEWAGE PLANT AND COLLECTION LINES:

There is an existing 4" sanitary sewer force main approximately 1,100 feet west of your southwest property corner. The City's wastewater plant can provide treatment capacity for the above project under the below listed conditions. Any additional on-site collection lines, pump stations, and appurtenances needed to handle project flows must be installed by the owner.

WATER PLANT AND DISTRIBUTION MAINS:

Potable Water– There is an existing 12" potable water transmission main approximately 1,100 feet west of your southwest property corner. The City's water plant can provide treatment capacity to serve the above project under the below listed conditions. The owner must install any additional on-site water mains and appurtenances needed for adequate domestic water supply and fire protection.

RECLAIMED WATER TRANSMISSION/DISTRIBUTION MAINS:

There is an existing 12" reclaim water transmission main approximately 1,100 feet from your southwest property corner. The City's current reclaimed treatment capacity is committed. The City plans to be able to provide additional capacity for irrigation by the end of 2007. When capacity does become available, the property owner would be required to enter into a separate reclaimed user agreement that includes provisions for bulk storage and special handling of effluent. The owner must install all on-site distribution lines and appurtenances needed to handle project flows. Please be advised that separate potable water irrigation meters may be available for irrigation needs upon request.

CONSTRUCTION OF MAINS AND APPURTENANCES

In each case above, service is provided on a first come first served basis, upon receipt of a formal request for service, payment of all appropriate fees and charges, and approval of all

State and Local Regulatory Agencies. The owner will be responsible for the installation and/or upgrading of any off site sewer, water, and reclaimed water system mains or appurtenances required to meet Project and area wide needs.

JURISDICTIONAL AUTHORITY APPROVAL

Since your project is outside of the jurisdictional boundaries of the City of Fort Myers, you will need to provide a "Letter of No Objection" from the authority having utility jurisdiction (either FGUA or Lee County Utilities) before we can approve your connection into our system. In addition, there are special requirements in the City Code regarding "Service outside City" (Sec. 122-31).

Public Works will do a thorough evaluation of total sewage handling and water servicing when proper building plans are submitted.

Sincerely,

Roger P. Robinson, P.E., Design Engineer

Cc: Saeed Kazemi, P.E., Robert Erickson, E. I.

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901 • (239) 334-1102 • TTD/TTY (239) 335-1512

STEVEN K. TEUBER, J.D.
CHAIRMAN • DISTRICT 4

ELINOR C. SCRICCA, PH.D.
VICE CHAIRMAN • DISTRICT 5

ROBERT D. CHILMONIK
DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

JAMES W. BROWDER, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

July 14, 2006

Ms. Iniavette Ramirez
Quattrone & Associates
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

Re: Comprehensive Plan Amendment and Rezoning
9711 Buckingham Road, Lehigh Acres

Dear Ms. Ramirez:

This letter is in response to your letter concerning the Comprehensive Plan Amendment and Rezoning of land located at 9711 Buckingham Road, Lehigh Acres. This proposed development is in the East Choice Zone of the District.

This development should have no impact on classroom needs based on the applicant's indication that this is a commercial project only and will not have any residential units.

Thank you for your attention to this issue. If I may be of further assistance, please give me a call at (239)337-8678.

Sincerely,

Ellen Lindblad, Long Range Planner
Planning Department

FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF HISTORICAL RESOURCES

September 25, 2006

Fred Drovdlic, AICP
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912
Fax: 239-936-7228

Dear Mr. Drovdlic:

In response to your inquiry of September 21, 2006, the Florida Master Site File lists no previously recorded cultural resources in the following parcels:

T:44S R:26E Section 19 (also known as parcel 19-44-26-00-00003.0000)

In interpreting the results of our search, please remember the following points:

- **Areas which have not been completely surveyed, such as yours, may contain unrecorded archaeological sites, unrecorded historically important structures, or both.**
- **As you may know, state and federal laws require formal environmental review for some projects. Record searches by the staff of the Florida Master Site File do not constitute such a review of cultural resources. If your project falls under these laws, you should contact the Compliance Review Section of the Bureau of Historic Preservation at 850-245-6333 or at this address.**

If you have any further questions concerning the Florida Master Site File, please contact us as below.

Sincerely,

Ginny Jones
Senior Database Analyst, Florida Master Site File
Division of Historical Resources
R. A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Phone: 850-245-6440, Fax: 850-245-6439
State SunCom: 205-6440
Email: *fmsfile@ dos.state.fl.us*
Web: *http://www.dos.state.fl.us/dhr/msf/*

Mike Scott
Sheriff

State of Florida
County of Lee

Mr. Fred Drovdlic
Quattrone & Associates, Inc...
11000 Metro Parkway, Suite 30
Fort Myers, FL. 33912

August 17, 2006

Dear Mr. Drovdlic:

The Sheriff's Office has reviewed your letter dated June 27, 2006 outlining your intention to request Lee County to consider a comprehensive plan amendment for the area of 9711 Buckingham Road in Lehigh Acres, Florida (the Webb Buckingham project). According to my staff, the amendment, if approved, will increase the future density of the property from vacant land to approximately 819,600 square feet of light industrial and commercial use office space and has a tentative start date of sometime in mid to late 2009.

If the proposed development follows that which you have discussed with my staff then the Sheriff's Office has no objection to this project and I am confident that we can provide an adequate "core" level of law enforcement services to the area. As is our policy, we evaluate from year to year the demand for law enforcement services based on a formula derived from our calls for service, size of the service population and optimal response times. As this project builds out we will factor its impact into our annual manpower review and make adjustments accordingly.

We look forward to further discussions on this matter as the development progresses. Please let us know if there are any significant changes in the projected density of the project.

Sincerely,

Mike Scott
Sheriff, Lee County Florida

TICE FIRE & RESCUE DISTRICT
FIRE PREVENTION & INSPECTIONS

Ted Ross Jr.
Fire Marshal
(239) 694-2380
www.ticefire.com

9351 Workmen Way
Ft. Myers, Fl. 33905
Fax (239) 694-7399

July 31, 2006

Quattrone & Associates
11000 Metro Parkway, Suite 27
Ft. Myers, FL 33912

Attn: Fred Drovdlic

RE: 9711 Buckingham Road

Dear Sir,

After reviewing the rezoning request for the building of up to 819,600 square feet of a mixed commercial and light industrial park, the Tice Fire & Rescue District does not object to the construction of this project. With the information provided about the specific types of occupancies that will be constructed, it is difficult to say what additional, if any, equipment will be required to support this project. We anticipate working with the developer as the project moves forward to address any conditions or needs. The district currently provides fire protection services to other industrial sites and parks located in the immediate area of this proposal. The district does reserve the right for future reference regarding the fire protection features as well as water supply and fire department access for this proposal. Anyone with any questions should feel free to contact me at 239 694-2380.

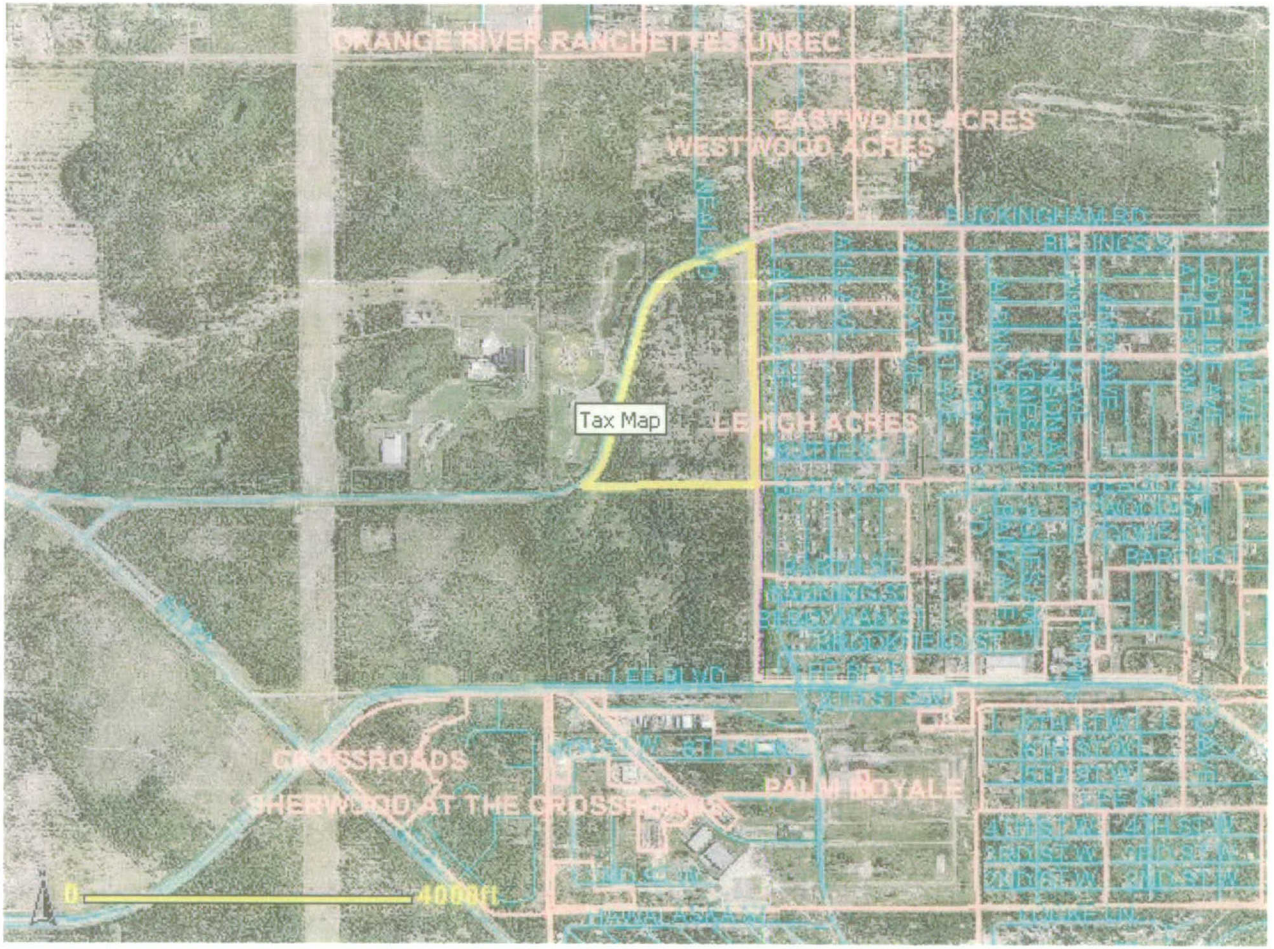
Respectfully,

Ted Ross
Fire Marshal
Tice Fire / Rescue District

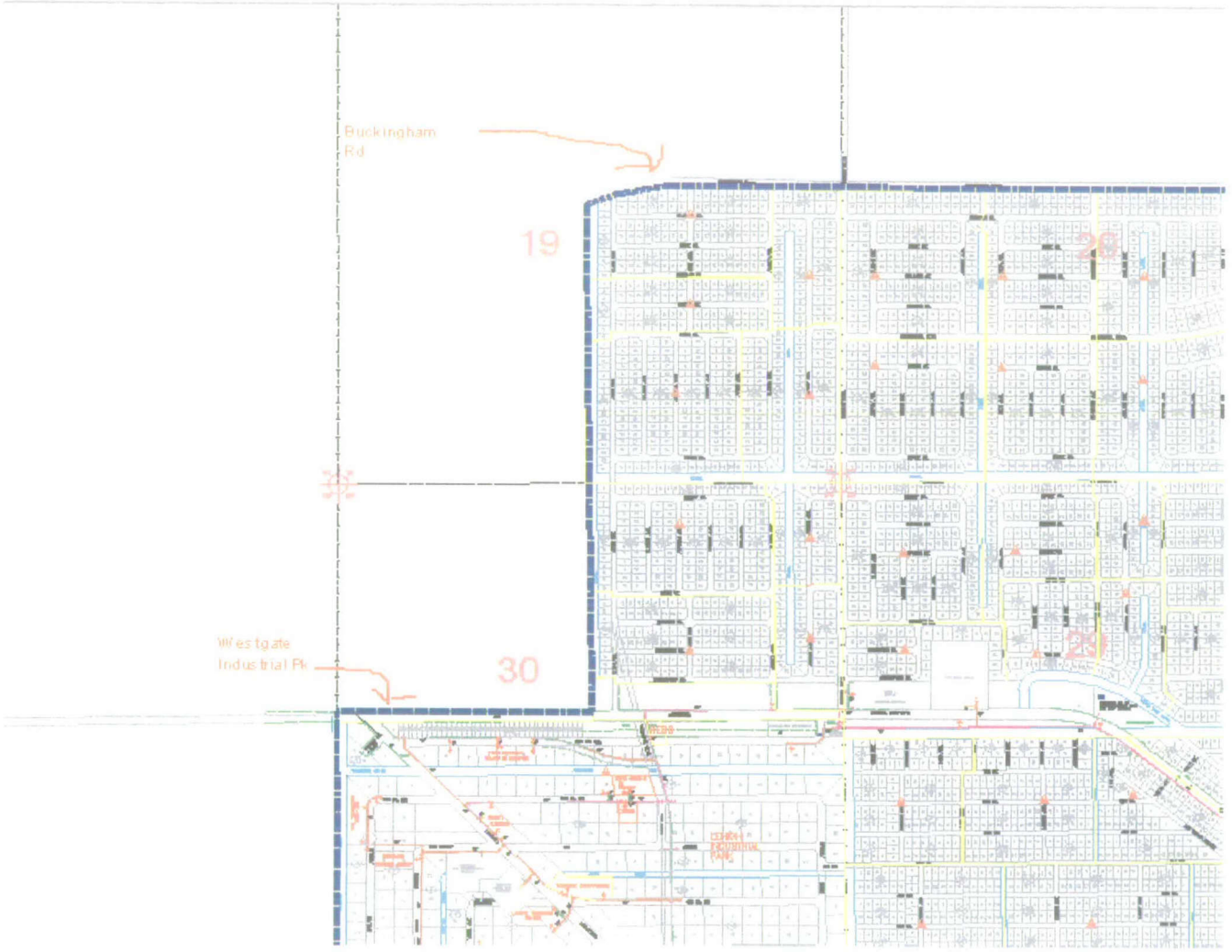
TICE FIRE DIST 239 694 7399 08/30/06 11:47PM P.002

3410 & 3450 Hanson Street
Parcel # 19-44-26-00-00003.0000
Water and sewer availability
As shown on the FGUA system maps shown on the next two pages

Lee Property Appraiser Web Tax Map



Water



Wastewater

BUCKINGHAM CONSERVANCY, INC.
A Florida Non-Profit Corporation
4931 Shady River Lane, Fort Myers, Florida 33905

September 11, 2006

RECEIVED
SEP 13 2006
COMMUNITY DEVELOPMENT

Paul O'Connor
Planning Director
Lee County
Post Office Box 398
Fort Myers, Florida, 33902-0398

Dear Mr. O'Connor:

We have learned that County staff intends to amend the Lee Comprehensive Plan to remove land from the Buckingham Planning District and include it in the Lehigh Acres Planning District.

The officers and directors of the Buckingham Conservancy have reviewed the situation and steadfastly oppose the extraction of any property from the Buckingham Planning District.

We sincerely hope that this matter can be resolved at the county level. Please let us know if there is anything our organization can do to assist you in establishing policy that represents the best interests of our community.

Respectfully,

Bill Burdette,
Vice President

copy: Officers and Directors, Buckingham Conservancy, Inc.
Board of County Commissioners
Department of Community Development Director Mary Gibbs
Lee County Zoning Director Pam Houck
Lee County Attorney David Owen
Mike McDaniel, Florida Department of Community Affairs

PRESIDENT
Chris Bundschu, 693-1000

VICE PRESIDENT
Bill Burdette, 936-1404

TREASURER / SECRETARY
Betsy Burdette, 694-4738

DIRECTORS

Don Blackburn	Sarah Clarke	Kerri Goldsmith	George Kaplinski	Bob Murray	Mike Rippe	Bruce Strayhorn	Dick Workman
931-9171	694-6261	561-5473	694-6261	985-1200	694-0451	334-1260	694-0101

Quattrone &
Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30 • Fort Myers, Florida 33966
Tel: 239.936.5222 QAINC.NET Fax: 239.936.7228

November 22, 2006

Saeed Kazemi, P.E.
City Engineer
City of Fort Myers Public Works
2200 Second Street
Fort Myers, Florida 33902-2217
239.332.6822

S: REQUEST FOR LETTER OF CONFIRMATION

LEE COUNTY CASE:	**CPA2005-00002 (Comp. Plan Amend.)**
PROJECT NAME:	**WEBB BUCKINGHAM CPA**
STRAP:	**19-44-26-00-00003.0000**
ADDRESS:	**9711 Buckingham Road, Lehigh Acres, Florida 33971**

Dear Mr. Kazemi,

Thank you for meeting with Al and I on Monday November 20th. As discussed, I would like to request a letter from your department stating the City's intention to provide a public road connection from Lee Boulevard north to Buckingham Road from the City's property located at 5600 Lee Boulevard through our above referenced property.

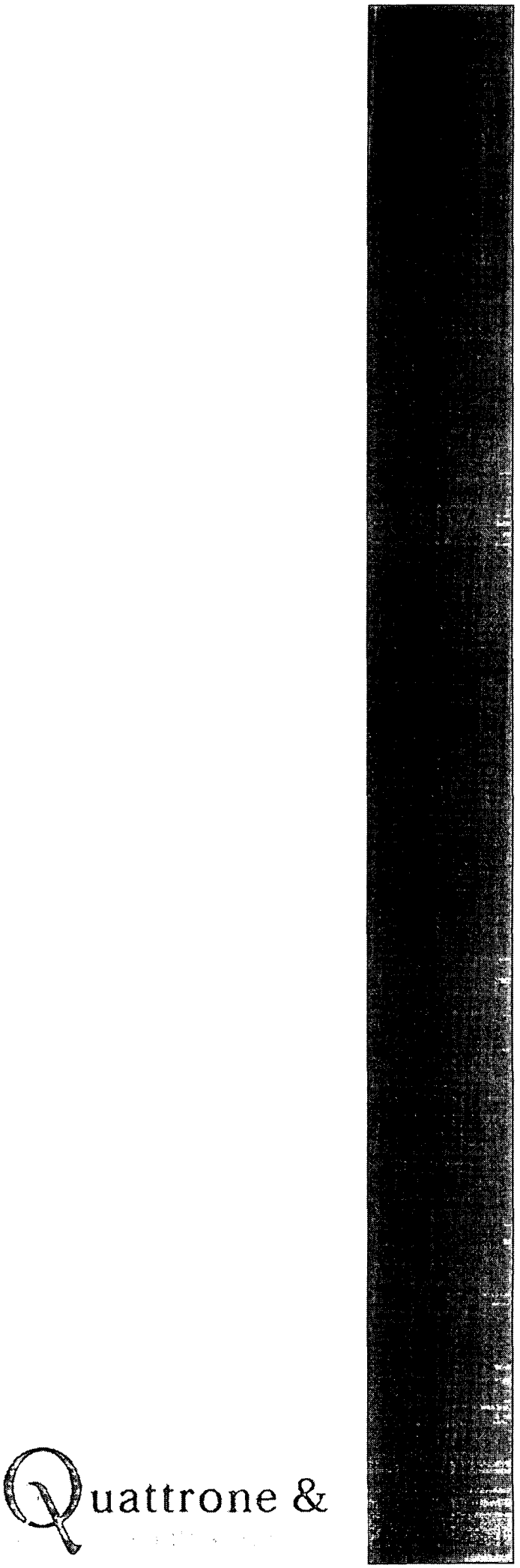
As authorized agent for the property owners of the above reference property we would like this letter to serve as a commitment on our part to provide a public right-of-way dedication through our property to Buckingham Road.

Reception of this letter within a 3 week timeline is important. We have a December 13, 2006 hearing with the Lee County BoCC for final determination on the land use amendment. Without the land use amendment the owner will not be able to economically justify right-of-way dedication. The City's letter is vital to us successfully amending from the Rural category to a commercial and industrial category (Urban Community).

Thank you for your time and attention. We look forward to receiving your correspondence. If you have any questions or need additional information, please call me at this office.

Sincerely,
Quattrone & Associates, Inc.

Fred Drovdlic, AICP
Planning Director



Quattrone &

WEBB BUCKINGHAM CPA

(a.k.a. Cartlon Property)

CPA2005-00002

- 1st RESUBMITTAL -

APPLICATION FOR A
LARGE-SCALE COMPREHENSIVE
PLAN AMENDMENT

STRAP #19-44-26-00-00003.0000
LEE COUNTY, FLORIDA

WEBB BUCKINGHAM CPA

Quattrone & Associates, Inc.

LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 479-8585
FAX: (239) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D _____ REC'D BY: _____

APPLICATION FEE _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:
Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:
Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: 18 (60 total)

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

5/11/06 _____
DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

CARLTON LAND HOLDINGS, LLC
APPLICANT

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	*FLORIDA*	*33413*
CITY	STATE	ZIP

TELEPHONE NUMBER FAX NUMBER

AL QUATTRONE – QUATTRONE AND ASSOCIATES, INC.
AGENT*

11000 METRO PARKWAY, SUITE 30
ADDRESS

FORT MYERS	*FLORIDA*	*33912*
CITY	STATE	ZIP

239/936-5222	*239/936-7228*
TELEPHONE NUMBER	FAX NUMBER

CARLTON LAND HOLDINGS, LLC
OWNER(s) OF RECORD

P.O. BOX 2491
ADDRESS

BONITA SPRINGS	*FLORIDA*	*33413*
CITY	STATE	ZIP

TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

Text Amendment ✓ Future Land Use Map Series Amendment (Maps 1 thru 20)
List Number(s) of Map(s) to be amended
Map 1

B. SUMMARY OF REQUEST (Brief explanation):

Amend the Future Land Use designation for a 95.60 acre parcel of land located in the West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida from Rural to Urban Community and prepare a text amendment to accompany the map amendment to ultimately allow the property to be rezoned from AG-2 to a combination of a Commercial Planned Development (CPD) and Industrial Planned Development (IPD). The intent is to create an commercial office, retail and recreation center and a light industrial park that is sensitive to and compatible with the Buckingham Community and the abutting single-family houses. The text amendment is to adjust Table 1 (b) to permit the allocation of commercial and industrial lands to the Buckingham Community.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location: **Subject parcel is located on Buckingham Road approximately 1 mile east of Immokalee Road (SR 82) and is approximately 3 miles from exit 138 on I-75 via Immokalee Road to Buckingham Road.**

1. Site Address: **9711 Buckingham Road, Lehigh Acres, Florida 33971**
2. STRAP(s): **19-44-26-00-00003.0000**

B. Property Information

Total Acreage of Property: **95.60 Acres**

Total Acreage included in Request: **95.60 Acres**

Area of each Existing Future Land Use Category: **Rural (95.60 Acres)**

Total Uplands: **95.60 Acres**

Total Wetlands: **0.00 Acres**

Current Zoning: **AG-2**

Current Future Land Use Designation: **RURAL**

Existing Land Use: **Vacant Agricultural Land, former Lee County Land Fill**

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: **No**

Airport Noise Zone 2 or 3: **No**

Acquisition Area: **No**

Joint Planning Agreement Area (adjoining other jurisdictional lands): **No**

Community Redevelopment Area: **No**

D. Proposed change for the Subject Property: **Amend the Future Land Use Map designation to Urban Community to allow a commercial office, retail and recreation area (i.e. bowling alley, arcade, miniature golf, batting range, etc) and a light industrial park.**

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density:	**95 units/1 dwelling unit per acre**
Commercial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**
Industrial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density:	**573 total residential units at up to 6 du/acre (maximum of 401 single-family units - 4.2 du/acre). However, former land fill status would restrict residential developments from occurring by both the market and environmentally.**
Commercial intensity:	**742,500 sq. ft. calculating 67.5 acres developable at an intensity of 11,000 square feet of building per acre.**
Industrial intensity:	**877,500 sq. ft. calculating 67.5 acres developable at an intensity of 13,000 square feet of building per acre.**

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps
NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
See attached document – Exhibit A-1.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
See Attached Map - Exhibit A-2.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

See Attached Map - Exhibit A-3 and A-4.

The subject property is located within the Buckingham Planning Community with a Future Land Use designation of Rural and is zoned AG-2. The subject property is currently vacant and is being used for cattle grazing. The site was used back in the early to mid 1970' as a county land fill and has remained vacant since ceasing the land fill operation in approximately 1976. Although the property is located with the Buckingham Planning Community and has a FLUM designation of Rural, the prior use of the land renders the land unusable for residential use making it more consistent with a commercial or industrial type use. Given the type of uses to the west and south and the separation between the subject parcel and the residential lots to the east, it is unlikely the proposed land use change would adversely affect the adjacent parcels or the character of the Buckingham area.

The property to the east is part of the Lehigh Acres Planning Community with a Future Land Use designation of Urban Community and is zoned RS-1. Of the 35 residential lots adjacent to the subject parcel's east property line, less than half the residential lots are improved. The residential lots are separated from the subject parcel by a 120' wide East Canal Water Control District canal right-of-way and by a 100' wide FP&L easement located along the easterly 100' of the subject parcel.

The property to the south is within the City of Fort Myers city limits with a Future Land Use designation of Rural and is zoned MU, which allows wide range of uses. Although located in the Rural Land Use category the City's zoning and land use control the type of development which would be allowed on these properties.

Directly west of the site is the County owned Buckingham Park which consists of multiple football and baseball fields, a community playground, hiking trails, and recreational facilities for dogs. West of the park is the county incinerator. Both parcels have a Future Land Use designation of Public Facilities. The park is zoned CF-2 and the incinerator is zoned IPD.

There are three parcels located directly north of the site and they are part of the Rural Community Preserve Planning Community with a Future Land Use designation of Rural and are zoned AG-2. Two of the three parcels have improvements on them.

4. Map and describe existing zoning of the subject property and surrounding properties.
   See Attached Map - Exhibit A-3 and A-4.

   Subject parcel is zoned AG-2
   East of subject parcel is zoned RS-1
   North of subject parcel is zoned AG-2
   West of subject parcel is zoned CF-2
   South of subject parcel is zoned MU & REC (City of Fort Myers)

5. The legal description(s) for the property subject to the requested change.

   West ½ of Section 19, Township 44 South, Range 26 East, Lee County, Florida, lying South and East of Buckingham Park Road according to the plat thereof, as recorded in Plat Book 9, Page 98, Public Records of Lee County, Florida. (unchanged from previous submission)

6. A copy of the deed(s) for the property subject to the requested change.
   See Attached. (unchanged from previous submission)

7. An aerial map showing the subject property and surrounding properties.
   See Attached Map – Exhibit A-7.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.
   Applicant is the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

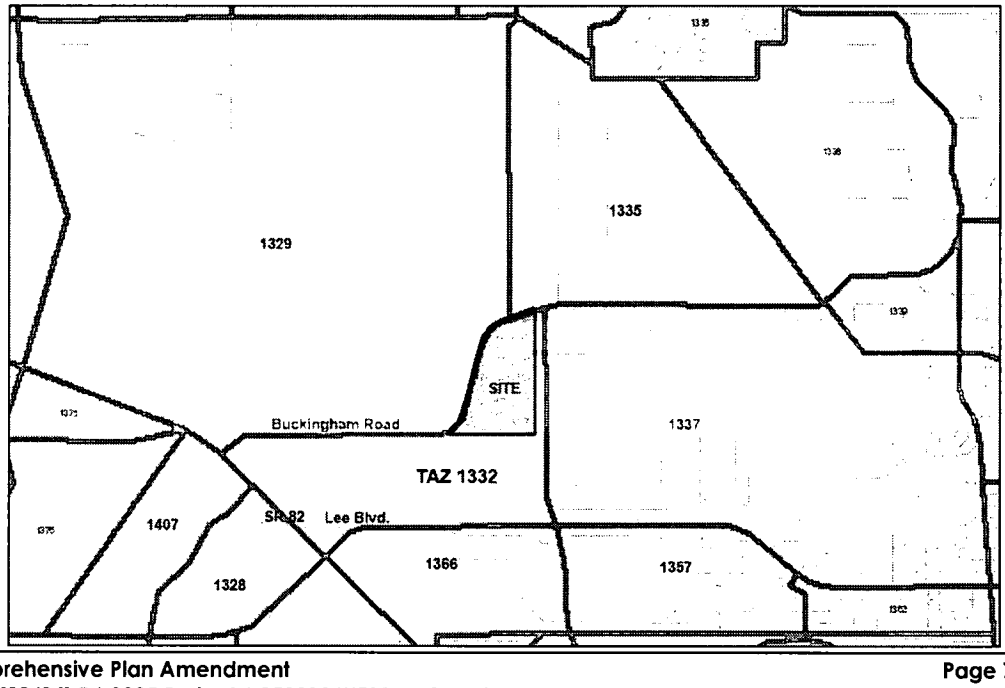
1. Traffic Circulation Analysis

   The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

   Long Range – 20-year Horizon:

   a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
      See Attached Document – Exhibit B-1a.

      The subject parcel is located in TAZ 1332 encompassing the area from SR 82 east to Alvin Avenue and from Buckingham Road south to Lee Boulevard as shown below. It is anticipated that the socio-economic data will need to be updated due to the intensity of this project. The updating will be done per Lee DOT running the FSUTMS model on the 2020 or 2030 Financially Feasible Plan network.



b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

It is likely given the density and intensity possibilities for this parcel that the data will need to be updated. A change to Urban Community FLUM on 95.6 acres makes provisions for:

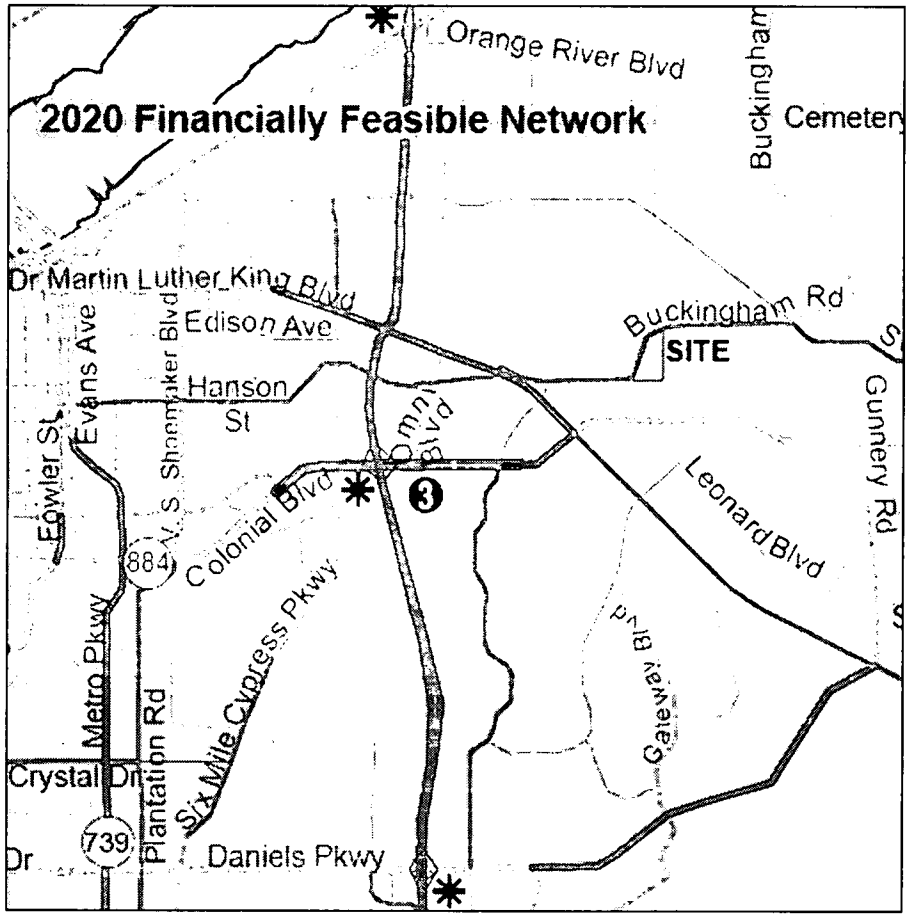
- **Up to 573 total residential units at up to 6 du/acre (maximum of 401 single-family units - 4.2 du/acre). However, former land fill status would restrict residential developments from occurring by both the market and environmentally. The single-family calculation is based on our experience with the Land Development Code. Due to the open space, minimum lot size requirements, lot coverage maximums, buffer requirements, water management regulations, access roads the maximum density a single-family development can realistically achieve through the planned development process is slightly greater than 4 units per acre; or**
- **Up to 742,500 square feet of commercial office, retail and recreational uses; or**
- **Up to 877,500 square feet of light industrial development.**

In a meeting with Lee DOT and planning we were advised to provide development parameters for this analysis to the conducted by Lee DOT.

c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;

We anticipate that the modifications are going to be minor given the TAZ includes intense development areas near SR 82 and Lee Boulevard. Additionally, the 2020 Financially Feasible Network includes four-laning Buckingham Road from the project west to SR 82 and from the project east/north to SR 80.Within the three-mile radius Colonial Boulevard is to be extended to six lanes from SR 82 to I-75 and SR 82 is to be widened to 6-lanes from Lee Boulevard/Colonial east to Daniels Parkway. Given the road expansions the overall traffic impact from the full development

potential of this project the road network for 2020 and the newly proposed 2030 FFN should be able to be absorbed the impact adequately.



In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine if, given our development parameters whether an improvement to the road network would be necessary.

d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
It is not anticipated that improvements to the road network beyond the 2020 FFN will be required; however, it is our understanding that the applicant would have an opportunity to financially contribute to the improvements necessary for the road network to absorb the traffic impacts created by the development if it were determined that the project made the network fail.

e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
Understood.

f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.
See Attached Master Concept Plan.

Short Range – 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediate development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);

It is anticipated that the subject parcel will have an immediate development plan prepared upon approval of the Future Land Use Amendment. The major roads within a 3-mile radius are as follows:

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*		
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Colonial Boulevard from SR 82 west to I-75 is programmed to be six-laned. Project Number 4054 on the Lee County FY 05/06 to FY 09/10 (includes design for Six Mile Parkway to I-75 for City of Fort Myers).

c. Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for impacted roadways projected to 2020.

d. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways.

e. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the improvements necessary, if any, to accommodate the project on the road network within a 3-mile radius. We do not anticipate improvements will need to be made beyond those deemed financially feasible in the 2020 FFN map.

2. Provide an existing and future conditions analysis for:
   a. Sanitary Sewer
   b. Potable Water

Currently the subject parcel is not located within one of the water and sewer franchise areas. However, the Lee County Incinerator, located directly west of the site, is serviced by the City of Fort Myers Utilities although that property is also in the unincorporated portion of Lee County. The City has an existing 6" Force Main and an existing 12" Water Main located adjacent to the site. The project is requesting to connect to the Cities utilities. A letter of response is pending from the City and will be provided immediately upon reception.

We anticipate that the plan amendment will intensify the development potential of the property substantially. Currently the FLUM is Rural which allows the following development density/intensity:

Residential Units/Density:	**95 units/1 dwelling unit per acre**
Commercial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**
Industrial intensity:	**0.0 sq. ft./not permitted in Rural FLUM**

The maximum allowable development under proposed FLUM based on the proposed site plan enclosed and/or maximum development potential:

Residential Units/Density:	**573 multi-family residential units; or 401 single-family units.** • **AN INCREASE OF 478 UNITS**
or	
Commercial intensity:	**742,500 sq. ft.** • **AN INCREASE OF 742,500 sq. ft.**
or	
Industrial intensity:	**877,500 sq. ft.** • **AN INCREASE OF 877,500 sq. ft.**

c. Surface Water/Drainage Basins

The subject parcel is located in the Orange River Drainage Basin and is located directly adjacent to an existing East County Water Control District canal that runs parallel to Alvin Avenue. The ECWCD can not make a commitment at this time to permit the site into the district. The District is mitigating potential flood issues with Orange River while pending development from Lehigh Villages is inside the district and requesting access. Until the Board rectifies these issues they can not make new commitments to outside parcels.

As a result the project intends to maintain historical drainage patterns and explore other options at the time of development. Several options may be available to the site including improvements to the ECWCD canal in exchange for limited access, on-site storage, and tying into the Six Mile Cypress Slough headwaters near SR 82/Colonial similar to the Olympiad development 500 feet to the west.

d. Parks, Recreation, and Open Space.

The subject parcel is located directly across from Buckingham Park.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;

Road Name	*Laneage*	*Funct Class*	*LOS Crnt*	*LOS Stnd*
Buckingham Road	*2 Lane*	*Art*	*C*	*E*
SR 82 W. of Buckingham	*2 Lane*	*Art*	*D*	*E*
SR 82 E. of Buckingham	*2 Lane*	*Art*	*D*	*E*
Interstate 75 N. of SR82	*4 Lane*	*Art*	*E*	*C*
Interstate 75 S. of SR82	*4 Lane*	*Art*	*E*	*C*
Alvin Avenue	*2 Lane*	*Col*		
Lee Boulevard	*6 Lane*	*Art*	*B*	*E*
Colonial Boulevard	*4 Lane*	*Art*	*B*	*E*
Westgate Boulevard	*4 Lane*	*Col*	*B*	*E*
Gunnery Road	*2 Lane*	*Art*	*B*	*D*

- Projected 2020 LOS under existing designation;

  In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways for 2020.

- Projected 2020 LOS under proposed designation;

  In a meeting with Lee DOT and planning we were advised that Lee DOT would run the FSUTMS and determine the resulting number of trips, distribution and impact on LOS for the 3-mile radius of roadways for 2020.

- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and

  Colonial Boulevard from SR 82 west to I-75 is programmed to be six-laned. Project Number 4054 on the Lee County FY 05/06 to FY 09/10 (includes design for Six Mile Parkway to I-75 for City of Fort Myers). The improvements in the 2020 FFN should prove more than adequate for the proposed land use change.

- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

  We do not anticipate the need for parks or recreation to increase in the area do to the proposed possible development. Given the history f the parcel as a landfill the applicant does not intent to propose residential development. The project does propose to have commercial recreational activities such as bowling, go-carts, miniature golf.

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions;
   c. Law enforcement;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

   Letters from the above listed agencies have been requested and will be forwarded to the County upon receipt.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
   See Attached Map – Exhibit C-1 and C-2.

2. A map and description of the soils found on the property (identify the source of the information).
   See Attached Map – Exhibit C-1 and C-2.

3. A topographic map with property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
   See Attached Map – Exhibit C-3.

4. A map delineating wetlands, aquifers recharge areas, and rare & unique uplands.
   See Attached Map – Exhibit C-4.

The site does not have any wetlands, rare & unique uplands and is not within an aquifers recharge area. As previously indicated the site was once a county land fill and as such has been previously disturbed.

5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).
   See Attached Map – Exhibit C-5.

   Due to the sites previous disturbed status there are not any protected or listed species located on the property.

D. Impacts on Historic Resources
List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.

   Due to the sites previous disturbed status there are not any historical resources located on the property.

2. A map showing the subject property location on the archeological sensitivity map for Lee County.
   See Attached Exhibit D-1.

   Due to the sites previous disturbed status there are not any archeological resources located on the property. The subject parcel is NOT located in one of the two sensitivity areas.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
   See Attached Exhibit E, Section 1.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
   See Attached Exhibit E, Section 2.

3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
   See Attached Exhibit E, Section 3.

4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.
   See Attached Exhibit E, Section 4.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)

   a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals.

      The subject parcel is located on a 2-lane arterial road (Buckingham Road) with direct access to SR 82 and I-75.

   b. Provide data and analysis required by Policy 2.4.4.

      With the growth rates of Lehigh Acres and new residential developments being constructed within the adjacent City of Fort Myers there is a growing need for light industrial and commercial uses to serve these areas. The closest industrial park to the subject site is the Westgate Airpark Center which is located south of the subject parcel on the south side of Lee Boulevard. This industrial park has seen tremendous development activity within the last five years and is close to build out.

   c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

      The proposed land use amendment will further the goal of policy 7.1.4. by providing light industrial related manufacturing uses that will serve primarily the Lehigh Acres area.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

   a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

The adjacent properties are heavily developed with the incinerator and park to the north and west, a high density multi-family development to the southwest and Lehigh Acres platted single-family housing to the east. To the south is more former landfill which has yet to develop but is zoned Mixed Use (MU) permitting high density multi-family development or commercial uses.

Although the subject parcel is located in the Rural Land use category in the Buckingham Planning District the proposed land use amendment to Urban Community FLUM is appropriate in that the parcel is located on the western fringe of the Rural Land use category and is directly adjacent to Urban Community land use on the east side. The project intends to develop as a mix of commercial, recreation and light industrial. There is industrial zoned property (Lee County Incinerator) located directly west of the subject parcel. This industrial property is served by an existing City of Fort Myers water and force main which has adequate capacity to serve the subject parcel. The project is requesting to connect to the Cities facilities. An Urban Community FLUM is appropriate for the subject parcel given the fact that it was formerly a land fill and would not be best suited for even low density residential.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

   The lands are not in critical areas. The parcels status as a former land fill removes it from consideration.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

   The lands are not in critical areas. The parcels status as a former land fill removes it from consideration.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.
See Attached Exhibit E (Introduction to the Project).

Item 1: Fee Schedule

Map Amendment Flat Fee	$2,000.00 each
Map Amendment > 20 Acres	$2,000.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Small Scale Amendment (10 acres or less)	$1,500.00 each
Text Amendment Flat Fee	$2,500.00 each

TEXT AMENDMENT

TEXT AMENDMENT

Quattrone & Associates, Inc.

Quattrone & Associates, Inc.

EXHIBIT A-1
PROPOSED TEXT CHANGES

WEBB BUCKINGHAM CPA (a.ka. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

Due to the change of request from the Industrial Development Land Use Category to Urban Community the request for Text Amendments have been withdrawn.

LEE PLAN GOALS & OBJECTIVES

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EXHIBIT E 1-4
INTERNAL CONSISTENCY WITH THE LEE PLAN

WEBB BUCKINGHAM CPA (a.k.a. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

INTRODUCTION

The property is located in the Buckingham Planning Community on the south side of Buckingham Road adjacent to the Buckingham Park and just east of the Lee County Incinerator. The property occupies 95.6 acres and in the 1970's was the Lee County land fill. The property is currently in the Rural land use category. The status as a former landfill makes residential housing undesirable, but commercial or light industrial uses appropriate. The application is requesting a change from Rural FLUM to Urban Community with development plans for a mixed use commercial and light industrial park.

Despite being in the Buckingham Community the site looks, feels and is surrounded by intense uses similar to Lehigh Acres more so than the Buckingham Community Rural Preserve. The site is the southern most portion of the Buckingham Community separated from the Community Preserve by Buckingham Road, Buckingham Park and the Lee County Incinerator. To the south of the project is more former land fill area and the City of Fort Myers vacant land that is zoned MU (Intense Mixed Use). To the west is a dense multi-family development under construction (Olympiad) in the City of Fort Myers. The project's eastern boundary abuts the northwestern most portion of Lehigh Acres. The eastern boundary is separated by a 120 foot canal and 100 foot Florida Power and Light easement. The properties in Lehigh (east) of this project are single-family platted lots that are mostly developed. The proximity to Lehigh enables this project to fulfill some of the needs of the Lehigh residents.

The massive pre-platting has caused shortages in several areas affecting the long term viability and self-sufficiency of the Lehigh community. In addition to needs for alternative housing choices there are shortages of large tracts of land for commercial and industrial employment centers and retail shopping areas. Without these the regional transportation network will be over burdened with Lehigh residents commuting long distances for basic, daily needs and work. The site is not appropriate for residential housing of any kind due to the former land fill status, but is appropriate in location, compatibility and in light of the expansion of Buckingham Road to four lanes (2020 Financially Feasible) for a mixed retail, office and light industrial park. As stated in the Lee Plan, "*Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services.*" This development will greatly ease the burden of the traffic network and commuting patterns of Lehigh residents.

On the other hand the Buckingham Community policy is ". . .*that the majority of the communities commercial needs be met outside of their community*". The two policies are at odds. The subject property is centered between these two communities which creates a logical compromise position for the county and the applicant. The County can permit commercial and industrial uses through a land use change that provides employment, shopping and commercial uses "outside" of the community without overly burdening the County's road network by forcing Buckingham residents into long commutes for basic needs. Meanwhile, the industrial and commercial centers serve local Lehigh residents near the intensely developing SR 82/Lee Boulevard area providing alternatives for shopping and employment from Lee Boulevard and SR82/Colonial. The applicant can provide significant buffering and has ample space to arrange intensity of uses appropriately so that abutting properties are very minimally affected.

SECTION I

TABLE 1(b)(Planning Community Year 2020 Allocations)

According to our analysis the current Future Land Use Category for the 95.6 acre subject property is Rural, however, Table 1(b) of the Lee Plan specifies that the Buckingham Community has only 57 acres allocated for Rural (Residential by Future Land Use Category). This means that the allocation for the former land fill did not go to a residential designation. The table also provides regulatory allocations to Industrial and Commercial. Nevertheless, in Buckingham only 18 acres for Industrial and 5 acres for Commercial uses were allocated. It is our conclusion that the Lee Plan did not allocate the subject property to a regulatory category.

Table 1(b) continues to break down the 11,255 acres in the Buckingham Planning Community to five non-regulatory categories: Public, Active Agriculture, Passive Agriculture, Conservation and Vacant. The properties status as a former land fill leads us to believe that the allocation would not have been either Agricultural category nor Conservation. We believe the allocation for the subject property has to be within the 2,114 Public acres or in the 1,278 Vacant acres. It appears that a large amount of land has been mapped as Public on the FLUM, the land does not have a real public purpose and is in private ownership. Therefore, we believe that the allocation for the subject property is within the 1,278 acres of vacant land. We request that this category be reduced and redistributed to the regulatory category of Industrial and Commercial in the Buckingham Community as follows:

Current Non-Regulatory Category Allocation		**REQUESTED CHANGE**	
VACANT	1,278 Acres	1,182 Acres	(-96 Acres)
Current Regulatory Category Allocation		**REQUESTED CHANGE**	
COMMERCIAL	18 Acres	56 Acres	(+38 Acres)
INDUSTRIAL	5 Acres	63 Acres	(+58 Acres)

The distribution to Commercial and Industrial is based on the master concept plan that depicts approximately 40% of the project for commercial purposes and 60% for industrial.

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SECTION II
THE LEE PLAN

This request is consistent with the goals, objectives, policies and intent of the Lee Plan in accordance with the following:

LEE PLAN VISION

Planning Community

Lehigh Acres - *This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)*

The project abuts to the west the northwestern most portion of Lehigh Acres. The property is separated by a canal and 100 foot Florida Power and Light easement. The properties in Lehigh to the west of this project are single-family platted lots that are mostly developed. The proximity to Lehigh enables this project to fulfill some of the needs of the Lehigh residents.

The massive pre-platting has caused shortages in several areas affecting the long term viability and self-sufficiency of the Lehigh community. In addition to needs for alternative housing choices there are shortages of large tracts of land for commercial and industrial employment centers and retail shopping areas. The site is not appropriate for residential housing of any kind due to the former land fill status, but is appropriate in location, compatibility and in light of the expansion of Buckingham Road to four lanes (2020 Financially Feasible) for a mixed retail, office and light industrial park. As stated above "*Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services.*" This development will greatly ease the burden of the traffic network and commuting patterns of Lehigh residents.

Buckingham *- This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan. (Added by Ordinance No. 99-15)*

The proposed project, at first, seems to be at odds with the Buckingham communities policy. If the project were in a different location within Buckingham it is agreed that the project would be inappropriate and incompatible with the communities goals, objectives and policies. However, below are substantial reasons why the project does not adversely affect the policies of the Buckingham Planning Community and is in fact a positive use of the land as well as a beneficial change for the area.

- The site is the southernmost portion of Buckingham abutting Lehigh Acres the entire length of its eastern boundary and the City of Fort Myers for its entire southern boundary and separated by Buckingham Road along its entire north and western boundaries. The site is cut-off from the Buckingham Rural Community Preserve and is not considered in the Preserve FLUM. Intense development from the City of Forty Myers and Lehigh Acres surrounds the projects east and south. North and west are large public uses that again separate the site from the preserve. In short, the site feels, looks, and is more a part of Lehigh Acres than Buckingham.
- The parcel's former use as a land fill makes environmental conservation unreasonable.
- Proximity to large industrial public uses (Lee County Incinerator and Buckingham Park) make it compatible and appropriate for light industrial uses and commercial recreation as proposed.
- The site will increase traffic on Buckingham road but the traffic will mostly be directed towards the major arterials such as I-75, SR 82, Colonial and Lee Boulevard, all west and south of the Buckingham Community, except for the traffic from Buckingham who would use the facilities, shop at the site or be employed in the industrial uses. If the Buckingham policy is ". . .*that the majority of the communities commercial needs be met outside of their community*", then this is a close compromise that provides employment, shopping and commercial uses "outside" of the community without overly burdening the County's road network by forcing Buckingham residents into long commutes for basic needs.

GOAL 1: FUTURE LAND USE

OBJECTIVE 1.1: FUTURE URBAN AREAS. *Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services.*

POLICY 1.1.1: *The* ***Future Land Use Map*** *contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2020. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, and Sanibel arc depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a). (Amended by Ordinance No. 94-29, 98-09)*

The intent is to amend the Future Land Use Map to **Urban Community** to allow the subject property to be developed as a light industrial park with certain recreational and commercial uses. Although the subject property is in the Rural Land Use Category and is within the Buckingham Planning Community, given the property's proximity to the County Incinerator to the west which is zoned IPD, medium density residential lots in the Urban Community directly to the east and the City of Fort Myers MU zoning to the south, and the high density residential development to the west south of Buckingham Road the proposed change appears to be consistent and not detrimental to the surrounding community.

Included above in Section II is the request for reallocating the uses depicted in Table 1(b) to accommodate this request.

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

Given the subject property's location and prior use in the 70's as a County landfill, this property is ideally suited for Commercial and Industrial Development, uses greatly needed for the growing Lehigh Acres Community. Lehigh Acres, which is comprised of over 100

square miles of medium to high density residential development, has only one industrial park which is nearing build out and few large tract commercial opportunities. It has long been acknowledged that the Lehigh Acres Community has a severe shortage of industrial and commercial property to serve its anticipated population. Therefore, it is critical to Lehigh Acres' economic well being to look for opportunities to create additional industrial parks within its boundaries and/or adjacent to it.

The subject property fronts on a 2 lane arterial roadway (Buckingham Road) which is slated to be four-laned by 2020 and is located only three miles from I-75. Currently Buckingham Road does not exceed its level of service standard and is not anticipated to do so with the conversion of this property to commercial recreation, retail, office, and light industrial uses.

GOAL 2: GROWTH MANAGEMENT

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)*

To maintain the integrity of the non-urban categories and still meet the needs of the Lehigh Acres Community it essential to be able to amend the land use category for the subject parcel to Urban Community to enable commercial and light industrial development.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

The subject parcel is currently served by an adequate road system that is below the level of service standard and is also served by adequate utilities (water and sewer). A 6" diameter force main and 12" diameter water main have been extended by the City of Fort Myers to serve the Incinerator across the street. In addition the property is also across the street from the existing Buckingham Park and is served by the Tice Fire District.

OBJECTIVE 2.4: FUTURE LAND USE MAP AMENDMENTS. *Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications.*

POLICY 2.4.1: *The County will accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Procedures, fees, and timetables for this procedure will be adopted by administrative code. (Amended by Ordinance No. 94-30).*

In accordance with this policy the applicant is requesting approval to amend the Land Use Map to put in place a Land Use that is more appropriate for the subject parcel given its location and past use and is desperately needed by the Lehigh Acres Community.

POLICY 2.4.4: *Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No, 00-22. 04-16)*

This application is driven by the shortage of commercial and light industrial land in and near the Lehigh Acres Community. The 1,400 acres added to the Tradeport category doesn't directly benefit the Lehigh Acre Community and the existing Westgate Industrial Park is nearing build out.

GOAL 5: RESIDENTIAL LAND USES

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

The site is a former landfill making the property unable to support residential development from an environmental and marketing standpoint.

GOAL 6: COMMERCIAL LAND USES

Policy 6.1.1: *All applications for commercial development will be reviewed and evaluated as to:*

- *Traffic and access impacts are minimal given projected trip ends.*
  Access point are minimized and align with Buckingham Park and Neal Road. Only two access points are being requested for the entire 95.6 acres.

- *Screening and buffering can be provided to meet County standards.*
  The Master Concept Plan depicts buffers that exceed the County standards in all cases.

- *Sewer and water facilities are available, as well as all other utilities.*

Sewer and water facilities are available through the City of Fort Myers. The property is actually in the FGUA utilities area and is not within Lee County's future Franchise areas for sewer or water. The Cities utilities run very close to the subject property with a six inch force main and 12 inch water main running to the Lee County incinerator adjacent to the west. It is the projects intention to connect to the Cities utilities at this location.

- *No residential uses adjacent to the project are impacted.*
  The commercial uses are located very far from any existing residential uses. The light industrial uses will be separated by a minimum of 130 feet and heavy vegetation from the existing homes to the east in Lehigh Acres.

- *Similar uses are located in the area.*
  Industrial uses are located north and west of the subject property. Commercial uses are not in the immediate area.

- *There are no environmental concerns with this property.*
  The site was a former landfill. There are not any conservation or preservation concerns, nor any wetlands or environmentally sensitive plant communities.

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.*

The property is located on an arterial. Neal Road is a county maintained minor collector and is adjacent to the northern boundary of the project. Alvin Avenue is a county maintained major collector located approximately 300 feet to the east of the project nearly abutting the eastern boundary of the project. The site development plan calls for a 60 foot wide road transecting the site from the Neal Road entrance south to the center of the project and then continuing west to the entrance of Buckingham Park on Buckingham Road. It is our belief that this will serve as an extension of Neal Road and the road serving Buckingham Park and assist the project with an additional location at an intersection of an arterial and collector. With this criteria the entire western portion of the site should fall "at the intersection" of an arterial and collector enabling the site from Neal road south along Buckingham Road to its southern border to fall under Neighborhood Commercial and support up to 100,000 square feet of retail commercial uses.

POLICY 6.1.3: *Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:*

- *provide visual harmony and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*

- *provide necessary services and facilities where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 00-22)*

The project intends to provide substantial screening and buffering as depicted on the MCP with 50 buffers and Type "F" plantings. The location of the project provides necessary services (commercial, industrial) to Lehigh Acres residents. The surrounding transportation network is adequate and in line to be expanded in the 2020 Financially Feasible Plan.

Policy 6.1.6: *The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.*

The project intends to adhere to all LDC requirements as well as those put forth by the Buckingham Community in the Lee Plan.

GOAL 7: INDUSTRIAL LAND USES

OBJECTIVE 7.1: *All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30)*

POLICY 7.1.1: *In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:*

1. *The development must comply with local, state, and federal air, water, and noise pollution standards.*
2. *When located next to residential areas, industry must not generate noise levels incompatible with the residential development.*
3. *Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.*
4. *Contamination of ground or surface water will not be permitted.*
5. *Applications for industrial development will be reviewed and evaluated as to;*
   a. air emissions (rezoning and development orders);
   b. impact and effect on environmental and natural resources (rezoning and development orders);
   c. effect on neighbors and surrounding land use (rezoning);
   d. impacts on water quality and water needs (rezoning and development orders);
   e. drainage system (development orders);
   f. employment characteristics (rezoning);
   g. fire and safety (rezoning and development orders);
   h. noise and odor (rezoning and development orders);
   i. buffering and screening (planned development rezoning and development orders);
   j. impacts on transportation facilities and access points (rezoning and development orders);
   k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);

l. Utility needs (rezoning and development orders); and
m. Sewage collection and treatment (rezoning and development orders). (Amended by Ordinance No. 00-22)

The property is ideally suited for complying with the above standards. The property is buffered from the adjacent residential property to the east by a 120' wide East County Water Control District Canal and by a 100' wide FP&L Utility Easement. The majority of the property to the south is zoned in the City of Fort Myers as Recreational Use and the balance is zoned Mixed Use which allows a variety of uses, including uses which are potentially more intensive than the current proposal. There is only a small amount of Agriculturally zoned property to the north and the balance of the property to the west of Buckingham Road is the County Park and Incinerator.

POLICY 7.1.2: *Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to:*

- *promote compatibility and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary facilities and services where they are inadequate to serve the proposed use. (Amended by Ordinance No. 94-30, 98-09, 00-22)*

The project intends to provide substantial screening and buffering as depicted on the MCP with 50 buffers and Type "F" plantings. The location of the project provides necessary services (commercial, industrial) to Lehigh Acres residents. The surrounding transportation network is adequate and in line to be expanded in the 2020 Financially Feasible Plan.

POLICY 7.1.3: *Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips: and utilities: greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Amended by Ordinance No. 93-25, 94-30, 00-22)*

As stated above the subject property is located within 3 miles of I-75 via SR 80 (Immokalee Road) and Buckingham Road. The property is also directly adjacent to Lehigh Acres which allows it to directly serve the need of that community for industrial property. In addition, given the prior use of the property, it is not suitable or desirable for residential use.

POLICY 7.1.4: *The Future Land Use Map must designate a sufficient quantity of land to accommodate industrial development that will employ 3% of the county's population in manufacturing activities by the year 2010. A report will be prepared by county staff every two years to monitor the county's progress towards this employment goal. (Amended by Ordinance No. 93-25, 94-30, 00-22)*

The intent of the amendment is to further the goal of the County to reach the 3% manufacturing goal.

POLICY 7.1.5: *The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. (Amended by Ordinance No. 00-22)*

The need for the industrial park is immediate and the there are adequate services and facilities that can serve the property.

POLICY 7.1.6: *Land that is located outside of the Industrial Development, Tradeport, and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available, the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:*

a. *The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or*

b. *The parcel is located in the Intensive Development, Central Urban, Urban Community, General Interchange, Industrial Commercial Interchange, or University Village Interchange land use categories, and is zoned as a Planned Development. (Amended by Ordinance No. 94-30, 98-09, 99-18, 04-16)*

The intent is to amend the land use for the subject property to Industrial Development whereby making this policy not applicable.

POLICY 7.1.8: *Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Amended by Ordinance No. 00-22)*

The subject property will be adequately buffered in accordance with the Lee County Land Development Code. In addition the ECWCD Canal and FP&L easement along the eastern property line will further aid in buffering the property and an enhanced buffer is being offered along Buckingham Road (50 feet wide in lieu of 15 feet).

POLICY 7.1.9: *Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Amended by Ordinance No. 00-22)*

The subject parcel is located directly on a 2 lane arterial road and will not have direct access to any other road, including any residential local roads.

GOAL 11: WATER, SEWER, TRAFFIC, AND ENVIRONMENTAL REVIEW STANDARDS

Standard 11.1: Water
Standard 11.2: Sewer

Utility connections are available through the City of Fort Myers.

GOAL 17: BUCKINGHAM

To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. For the purposes of this plan, the precise boundaries of Buckingham are indicated on the Future Land Use Map. (Added by Ordinance No. 91-19, Amended by Ordinance No. 93-25, 94-30)

OBJECTIVE 17.1: LAND USE. *The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)*

POLICY 1.7.1.2: *The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road is designated as the commercial node for the Buckingham area. No new commercial activities will be located outside of this commercial node. All new commercial developments in the node are required to provide a minimum of 30% open space. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard. (Amended by Ordinance No. 94-30, 98-09, 00-22)*

Although the subject property is located in the Buckingham Planning Community it does not have the same characteristics as the rest of the Buckingham Community which warrants its preservation. As previously discussed, the property was used as a landfill in the 1970's, it is located directly across from the Lee County Incinerator and the Buckingham Park, it is north of City of Fort Myer's Mixed Use zoned property, and is west of residentially zoned property in the Urban Community Land Use. The property is on western most fringe of the Buckingham Community and is only 3 miles from I-75.

GOAL 39: DEVELOPMENT REGULATIONS.

Maintain clear, concise, and enforceable development regulations that fully address on-site and off-site development impacts and protect and preserve public transportation facilities. (Amended by Ordinance No. 98-09, 99-15)

OBJECTIVE 39.1: DEVELOPMENT IMPACTS. *The county will maintain and enforce development regulations to ensure that impacts of development approvals occur concurrently with adequate roads, and to achieve maximum safety, efficiency, and cost effectiveness. (Amended by Ordinance No. 99-15)*

POLICY 39.1.1: *New development must:*

- *Have adequate on-site parking.*
- *Have access to the existing or planned public road system except where other public policy would prevent such access.*
- *Fund all private access and intersection work and mitigate all site-related impacts on the public road system; this mitigation is not eligible for credit against impact fees. (Amended and Relocated by Ordinance No. 99-15)*

The project intends to adhere or exceed all LDC requirements.

POLICY 39.1.4: *Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided. (Amended and Relocated by Ordinance No. 99-15)*

Direct access to the project is on an arterial.

POLICY 39.1.5: *The Land Development Code will continue to require appropriate landscaping for developments abutting arterial and collector roads. (Amended and Relocated by Ordinance No. 99-15)*

The project plans to exceed the buffer requirements in terms of depth along Buckingham Road.

POLICY 39.1.6: *Through the zoning process, the county will direct high-intensity land uses to parcels which abut designated future transit corridors identified in Map 3C. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)*

While the location is appropriate for the uses requested, Lee Tran does not plan on providing service to Buckingham Road.

GOAL 53: POTABLE WATER INFRASTRUCTURE.

To ensure the public health, welfare, and safety by the provision of high-quality central potable water service throughout the future urban areas of unincorporated Lee County, and to ensure that the costs of providing facilities for the supply of potable water are borne by those who benefit from them.

OBJECTIVE 53.1: *The County will ensure the provision of acceptable levels of potable water service throughout the future urban areas of the unincorporated county. either directly by Lee County Utilities, or indirectly through franchised utility companies. (Amended by Ordinance No. 94-30, 00-22, 03-04)*

POLICY 53.1.1: *The Board of County Commissioners hereby establishes service areas for the Lee County Utilities water systems throughout which it will provide standard service as required by demand, and within which it will challenge applications by private water utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 6. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)*

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.

GOAL 53: SANITARY SEWER INFRASTRUCTURE.

To protect the public health and environmental quality by encouraging and ensuring the provision of sanitary sewer service and wastewater treatment and disposal throughout the future urban areas of the unincorporated county and to Fort Myers Beach. (Amended by Ordinance No. 98-09)

OBJECTIVE 56.1: *The comity will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies. (Amended by Ordinance No. 00-22)*

POLICY 56.1.1: *The Board of County Commissioners hereby establishes service areas for the Fort Myers Beach Iona sewer system, the South Fort Myers sewer system, the East Lee County sewer system, and the Matlacha sewer system throughout which it will provide standard service as required by demand, and within which it will challenge applications by private sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 7. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water*

and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.

Although this property is not located in the City of Fort Myers Utility Franchise Area the City has extended potable water and sewer lines to the incinerator west of the property which is adequately sized to serve future development on the subject parcel.

SECTION III

AFFECTS ON ADJACENT LOCAL GOVERNMENT AND ITS COMPREHENSIVE PLAN

The subject property is located within the unincorporated portion of Lee County and is bound on the south by the City of Fort Myers. The adjacent City property although currently vacant is zoned MU which allows a wide variety of use upon approval through a public hearing process. The proposed amendment is unlikely to have an adverse impact on the City's properties.

SECTION IV

STATE POLICY PLAN AND REGIONAL POLICY PLAN GOALS AND POLICIES

State and Regional Policy Plans are consistent with the Lee County Comprehensive Plan and as such have been addressed.

EXHIBITS

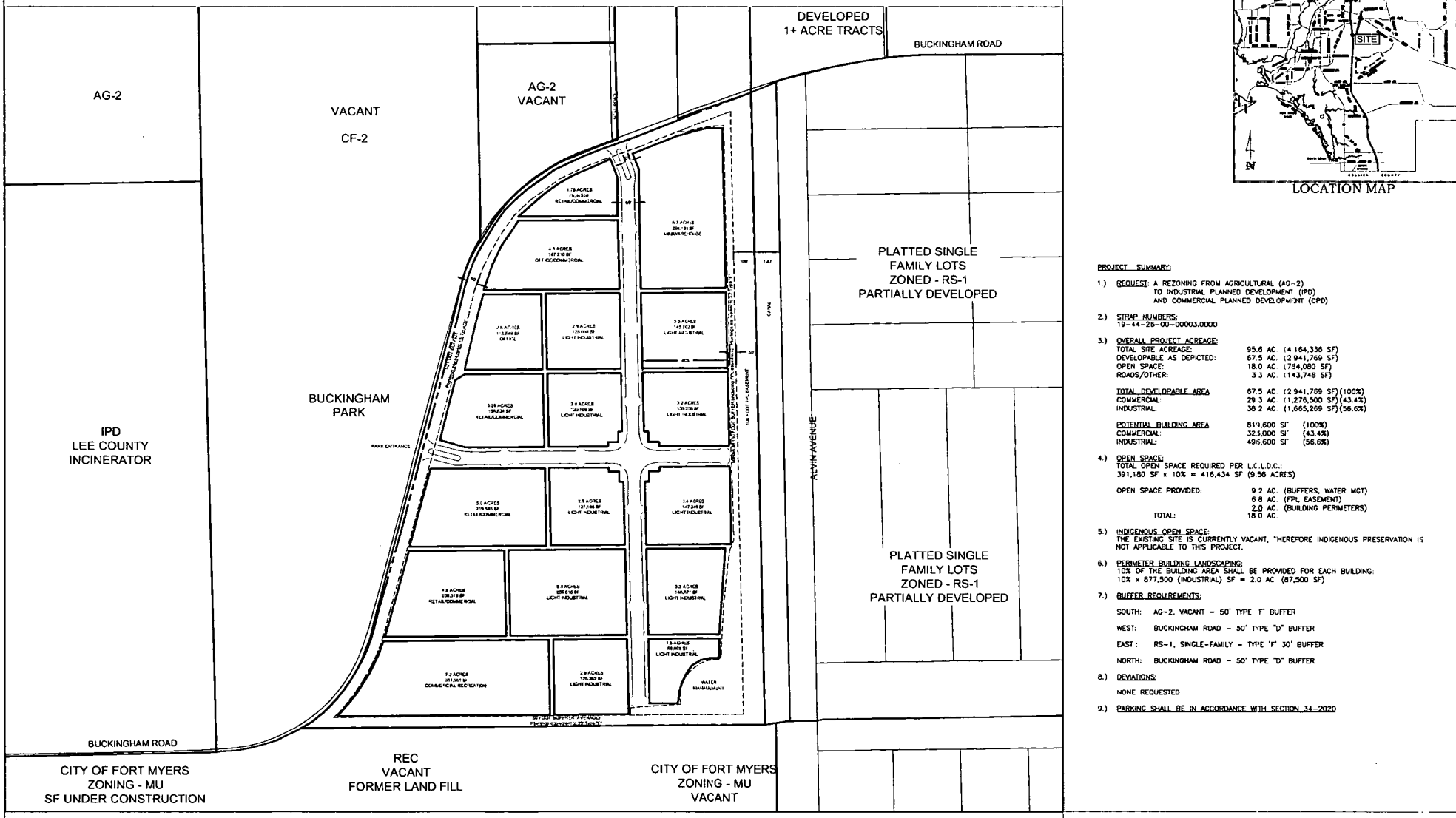
EXHIBITS

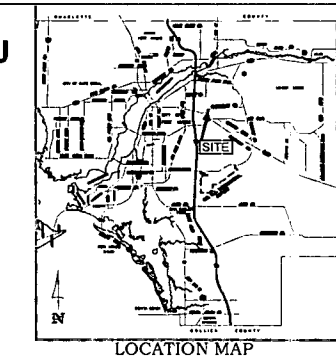
Quattrone & Associates, Inc.

MASTER CONCEPT PLAN: WEBB BUCKINGHAM CPD/IPD

LOCATED IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

EXHIBIT 6-J





LOCATION MAP

PROJECT SUMMARY:

1.) REQUEST: A REZONING FROM AGRICULTURAL (AG-2)
TO INDUSTRIAL PLANNED DEVELOPMENT (IPD)
AND COMMERCIAL PLANNED DEVELOPMENT (CPD)

2.) STRAP NUMBERS:
19-44-26-00-00003.0000

3.) OVERALL PROJECT ACREAGE:

TOTAL SITE ACREAGE:	95.6 AC.	(4,164,336 SF)
DEVELOPABLE AS DEPICTED:	67.5 AC.	(2,941,769 SF)
OPEN SPACE:	18.0 AC.	(784,080 SF)
ROADS/OTHER:	3.3 AC.	(143,748 SF)
TOTAL DEVELOPABLE AREA	67.5 AC.	(2,941,769 SF)(100%)
COMMERCIAL:	29.3 AC.	(1,276,500 SF)(43.4%)
INDUSTRIAL:	38.2 AC.	(1,665,269 SF)(56.6%)
POTENTIAL BUILDING AREA	819,600 SF	(100%)
COMMERCIAL:	323,000 SF	(43.4%)
INDUSTRIAL:	496,600 SF	(56.6%)

4.) OPEN SPACE:
TOTAL OPEN SPACE REQUIRED PER L.C.L.D.C.:
391,180 SF x 10% = 416,434 SF (9.56 ACRES)

OPEN SPACE PROVIDED:	9.2 AC.	(BUFFERS, WATER MGT)
	6.8 AC.	(FPL EASEMENT)
	2.0 AC.	(BUILDING PERIMETERS)
TOTAL:	18.0 AC.	

5.) INDIGENOUS OPEN SPACE:
THE EXISTING SITE IS CURRENTLY VACANT, THEREFORE INDIGENOUS PRESERVATION IS NOT APPLICABLE TO THIS PROJECT.

6.) PERIMETER BUILDING LANDSCAPING:
10% OF THE BUILDING AREA SHALL BE PROVIDED FOR EACH BUILDING:
10% x 877,500 (INDUSTRIAL) SF = 2.0 AC (87,500 SF)

7.) BUFFER REQUIREMENTS:

SOUTH: AG-2, VACANT - 50' TYPE 'F' BUFFER

WEST: BUCKINGHAM ROAD - 50' TYPE "D" BUFFER

EAST: RS-1, SINGLE-FAMILY - TYPE 'F' 30' BUFFER

NORTH: BUCKINGHAM ROAD - 50' TYPE "D" BUFFER

8.) DEVIATIONS:

NONE REQUESTED

9.) PARKING SHALL BE IN ACCORDANCE WITH SECTION 34-2020

NORTH

200' 400'

SCALE 1"=200'

LAST REVISED: May 11, 2006
PREVIOUS REVISIONS:

P:\2005 Projects\050918 WEBB BUCKINGHAM PARCEL\CADD\050918.dwg

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239.936.5[illegible]

MASTER CONCEPT PLAN: WEBB BUCKINGHAM CPD/IPD

LOCATED IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

NORTH

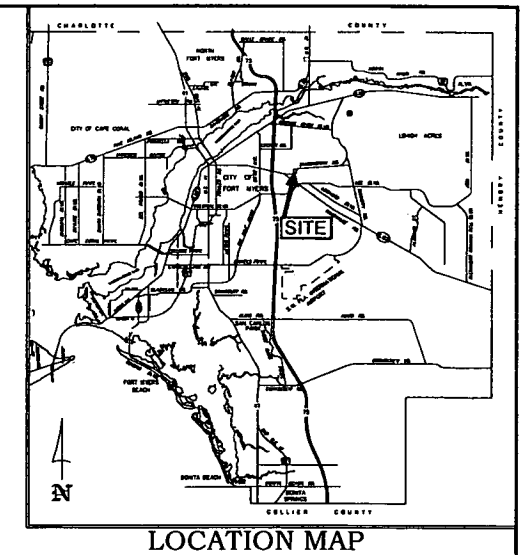
200' 400'

SCALE 1"=200'

LAST REVISED: May 11, 2006
PREVIOUS REVISIONS:

P:\2005 Projects\050918 WEBB BUCKINGHAM PARCEL\CADD\050918.dwg

EXHIBIT 6-J



LOCATION MAP

PROJECT SUMMARY:

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19-44-26-00-00003.0000

3) OVERALL PROJECT ACREAGE:

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DEVELOPABLE AS DEPICTED:	67.5 AC.	(2,941,769 SF)
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	6.8 AC.	(FPL EASEMENT)
	2.0 AC.	(BUILDING PERIMETERS)
TOTAL:	18.0 AC.	

5) INDIGENOUS OPEN SPACE:
THE EXISTING SITE IS CURRENTLY VACANT, THEREFORE INDIGENOUS PRESERVATION IS NOT APPLICABLE TO THIS PROJECT.

6) PERIMETER BUILDING LANDSCAPING:
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SOUTH: AG-2, VACANT – 50' TYPE 'F' BUFFER

WEST: BUCKINGHAM ROAD – 50' TYPE "D" BUFFER

EAST: RS-1, SINGLE-FAMILY – TYPE 'F' 30' BUFFER

NORTH: BUCKINGHAM ROAD – 50' TYPE "D" BUFFER

8) DEVIATIONS:

NONE REQUESTED

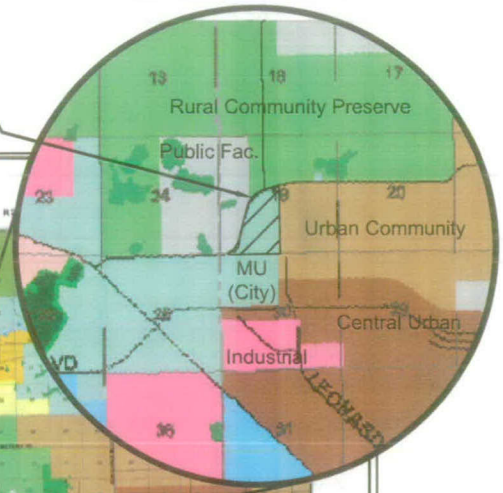
9) PARKING SHALL BE IN ACCORDANCE WITH SECTION 34-2020

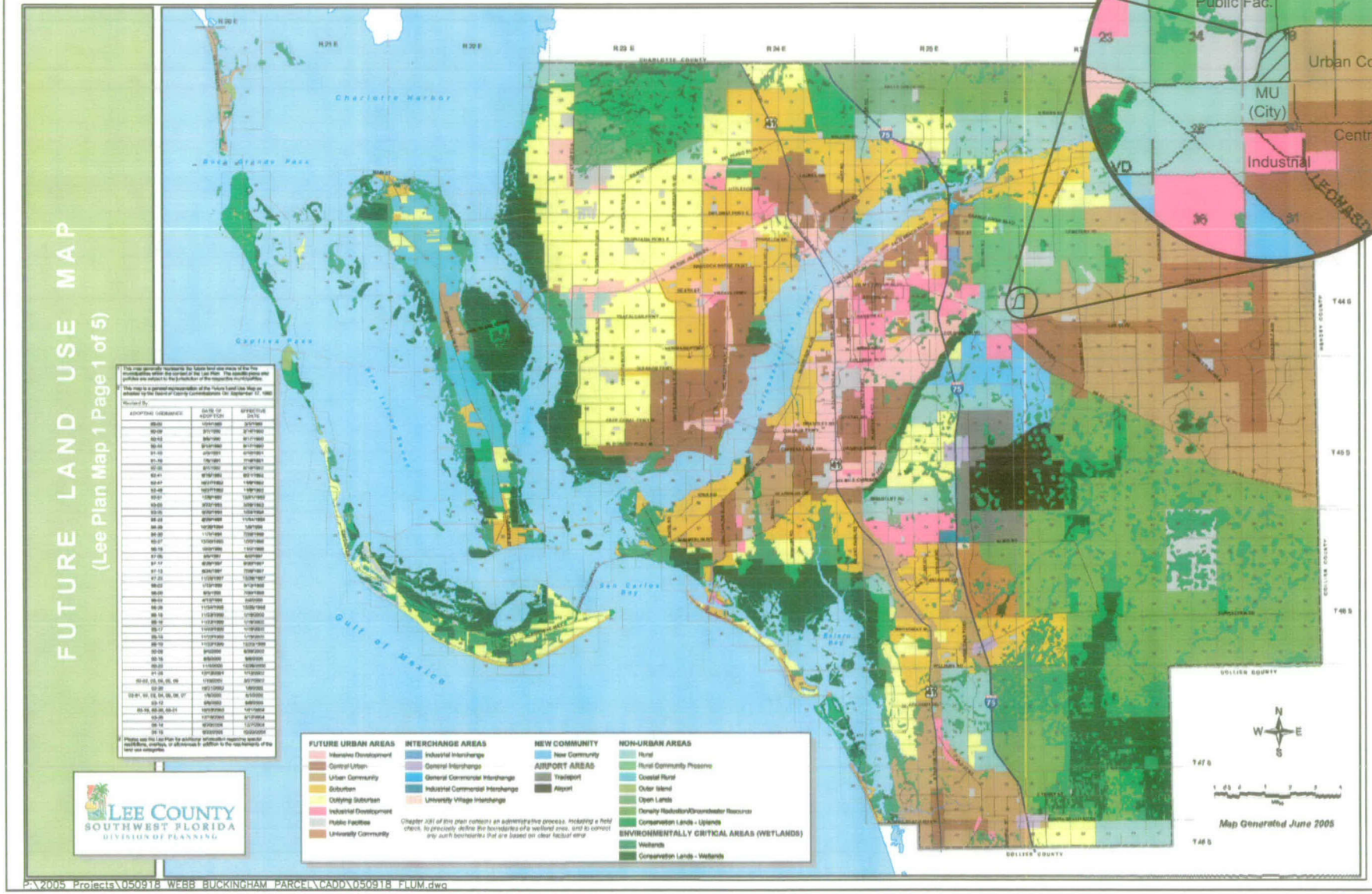
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239.936.5222

FUTURE LAND USE MAP

(Lee Plan Map 1 Page 1 of 5)

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
CURRENT: **RURAL**





ADOPTING ORDINANCE	DATE OF ADOPTION	EFFECTIVE DATE
89-60	10/4/1989	3/5/1990
90-36	3/1/1990	3/14/1990
90-52	9/5/1990	9/17/1990
90-53	9/19/1990	9/17/1990
91-19	2/5/1991	2/19/1991
91-36	7/9/1991	7/18/1991
92-05	2/1/1992	2/18/1992
92-41	8/19/1992	8/21/1992
92-51	10/21/1992	11/9/1992
92-48	10/7/1992	11/9/1992
93-01	1/26/1993	12/31/1993
93-23	3/22/1993	3/29/1993
93-25	6/22/1993	1/24/1994
95-22	6/26/1995	11/24/1999
96-39	12/18/1996	1/6/1997
96-40	11/4/1996	7/28/1998
97-07	12/30/1996	1/29/1998
98-16	10/21/1998	11/4/1998
97-09	6/4/1997	6/27/1997
97-17	8/26/1997	9/26/1997
97-12	8/26/1997	7/28/1998
97-23	11/25/1997	12/26/1997
98-02	1/13/1998	9/13/1998
98-09	6/1/1998	7/28/1998
98-09	6/15/1998	7/28/1998
98-09	11/24/1998	12/28/1998
99-10	11/23/1999	1/19/2000
99-17	11/23/1999	1/19/2000
99-10	11/23/1999	1/19/2000
99-10	11/23/1999	12/21/1999
00-09	5/1/2000	6/29/2000
00-16	8/3/2000	9/6/2000
00-03	11/14/2000	12/26/2000
01-08	12/13/2000	1/12/2001
00-02, 03, 04, 05, 09	1/18/2001	3/7/2001
02-02	10/21/2002	1/6/2003
02-01, 02, 03, 04, 06, 08, 07	1/6/2003	3/10/2003
03-12	6/9/2003	6/8/2003
03-16, 03-05, 03-01	10/13/2003	12/1/2003
03-09	12/15/2003	3/12/2004
04-14	6/28/2004	12/7/2004
04-15	9/20/2004	10/20/2004

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Transport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

Chapter XIII of the 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.

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

WEBB BUCKINGHAM CPA
EXHIBIT A-2 CURRENT FLUM
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-2222
Certificate of Authorization Number 9465

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FRI, 9-9-2005 8:04 AM

A-2
1 of 2

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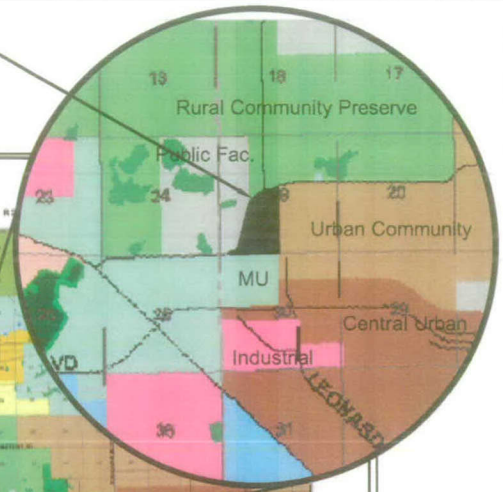
SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
PROPOSED: **URBAN COMMUNITY**



FUTURE LAND USE MAP

(Lee Plan Map 1 Page 1 of 5)

Charlotte Harbor
Gulf of Mexico
Charlotte County
Collier County
Hendry County

FUTURE URBAN AREAS
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange

NEW COMMUNITY
- New Community

AIRPORT AREAS
- Tradeport
- Airport

NON-URBAN AREAS
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)
- Wetlands
- Conservation Lands - Wetlands

Chapter XII 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 June 2005

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

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WEBB BUCKINGHAM CPA
EXHIBIT A-2 PROPOSED FLUM
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11060 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 3665

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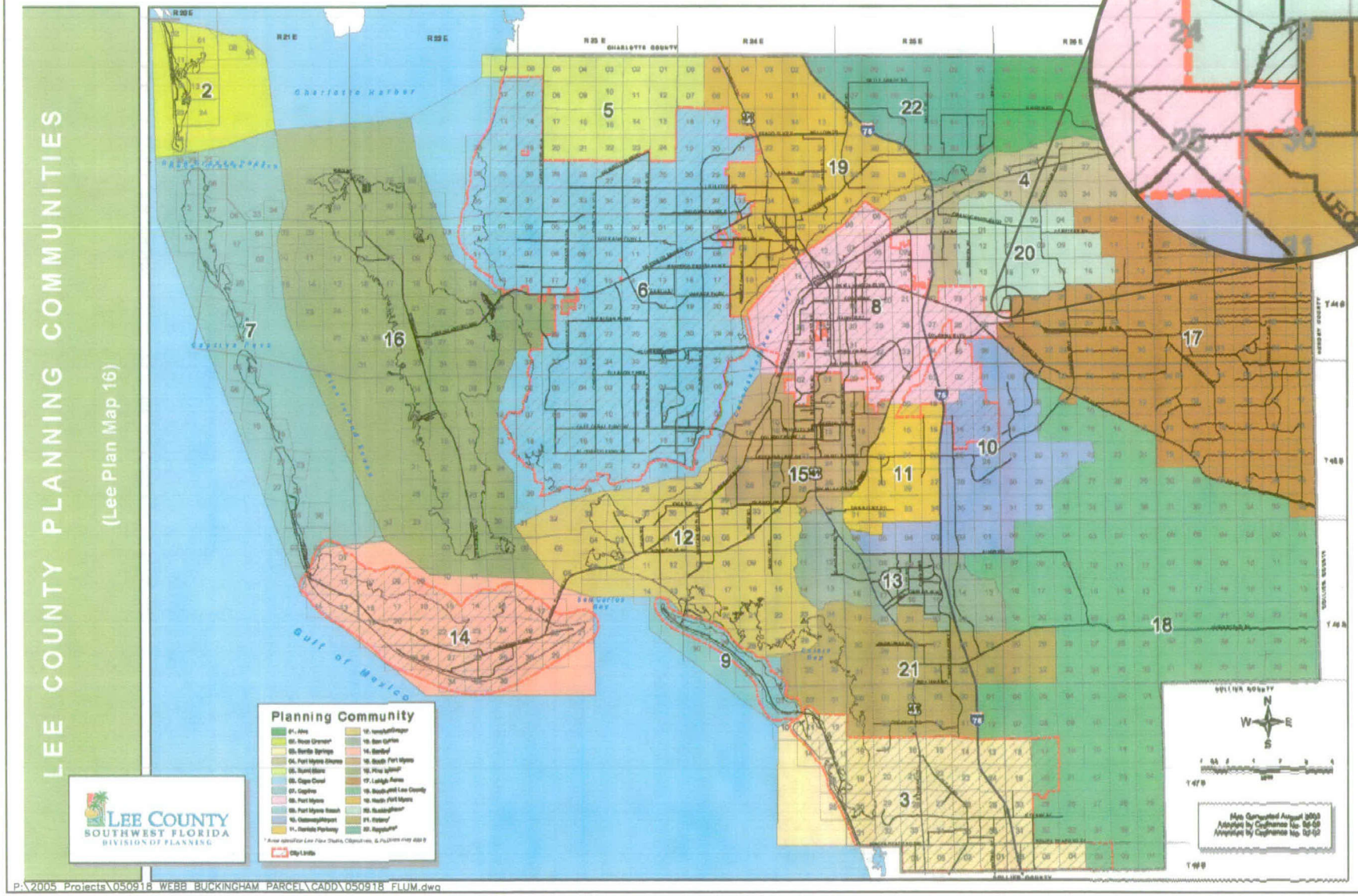
FRI, 5-5-2006 9:09 AM

SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
BUCKINGHAM PLANNING COMMUNITY



WEBB BUCKINGHAM CPA
EXHIBIT A-2a PLANNING COMMUNITIES
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9165

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MON, 5-8-2006 2:05 PM

A-2a

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WEBB BUCKINGHAM CPA

EXHIBIT A-3 & A-4 : EXISTING ZONING & LAND USES

CARLTON LAND HOLDINGS, LLC

LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-1222
Certificate of Authorization Number 3461

A-3 & A-4

WEBB BUCKINGHAM CPA
EXHIBIT A-7 PROJECT AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA
Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number 3903
A-7
NORTH
SCALE 1"=200'
200'
400'
SUBJECT PARCEL
STRAP #19-44-26-00-00003.0000
95.60 ACRES
BUCKINGHAM ROAD
NEAL ROAD
ALVIN AVENUE
BUCKINGHAM ROAD
BUCKINGHAM ROAD

WEBB BUCKINGHAM CPA
EXHIBIT A-7 VICINITY AERIAL
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5221
Certificate of Authorization Number 5603

A-7

BAGLEY ENVIRONMENTAL & PLANTING SERVICES
4850 CEDAR HAMMOCK COURT
FORT MYERS, FLORIDA 33905
PH: 239-693-3919 FAX: 239-694-5405

CARLTON HOLDINGS PROPERTY
PROPOSED +95.60 ACRE DEVELOPMENT
LEE COUNTY, FLORIDA
STRAP# 19-44-26-00-00003.0000
SEPTEMBER 2005

FLUCCS	Description	Acreage
740 / 835*	Disturbed Land / Solid Waste Disposal w/ Scattered Cabbage Palms	88.88 Ac.
832	Electrical Transimission Lines	6.72 Ac.

Soils	Description	Acreage
69	Matlacha Gravelly Fine Sand	95.60 Ac.

NORTH
200' 400'
SCALE 1"=200'

REVISIONS
DATE

WEBB BUCKINGHAM CPA
EXHIBIT C-1 and C-2 FLUCCS/SOILS MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-5222
Certificate of Authorization Number: 9465

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FRI, 9-8-2006 10:08 AM

C-1 & C-2

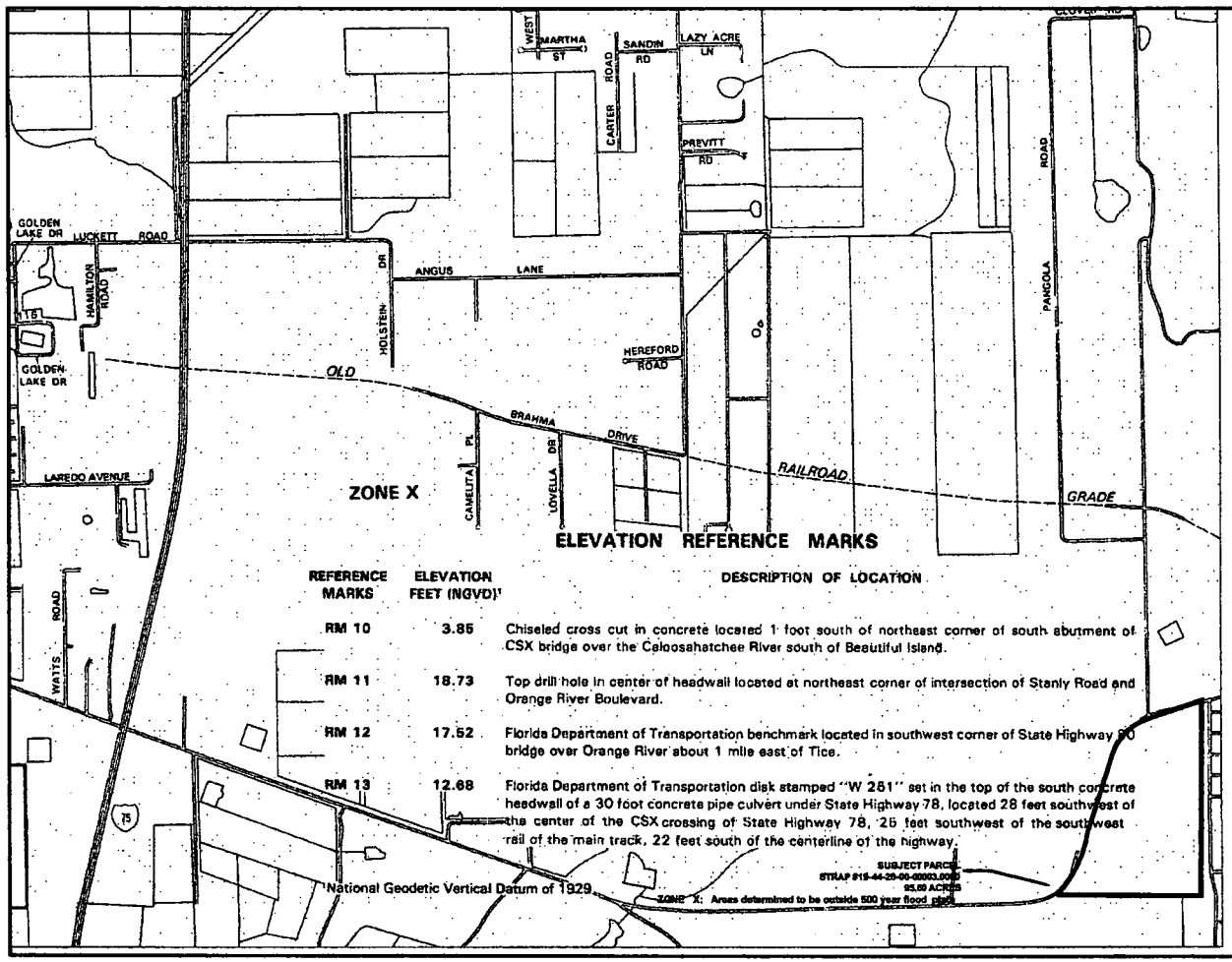
LEGEND

SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD
ZONE A: No base flood elevations determined
ZONE AE: Base flood elevations determined
ZONE X: Areas of 500 year flood; areas of 100 year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100 year flood

OTHER FLOOD AREAS
ZONE X: Areas of 500 year flood; areas of 100 year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100 year flood

OTHER AREAS
ZONE X: Areas determined to be outside 500 year flood plain
ZONE D: Areas in which flood hazards are undetermined

EXPLANATION OF ZONE DESIGNATIONS
ZONE A: Areas of 100 year flood; base flood elevations and flood hazard factors not determined
ZONE A1 - A30: Areas of 100 year flood; base flood elevations and flood hazard factors determined
ZONE B: Areas between limits of the 100 year flood and 500 year flood; or certain areas subject to 100 year flooding with average depths less than (1) foot or where the contribution drainage area is less than one square mile; or areas protected by levees from the base flood.
ZONE C: Areas of minimal flooding
ZONE V1 - V30: Areas of 100 year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined



ELEVATION REFERENCE MARKS

REFERENCE MARKS	ELEVATION FEET (NGVD)[1]	DESCRIPTION OF LOCATION
RM 10	3.85	Chiseled cross cut in concrete located 1 foot south of northeast corner of south abutment of CSX bridge over the Caloosahatchee River south of Beautiful Island.
RM 11	18.73	Top drill hole in center of headwall located at northeast corner of intersection of Stanly Road and Orange River Boulevard.
RM 12	17.52	Florida Department of Transportation benchmark located in southwest corner of State Highway 80 bridge over Orange River about 1 mile east of Tice.
RM 13	12.68	Florida Department of Transportation disk stamped "W 261" set in the top of the south concrete headwall of a 30 foot concrete pipe culvert under State Highway 78, located 28 feet southwest of the center of the CSX crossing of State Highway 78, 25 feet southwest of the southwest rail of the main track, 22 feet south of the centerline of the highway.

[1] National Geodetic Vertical Datum of 1929

APPROXIMATE SCALE
2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

LEE COUNTY, FLORIDA
(UNINCORPORATED AREAS)

PANEL 225 OF 550
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
125124 0225 C

MAP REVISED:
MARCH 15, 1994

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

WEBB BUCKINGHAM CPA
EXHIBIT C-3 FEMA FLOOD MAP
CARLTON LAND HOLDINGS, LLC
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
11000 Metro Parkway, Suite 30 - Fort Myers, Florida 33912 - 239-936-0222
Certificate of Authorization Number 5443

PLOTTED BY: fred
FRI, 9-8-2006 8:37 AM

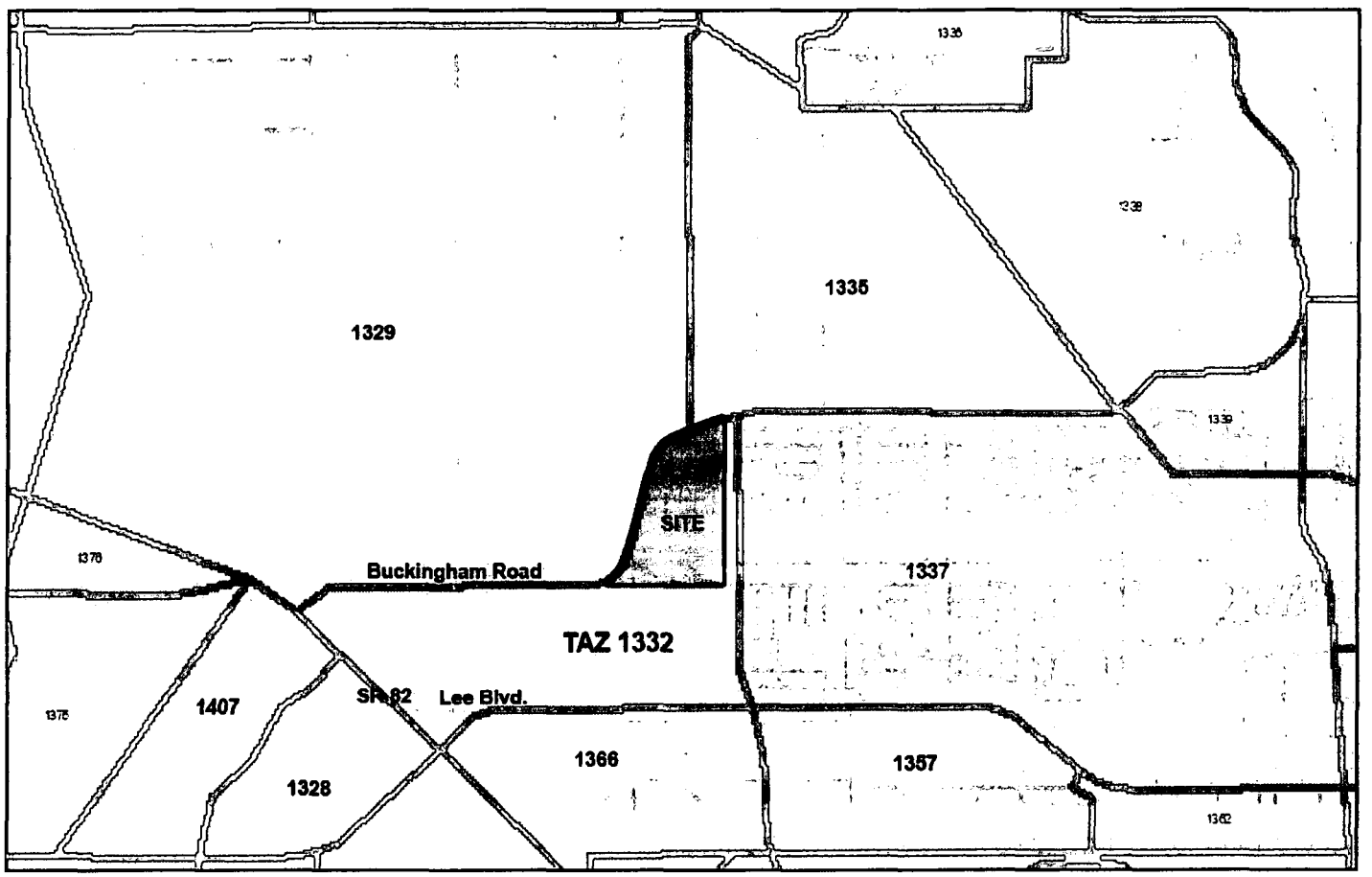
C-3

Quattrone & Associates, Inc.

EXHIBIT B-1a
TRAFFIC ANALYSIS ZONES (TAZ)

WEBB BUCKINGHAM CPA (a.k.a. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

The subject parcel is in TAZ 1332 as shown in below taken from the Lee County TAZ Map reproduced from the Metropolitan Planning Organization for Southwest Florida.



Quattrone & Associates, Inc.

EXHIBIT
PUBLIC TRANSIT

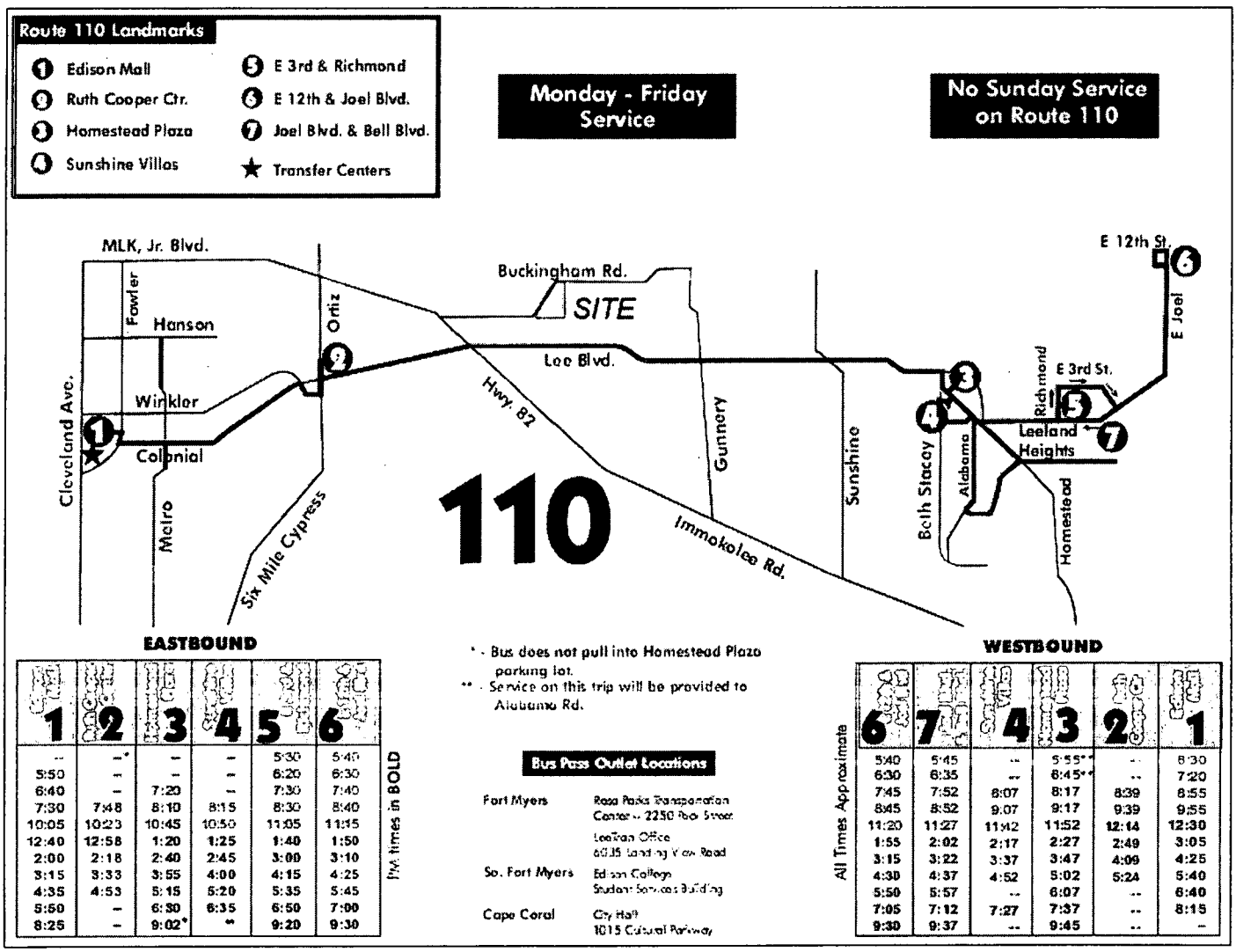
WEBB BUCKINGHAM CPA (a.k.a. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

As quoted from a Lee Tran representative in a correspondence to Lee County Planning "Current transit service is approximately ½ mile from the subject property along Lee Boulevard. This service could be accessed to and from the Carlton Property on foot or bicycle. The short range transit development plan does not identify a need for transit service in the area other than on Lee Boulevard, and the long-range transportation plan keeps transit service on the Lee Boulevard and SR 82 corridors. While transit service does not seem likely at this point on Buckingham Road, there will be some demand for access to transit. I feel the applicant should address pedestrian walkways and even bikeways that could be constructed for individuals to use getting to and from the transit corridors."

In response to these comments we offer the following comments. The route Lee Tran mentions is Route 110 (next page). As depicted on the map there is not an opportunity for the subject property to connect a pedestrian walkway or bikeway to the route access since many properties separate the site from Lee Tran access on Lee Boulevard. We do concede that this project, at build-out, may cause demand for transit access.

According to the Lee Plan Bikeways/Facilities Map (3) it appears bike path improvements are slated close to the subject property. If, at the time of development order such improvements would be required along Buckingham Road the applicant would gladly comply. The applicant would agree to any improvements required fronting the subject property to further enhance the bike path or walkway network of Lee County. Internally the site will offer pedestrian interconnections.

Quattrone & Associates, Inc.



EASTBOUND

1	2	3	4	5	6
--	-*	-	-	5:30	5:40
5:50	-	-	-	6:20	6:30
6:40	-	7:20	-	7:30	7:40
7:30	7:48	8:10	8:15	8:30	8:40
10:05	10:23	10:45	10:50	11:05	11:15
12:40	12:58	1:20	1:25	1:40	1:50
2:00	2:18	2:40	2:45	3:00	3:10
3:15	3:33	3:55	4:00	4:15	4:25
4:35	4:53	5:15	5:20	5:35	5:45
5:50	-	6:30	6:35	6:50	7:00
8:25	-	9:02*	**	9:20	9:30

PM times in BOLD

* - Bus does not pull into Homestead Plaza parking lot.
** - Service on this trip will be provided to Alabama Rd.

Bus Pass Outlet Locations

Fort Myers	Rosa Parks Transportation Center -- 2250 Park Street
	Lee Tran Office 6035 Landing View Road
So. Fort Myers	Edison College Student Services Building
Cape Coral	City Hall 1015 Cultural Parkway

WESTBOUND

All Times Approximate

6	7	4	3	2	1
5:40	5:45	--	5:55**	--	6:30
6:30	6:35	--	6:45**	--	7:20
7:45	7:52	8:07	8:17	8:39	8:55
8:45	8:52	9:07	9:17	9:39	9:55
11:20	11:27	11:42	11:52	12:14	12:30
1:55	2:02	2:17	2:27	2:49	3:05
3:15	3:22	3:37	3:47	4:09	4:25
4:30	4:37	4:52	5:02	5:24	5:40
5:50	5:57	--	6:07	--	6:40
7:05	7:12	7:27	7:37	--	8:15
9:30	9:37	--	9:45	--	--

Quattrone & Associates, Inc.

EXHIBIT 6-M
SCHEDULE OF USES

WEBB BUCKINGHAM CPA (a.ka. CARTLON PROPERTY)
Future Land Use Map and Text Amendment
STRAP#: 19-44-26-00-00003.0000
9711 Buckingham Road, Lehigh Acres, Florida 33971

PROJECT SUMMARY

Planning Community	Buckingham
Current Future Land Use	Rural
Proposed Future Land Use	Urban Community
Current Zoning	AG-2
Requested Zoning	Combined IPD/CPD
Residential Units	None requested
Gross Square Footage	95.6 acres

SCHEDULE OF USES

INDUSTRIAL PLANNED DEVELOPMENT (IPD)
Accessory uses and structures
Accessory apartment
Administrative offices
Agricultural services
Agricultural uses and agricultural accessory uses
Animals: Clinic or kennel
Control center (including Humane Society)
Automobile repair and service (all groups)
Boat repair and service
Boat storage, dry
Broadcast studio, commercial radio and television
Cold storage, pre cooling, warehouse and processing plant
Communication facility, wireless
Computer and data processing services
Contractors and builders, all groups
Entrance gates and gatehouse
Emergency operations center
EMS, fire or sheriff's station
Essential services
Essential service facilities: Groups I and II
Fences, walls

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Flea market: Open
Indoor
Forestry tower
Gasoline dispensing system, special
Insurance companies
Laundry or dry cleaning: Group II
Manufacturing of:
Apparel products
Electrical machinery and equipment
Food and kindred products: Group III
Furniture and fixtures
Leather products: Group II
Lumber and wood products: Groups II and IV
Machinery, Groups I and II
Measuring, analyzing and controlling instruments
Novelties, jewelry, toys and signs, all groups
Rubber and plastic products: Group II
Textile mill products, Group I
Maintenance facility (Government)
Parcel and express services
Parking lot: Accessory
Temporary
Photofinishing laboratory
Place of worship
Post office
Printing and publishing
Processing and warehousing
Recreation facilities:
Commercial: Group(s) I, III, IV, and V
Recreational vehicles
Religious facilities
Rental or leasing establishment: Group(s) I, II, III, and IV
Repair shops: Groups III, IV, and V
Research and development laboratories: Groups II and IV
Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises
Signs (in accordance with chapter 30)
Storage: Indoor
Storage: Open
Warehouse: Mini warehouse
Private
Public
Cold storage only
Wholesale establishments: Groups III and IV

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COMMERCIAL PLANNED DEVELOPMENT (CPD)

Accessory uses and structures
Administrative offices
ATM (automatic teller machine)
Auto parts store
Automobile service station (one)
Bait and tackle shop
Banks and financial establishments: Group(s) I and II
Bar or cocktail lounge
Building material sales
Business services: Groups I and II
Car wash
Cleaning and maintenance services
Clothing stores, general
Clubs: Fraternal, membership organization
Private
Computer and data processing services
Consumption on premises
Department store
Drive through facility for any permitted use
Drugstore, pharmacy
Essential services
Essential service facilities: Group I
Fences, walls
Food and beverage service, limited
Food stores: Group(s) I and II
Gift and souvenir shop
Hardware store
Hobby, toy and game shops
Household and office furnishings, all groups
Laundry or dry cleaning: Group I
Lawn and garden supply stores
Library
Medical office
Nonstore retailers, all groups
Package store
Parking lot: Accessory
Personal services: Group(s) I, II, III, and IV
Pet services
Pet shop
Pharmacy
Place of worship
Plant nursery
Real estate sales office
Recreation facilities:
Commercial: Group(s) I, III, IV, and V
Religious facilities
Rental or leasing establishment: Groups I, II and III

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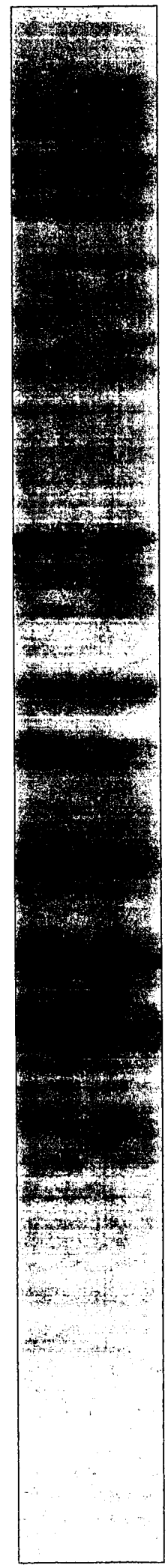
Restaurants: Groups I, II and III
Signs (in accordance with chapter 30)
Social services: Group(s) I, II, III, and IV
Specialty retail shops: Group(s) I, II, III, and IV
Temporary uses
Theater, indoor
Used merchandise stores: Group(s) I, II, III and IV

PROPERTY DEVELOPMENT REGULATIONS

Minimum Area Dimensions:	
Min. Lot Size	20,000 sq. ft.
Min. Depth	100 sq. ft.
Min. Width	100 sq. ft.
Maximum Height	35 ft.
Maximum Lot Coverage	40%
Minimum Open Space	20% (CPD), 10% (IPD)
Minimum Setbacks:	
Buckingham Road	75 ft.
Rear (south)	25 ft.
Side Yard (east)	50 ft.
Water body	25 ft.
Accessory Structures (side and rear)	15 ft.

GENERAL PROJECT NOTES

1. No blasting is requested.



Quattrone &

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Date:	November 29, 2006
Case Number:	CPA2005-00002
Case Name:	Webb-Buckingham Comprehensive Plan Amendment
Request:	Amend the Lee Plan Future Land Use Map series, Map 1, to change +/- 95 acres from Rural to Urban Community Land Use Designation and change the boundaries in the Future Land Use Map series, Map 16, to remove +/- 95 acres from the Buckingham Planning Community and add those acres to the Lehigh Acres Planning Community.
Location:	The parcel is located south of Buckingham Road, approximately 1 mile east of State Route 82 and is approximately 3 miles from exit 138 on Interstate 75, via SR 82. The property is located east of the Lee County Incinerator and Buckingham Community Park, and north of the incorporated boundaries of the City of Fort Myers.
PROPERTY OWNER'S REPRESENTATIVE:	Fred Drovdlic, AICP Quattrone and Associates, Inc. 11000 Metro Parkway, Suite 30 Fort Myers, FL 33912
Lee County Planner:	Wayne Gaither (239) 479-8567

The file may be reviewed Monday through Friday between the hours of 8:00 am and 4:30 pm at the Lee County, Planning Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8583 for additional information.

This is a courtesy notice. Please review the New-Press for Local Planning Agency meeting notices.

This case is anticipated to be reviewed by the Board of County Commissioners on: December 13, 2006.

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8567

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Date:	September 7, 2006
Case Number:	CPA2005-00002
Case Name:	Webb-Buckingham Comprehensive Plan Amendment
Request:	Amend the Lee Plan Future Land Use Map series, Map 1, to change +/- 95 acres from Rural to Urban Community Land Use Designation and change the boundaries in the Future Land Use Map series, Map 16, to remove +/- 95 acres from the Buckingham Planning Community and add those acres to the Lehigh Acres Planning Community.
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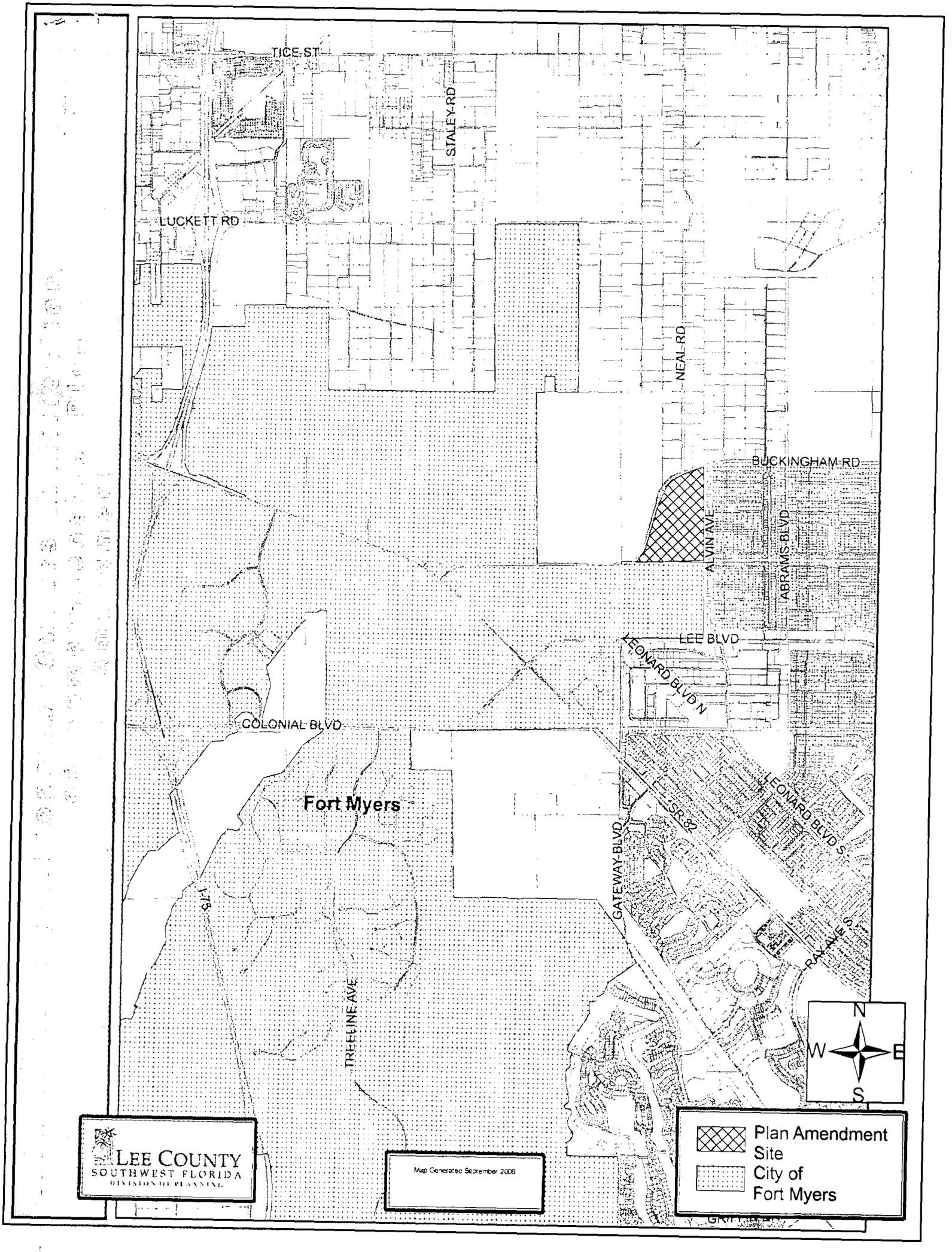
This is a courtesy notice. Please review the New-Press for Local Planning Agency meeting notices.

This case is anticipated to be reviewed by the Local Planning Agency on: September 25, 2006.


TICE ST
STALEY RD
LUCKETT RD
NEAL RD
BUCKINGHAM RD
ALVIN AVE
ABRAMS BLVD
LEE BLVD
LEONARD BLVD N
COLONIAL BLVD
Fort Myers
SR 82
LEONARD BLVD S
GATEWAY BLVD
I-75
TREELINE AVE
RAY AVE S
N
W
E
S
LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING
Map Generated September 2006
Plan Amendment Site
City of Fort Myers

24-44-25-00-00001.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-26-00-00001.0040
NIPPER LARRY
P O OBOX 398
LEHIGH ACRES, FL 33970

19-44-26-00-00004.0000
LEE COUNTY
PO BOX 398
FORT MYERS, FL 33902

19-44-26-01-00001.0020
LAMBERT WAYNE M +
7308 IDEAL AVE
FORT WAYNE, IN 46809

19-44-26-01-00001.0040
PRICE FLORENCE L
1128 MELVIN DR
PORTSMOUTH, VA 23701

19-44-26-01-00001.0060
KROL CONRAD + HOLLY
928 72ND AVE N
PENSACOLA, FL 32506

19-44-26-01-00001.0080
BECK TODD R
2724 VIA DEL NOGAL
CAMARILLO, CA 93010

19-44-26-01-00001.0100
LAZARRE MARCELLUS + MARTHA
1115 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00002.0020
LUULY REALTY INVESTMENTS INC
4925 SKATES CIR
FORT MYERS, FL 33905

19-44-26-01-00002.0140
SMITH EDWARD J +
5570 BILLINGS ST
LEHIGH ACRES, FL 33971

19-44-26-00-00001.0030
MOON KAP NAE + UN JAE
3212 RIVER GROVE CIR
FT MYERS, FL 33905

19-44-26-00-00001.0140
MORALES DEL CASTILLO FAMILY
4048 EVANS AV
SUITE 209
FORT MYERS, FL 33901

19-44-26-01-00001.0010
ABDEL-MASSIH MOUNIER
747 W BAGNALL ST
GLENDORA, CA 91740

19-44-26-01-00001.0030
ARONI ROSSANA +
1502 SE 1ST PLACE
CAPE CORAL, FL 33990

19-44-26-01-00001.0050
HERCULES CIELRA + CHRISTILA
1125 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00001.0070
BAKER FREDERICK R +
1121 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-01-00001.0090
JESSICA CORP
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-01-00002.0010
ARCE JUAN C +
CALLE MUNICIPAL # 46
BRISAS DE CEIBA
DEIBA, PR 00735

19-44-26-01-00002.0130
SOLORZANO RAQUEL B
18722 SW 27TH ST
MIRAMAR, FL 33029

19-44-26-01-00003.0010
JRG LLC
GUTIERREZ
5407 NE 31ST AVE
FORT LAUDERDALE, FL 33308

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19-44-26-01-00003.0020
RENZENBRINK G WM + PATRICE A
8246 LAKEVALLEY DR
CINCINNATI, OH 45247

19-44-26-01-00003.0030
HOLOWKA CHERYL LYNN
883 RALEIGH DR
TOMS RIVER, NJ 08753

19-44-26-01-00003.0140
ESTRADA ANA
320 17TH ST NW
NAPLES, FL 34120

19-44-26-01-00003.0150
LAUREN DEVELOPMENT CORPORATION
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-01-00003.0160
SIMAO MANUEL
9202 YELLOW LAKE DR
NEW PORT RICHEY, FL 34654

19-44-26-01-00004.0010
MONROE VIRGINIA D
5571 BECK ST
LEHIGH ACRES, FL 33971

19-44-26-01-00004.0020
VANSLYKE MARK C + CORRI
320 SE 16TH TER
CAPE CORAL, FL 33990

19-44-26-01-00004.0030
RODRIGUEZ MARIA T +
5567 BECK ST
LEHIGH ACRES, FL 33971

19-44-26-01-00004.0140
JULIEN ARNOLD + ALIETTE
2954 CALVIN BLVD
FORT MYERS, FL 33901

19-44-26-01-00004.0150
HILL ADRIENNE R
498 PARKWAY AVE
TRENTON, NJ 08618

19-44-26-01-00004.0160
SIMAO JOAQUIM
2 CAROLINE DR
SOUTH RIVER, NJ 08882

19-44-26-02-00008.0010
CHERMONT LUCIA
1805 LINHART AVE #121
FORT MYERS, FL 33901

19-44-26-02-00008.0020
PHAM SUONG NGUYET
7936 SANDELWOOD CIR W
FORT MYERS, FL 33908

19-44-26-02-00008.0030
JAJO INVESTMENTS
11994 HIDDEN LINKS DR
FORT MYERS, FL 33913

19-44-26-02-00008.0040
PELAEZ MERCEDES +
7813 NW 193RD TER
HIALEAH, FL 33015

19-44-26-02-00008.0050
WRIGHT LEE A
1322 PINGREE RD
TOLEDO, OH 43612

19-44-26-02-00008.0060
ADKINS MATTHEW + ERIKA
1103 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-02-00008.0070
FERRY WILLIAM J +
22 HANOVER CT
LANGHORNE, PA 19047

19-44-26-02-00008.0080
PIRES SIRLENIA
1035 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0010
ESTUPINAN JULIO CESAR
141 AMARYLLIS CT
SAN RAMON, CA 94583

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19-44-26-02-00009.0020
GUQUELIN JANAINA F
5569 BELROSE ST
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0030
LONGO CRISTIAN M
5567 BELROSE ST
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0140
KING RONALD S + CAROL D
5566 BENTON ST SW
LEHIGH ACRES, FL 33971

19-44-26-02-00009.0150
PASSLEY LLOYD E
BOX 5539 RFD
LONG GROVE, IL 60047

19-44-26-02-00009.0160
VALERIANO ANA LUCIA +
13 KINGSMAN RD #1
SOMERVILLE, MA 02143

19-44-26-02-00010.0010
PRUTZMAN CLARENCE B JR
2 SPRING AVE
TEMPLE, PA 19560

19-44-26-02-00010.0020
MORAIS HAMILTON
5569 BENTON ST
LEHIGH ACRES, FL 33971

19-44-26-02-00010.0030
SANTANA WANDELL +
7835 REGAL HERON CIR #202
NAPLES, FL 34104

19-44-26-02-00010.0140
RAMOS ANGEL
14 LIVINGSTON AV
YONKERS, NY 10705

19-44-26-02-00010.0150
RICHARDSON KEVIN L
13428 HAMPTON PARK CT
FORT MYERS, FL 33913

19-44-26-02-00010.0160
DILLON JAMES F + GAYLE M
1005 SE KITCHING COVE LANE
PORT ST LUCIE, FL 34952

19-44-26-03-00013.0010
LANHAM TRACEY
1033 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0020
COSTA LUIZ ANTONIO
26777 STARDUST DR
BONITA SPRINGS, FL 34135

19-44-26-03-00013.0030
TAYLOR JEFFREY D + CARRIE
1029 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0040
CORTEZ JOSE S + IDOLINA G
1027 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0050
BENEL CENEL +
1025 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0060
DRUE CORPORATION
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-03-00013.0070
BROWN CHAD E + RENEE H
1021 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0080
WHEELER CHARLES H
4607 86TH ST
LUBBOCK, TX 79424

19-44-26-03-00013.0090
ST LAGUERRE MURIELLE
1017 ALVIN AVE
LEHIGH ACRES, FL 33971

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19-44-26-03-00013.0100
VAN HORNE LANCE E
1015 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0110
ADAMS KENNETH A + LIVIA J
1013 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0120
HERWIG AARON
19542 SW 39TH ST
MIRAMAR, FL 33029

19-44-26-03-00013.0130
SHIPMAN JAMES L+ KATHERINE TR
18470 SCHABACK DR
WESTON, MO 64098

19-44-26-03-00013.0140
KHAN SAEED A + DIANA L
1007 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00013.0160
BELCHER C I + CAROLYN A
734 E WOODSIDE ST
SOUTH BEND, IN 46614

19-44-26-03-00013.0170
FREDERICK THOMAS O + MIRNA Y
1557 ALTON RD
PORT CHARLOTTE, FL 33952

19-44-26-03-00014.0010
WILKE CHARLOTTE ANN TR
P O BOX 61134
FORT MYERS, FL 33906

19-44-26-03-00014.0020
PAUL JEAN + ILNESSE
1030 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0030
VERLANEY JOHN A ETAL
8925 STARLIGHT DR
MACEDONIA, OH 44056

19-44-26-03-00014.0040
SANCHEZ SONIA
1026 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0050
BOESCH JOAN
19709 VINTAGE TRACE CIR
FORT MYERS, FL 33912

19-44-26-03-00014.0060
INFIESTO CINDI
18441 TELEGRAPH CREEK LN
ALVA, FL 33920

19-44-26-03-00014.0070
PASTORIZA ILIANA D +
12804 SW 48TH TER
MIAMI, FL 33175

19-44-26-03-00014.0080
BYRD BOBBY L + LISA P
1016 ALVIN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0090
ALVES JOAO C
1016 ALVIN AVE
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0100
MORELAND WILBUR L +
2918 PRINCE GEORGE RD
HATTIESBURG, MS 39402

19-44-26-03-00014.0110
MORELAND WILBUR L +
2918 PRINCE GEORGE RD
HATTIESBURG, MS 39402

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FORTUNATO DEBORA
1010 ALVIN AVE
LEHIGH ACRES, FL 33971

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BAKER PHILIP GARY + DEBORAH
211 BEECH RIDGE RD
LITTLETON, NC 27850

19-44-26-03-00014.0140
GUERRA RAFAEL R
10620 ROSEMARY DR
BONITA SPRINGS, FL 34135

19-44-26-03-00014.0150
HENDRY REBECCA
5570 BUTTE ST
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0160
TEIXEIRA SERGIO DE OLLVEIRA
1005 ALLMAN AVE
LEHIGH ACRES, FL 33971

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LOPEZ AMADOR
1007 ALLMAN AVE
LEHIGH ACRES, FL 33971

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DASILVA PAULO R
1026 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0190
ANTOINE ESPERANCE +
1011 ALLMAN AVE
LEHIGH ACRES, FL 33971

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MADDIE CORP
6635 WILLOW PARK DR
NAPLES, FL 34109

19-44-26-03-00014.0210
NICELY SUZETTE D +
910 NW 140TH ST
MIAMI, FL 33168

19-44-26-03-00014.0220
GARZA ANTHONY +
1017 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0230
GARZA ANTHONY
1017 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0240
CHING JAIME
11760 NW 1ST ST
CORAL SPRINGS, FL 33071

19-44-26-03-00014.0250
WEDDERBURN ELARIO L +
1229 SEBRING LN
LEXINGTON, KY 40513

19-44-26-03-00014.0260
KOCO MAKSIM + MIMOZA
4808 ESCOBAR AVE
NAPLES, FL 34103

19-44-26-03-00014.0270
DAVIS WILLIE E + MIRIAM R
1027 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0280
PASCHAL MICHAEL B + PATRICIA
1029 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00014.0290
QUINTANA JOSE A
1418 ALWYNNE DR
LEHIGH ACRES, FL 33936

19-44-26-03-00014.0300
WILKE ROBIN L TR
1033 ALLMAN AV
LEHIGH ACRES, FL 33971

19-44-26-03-00018.0010
ESCAANDELL MANUEL + CAROLINA
4478 28TH PL
NAPLES, FL 34116

19-44-26-03-00018.0020
RUEDISUELI JOHN P + BETTY A
5569 BUTTE ST
LEHIGH ACRES, FL 33971

19-44-26-03-00018.0030
ANDERSON GEORGE L
5155 COLD SPRINGS RD
WEST PADUCAH, KY 42086

All data is current at time of printing and subject to change without notice.

19-44-26-07-00001.0000
OVERBEE TONY R + MARILYN T
9430 BUCKINGHAM RD
FT MYERS, FL 33905

19-44-26-07-00002.0000
OVERBEE TONY R + MARILYN T
9430 BUCKINGHAM RD
FT MYERS, FL 33905

30-44-26-04-00021.0010
SIANOS EVANGELOS
MARONIOUS 21
ATHENS 104-44,
GREECE

30-44-26-04-00021.0020
COSTA LUIS + ROSALINA
26777 STAROUST DR
BONITA SPRINGS, FL 34135

30-44-26-04-00021.0030
ANDRADE OSORIO R
5548 BEAUTY ST
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0010
CAMACHO YVETTE N +
4484 SADDLEWORTH CIR
ORLANDO, FL 32826

30-44-26-04-00026.0020
BAKER RONNIE L + ZELMA M
920 ALVIN AVE
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0030
KETCHUM LYNN D
918 ALVIN AVE
LEHIGH ACRES, FL 33971

30-44-26-04-00026.0220
SOSA RAFAEL + CONCEPCION F P
921 ALLMAN AV
LEHIGH ACRES, FL 33971

30-44-26-04-00027.0010
WINTERS ALVIN +
12025 WANDWORTH DR
TAMPA, FL 33626

30-44-26-04-00027.0020
NONIS ATHINA
JOANNA NONIS BARNETT
19669 PLAYER CT
ASHBURN, VA 20147

30-44-26-04-00027.0030
COSTA LUIZ A + ROSALINA
26777 STARDUST DR
BONITA SPRINGS, FL 34135

30-44-26-04-00027.0040
FERREIRA MAISA S +
3773 CANTON ST
FORT MYERS, FL 33912

30-44-26-04-00027.0050
BRADY ROLLAND J + MAXINE M
700 18TH ST SE
AUSTIN, MN 55912

30-44-26-04-00027.0060
GOLUEKE WILLIAM J + VIRGINIA T
1584 DECKNER AVE
GREEN BAY, WI 54302

30-44-26-04-00027.0070
ADAMS HOMES OF NW FLORIDA INC
3000 GULF BREEZE PKWY STE 229
GULF BREEZE, FL 32561

30-44-26-P1-00001.0000
CITY OF FORT MYERS
FINANCE DEPT
PO DRAWER 2217
FORT MYERS, FL 33902

All data is current at time of printing and subject to change without notice.

PLANNING SIGN PICKUP SHEET

LEE COUNTY ~~KEYBOARD~~**(BoCC)**

~~KEYBOARD~~(Decmeber 13, 2006)

DATE	SIGNATURE	PLANNER	CASE NUMBER	CASE NAME
12-6-2006		Wayne Gaither	CPA2005-00002	Webb-Buckingham

Please return to Planner: Wayne Gaither

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

SIGNATURE OF APPLICANT OR AGENT

Fred Drovdlic, AICP
NAME (TYPED OR PRINTED)

11000 Metro Parkway, Suite 30
ST. OR PO BOX

Fort Myers, FL 33912
CITY, STATE & ZIP

CPA2005-00005 THREE OAKS NORTH MAP AMENDMENT

date 9-14-2006 initials FGD

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 9/14/06 day of September, 2006, by Fred Drovdlic,

personally known to me or who produced _____ as identification and

who did/did not take an oath.

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

ASHELEY MASS
Notary Public - State of Florida
My Commission Expires Sep 4, 2007
Commission # DD247193

ASHELEY MASS
Notary Public - State of Florida
My Commission Expires Sep 4, 2007
Commission # DD247193

RECEIVED
SEP 26 2006
COMMUNITY DEVELOPMENT

Gaither, Wayne

From: Griffin, Victoria
Sent: Friday, October 13, 2006 3:17 PM
To: Gaither, Wayne
Subject: Bike/Ped Codes

Wayne

Per the requirements from the Land Development Code (LDC) Chapter 10-256 and the Administrative Code-11-9 (AC-11-9) the subject property would be required to provide the following in order to secure a Development Order (DO) as it relates to the bicycle/pedestrian component of the LDC:

- An eight foot (8) off-site [within the County's right-of-way (ROW)] multi-use concrete or asphalt path along the frontage of Buckingham Rd.

In addition, per these codes they would be responsible for a four foot (4) on-road bike path (paved shoulder) however, the Bicycle Pedestrian Advisory Committee (BPAC) recommended to the Board of County Commissioners (BoCC) a project to add paved shoulders on Buckingham Rd from SR 82 to just south of the Orange Rive Bridge. This project has just been advanced to the design phase and should be under construction sometime next year. Therefore the applicant will only be responsible for the eight foot (8) multi-use path.

I would suggest the applicant contact the Project Manager, Sarah Clark, Lee County Department of Transportation (Lee DOT) to coordinate their efforts.

Victoria Griffin
Engineer
Lee County DOT
1500 Monroe Street
Fort Myers, FL 33901
239-479-8580 Ext. 5362

Gaither, Wayne

From: Wu, Lili
Sent: Tuesday, October 10, 2006 9:24 AM
To: Gaither, Wayne
Cc: Loveland, David M.; Getch, Andrew J.
Subject: RE: CPA2005-00002(Webb Buckingham)

Wayne:
The subject property (95.6 acres) is in front of Buckingham Rd. The existing (2005) AADT on Buckingham Rd between SR 82 and Gunnery Rd is 5,200 and the LOS is "C". MPO 2030 FSUTMS model projects the AADT in 2030 for Buckingham Rd is 12,756 and the LOS is "C". Re-ran the model with the project (add 742,500 s.f of commercial which is the worst case in trip generation) and the AADT on Buckingham Rd in 2030 with the project is 14,843 and the LOS is "D", which is still acceptable LOS.

Wu

From: Gaither, Wayne
Sent: Tuesday, October 10, 2006 8:51 AM
To: Wu, Lili
Subject: RE: Letter

Thanks Lili, not looking good for Fred

From: Wu, Lili
Sent: Tuesday, October 10, 2006 8:48 AM
To: Gaither, Wayne
Subject: FW: Letter

From: Wingard, Paul W.
Sent: Monday, October 09, 2006 11:11 AM
To: Wagner, Lillian
Cc: Wu, Lili
Subject: Letter

Lil,

Will you prepare the attached letter for my signature. Thanks

Quattrone & Associates, Inc.

RE: Request for Accepting Runoff, Webb Buckingham

Atten: Fred Drovdlic

Dear Fred,

This is in response to your letter dated September 21 requesting a letter from DOT granting you the authority to drain the above referenced parcel into the Buckingham Road drainage system. At this time

we can not issue a letter because there is not sufficient information for us to evaluate the impacts.

We need information that would show were all of the existing and/or historic drainage went. We will need to know what the quantities of runoff will be, both before and after. We will need your firm to do a site evaluation that includes the existing Buckingham drainage to advise if there are any impacts to our existing drainage all the way to the outfall. Once that information is received we will be able to complete our evaluation and advise if we can issue the letter you are requesting.

If you need any additional information, please advise.

PWW

CC: Lili Wu

Paul W. Wingard, P.E.
Deputy Director, DOT
wingarpw@leegov.com
Phone 239-694-3334
or 239-479-8545
cell phone 239-707-6981
Fax 239-694-3332

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8580

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

October 9, 2006

Mr. Fred Drovdlic, AICP
Planning Director
Quattrone & Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: Request for Accepting Runoff
Webb Buckingham

Dear Fred:

This is in response to your letter dated September 2, 2006 requesting a letter from DOT granting you the authority to drain the above-referenced parcel into the Buckingham Road drainage system.

At this time, we cannot issue a letter because there is not sufficient information for us to evaluate the impacts. We need information that would show where all of the existing and/or historic drainage went. We will need to know what the quantities of runoff will be, both before and after. We will need your firm to do a site evaluation that includes the existing Buckingham drainage to advise if there are any impacts to our existing drainage all the way to the outfall. Once that information is received, we will be able to complete our evaluation and advise if we can issue the letter you are requesting.

If you need any additional information, please advise.

Sincerely,

DEPARTMENT OF TRANSPORTATION

Paul W. Wingard, P.E.
Deputy Director

PWW:lcw
cc: Lili Wu
S:\DOCUMENT\Wingard\Letters\2006\Runoff Webb Buckingham, Quattrone.doc

Gaither, Wayne

From: Pavese, Michael P.
Sent: Wednesday, September 20, 2006 3:15 PM
To: Gaither, Wayne
Subject: RE: STRAP 19442600000030000

Wayne, I have looked at the subject parcel. PW staff does not object to the proposed change from Rural to Urban Community to facilitate retail commercial, general commercial and quasi-industrial development. Let me know if you have any questions. Thanks.

Michael P. Pavese
Principal Planner
Department of Public Works Administration
pavesemp@leegov.com
Phone: (239) 479-8762
Fax: (239) 479-8307

From: Gaither, Wayne
Sent: Wednesday, September 20, 2006 9:59 AM
To: Pavese, Michael P.
Subject: STRAP

Mike,

As promised.

19442600000030000

The applicant is proposing a max of 819,000 square feet of retail commercial, general commercial, and quasi-industrial development.

Thanks,

Wayne

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

Gaither, Wayne

From: Trebatoski, Kim
Sent: Wednesday, September 20, 2006 3:16 PM
To: Gaither, Wayne
Subject: RE: CPA2005-00002 - Webb-Buckingham

There are no open space, preservation, or protected species issues with the proposed Land Use change. Therefore, ES staff has no objection or recommended policy language.

Kim Trebatoski
Principal Environmental Planner
Lee County Division of Environmental Sciences
(239)479-8183
trebatkm@leegov.com
Fax: (239)479-8144
http://www.lee-county.com

From: Gaither, Wayne
Sent: Wednesday, September 20, 2006 2:51 PM
To: Trebatoski, Kim
Subject: CPA2005-00002 - Webb-Buckingham

Thanks Kim!!

W

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

Gaither, Wayne

From: Osterhout, Thom
Sent: Wednesday, September 27, 2006 5:08 PM
To: fred@qainc.net
Cc: Gaither, Wayne; rrobinson@cityftmyers.com
Subject: WEBB BUCKINGHAM PARCEL 19-44-26-00-00003.0000

Gentlemen, the above referenced parcel is not located within Lee County Utilities (LCU) exiting service area or the future service area as shown on maps 6 and 7 of the Lee County Comprehensive Land Use Plan.
With that said LCU has no objection to the City of Fort Myers providing potable water and sanitary sewer service to this property.
Regards

Thom Osterhout
Senior Manager
New Development
Lee County Utilities
1500 Monroe Street
Fort Myers, Florida 33901
TOsterhout@leegov.com
(239) 479-8165
Fax (239) 479-8176

Gaither, Wayne

From: Fred Drovdlic [fred@qainc.net]
Sent: Monday, September 11, 2006 7:55 AM
To: Gaither, Wayne
Subject: FW: CPA2005-00002 (Webb Buckingham)

EMS email

Fred Drovdlic, AICP
239.936.5222

From: Hansen, Hans C. [mailto:CHRISH@leegov.com]
Sent: Wednesday, September 06, 2006 1:33 PM
To: Fred Drovdlic
Cc: Gaither, Wayne; Cranford, Richard M.; Lepley, Dorea V.; Dickerson, Kim
Subject: RE: CPA2005-00002 (Webb Buckingham)

Fred:

Thanks for your response with additional information. If you can identify who / when your initial letter was sent to in EMS, I will see what happened to it on our end. Either way, I will be responding from here out to assure you client's application does not meet any delays.

The attachments appear to be from the enclosures with your client's comprehensive plan amendment application. As stated in the Fire Department letter, Public Safety / EMS will be glad to work with your client as the actual structures, projected population and traffic volume data is developed with specificity.

Regards,

Chris Hansen

Chris Hansen, Deputy Director
Lee County Public Safety
CHRISH@leegov.com
239-335-1604 Office
239-335-1675 Fax

From: Fred Drovdlic [mailto:fred@qainc.net]
Sent: Wednesday, September 06, 2006 8:24 AM
To: Hansen, Hans C.
Cc: Gaither, Wayne; Inia
Subject: CPA2005-00002 (Webb Buckingham)

Chris,

My firm is acting as agent for the applicant in the above referenced case. You wrote to Wayne . . .

> *The proposal is within the Lee County EMS service area. Currently our nearest Lee County ambulance is stationed at 9700 Treeline Drive, 4.1 miles from this parcel. Actual response times will depend on the road system planned for reaching future dwelling units within the development.*
> *Lee County Public Safety looks forward to working with this developer and Tice Fire Control and Rescue Service District as it progresses to assure that we can meet additional demands for service this development places on our the County ambulance service.*

Our firm sent a letter to LC EMS previously, but I understand that it might not have gotten into the right hands. I am ready to provide you with any information you need so that you may provide a letter to Lee County Planning.

Here are some questions I have been asked by other agencies and the answers I have given. I would also like to note that there are not going to be ANY residential units on this former land fill, only commercial and light industrial.

1. Target date to begin construction? **The planning amendment process will take 6 more months, then we rezone the property which will take nearly a year, then we apply for development order . . . we are looking at mid-to-late 2009.**
2. And if so is there an expected date of final build out? **We have no estimate for final build-out date.**
3. Second, are there any road modifications planned for ingress and egress and have there been any traffic density projections made respective to increased vehicular traffic impacting the area? **Yes, we are planning to add an ingress/egress from Buckingham Road in two places: one across from Neal Road and the other across from Buckingham Park. FDOT has run the traffic impacts based on 819,000 square feet of industrial and retail commercial development. Buckingham Road is on the 2020 to be four-laned so they feel the impact is acceptable, but official word will have to wait for the report to come out mid-September. I have attached the application, project narrative and preliminary MCP for your review.**
4. Finally, during construction do you anticipate any interruption to the normal flow of traffic that might require the assignment of traffic control officers on a routine basis? **No.**

I have attached several useful documents that should provide a clear picture of the project. If you have any other questions, let me know.

Fred Drovdlic, AICP
Planning Director

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30
Fort Myers, Florida 33912
Tel: 239.936.5222 · Fax: 239.936.7228

Gaither, Wayne

From: Fred Drovdlic [fred@qainc.net]
Sent: Monday, September 11, 2006 7:55 AM
To: Gaither, Wayne
Subject: FW: CPA2005-00002 (Webb Buckingham)

Solid Waste Email

Fred Drovdlic, AICP
239.936.5222

From: Sampson, Lindsey J. [mailto:SAMPSOLJ@leegov.com]
Sent: Wednesday, September 06, 2006 9:30 AM
To: Fred Drovdlic
Cc: Gaither, Wayne; Inia; Newman, William T.
Subject: RE: CPA2005-00002 (Webb Buckingham)

Dear Fred,

The Solid Waste Division of Lee County does not comment on developers' requests for Sanitary Sewer. We will review your documents, however, as they relate to solid waste generation presuming that you have included such information. We would expect that you provide projected solid waste amounts, defined areas for solid waste collection, defined areas for recycling collection, any limitation regarding access and/or overhead restrictions related to solid waste collection (truck access, etc.), the level (frequency and quantity) of solid waste collection service, etc.

I would suggest that you contact the Lee County Utilities Division regarding the sanitary sewer.

Lindsey J. Sampson
Lee County Solid Waste Division
sampsolj@leegov.com
Ph 239-338-3302
Fax 239-461-5871

From: Fred Drovdlic [mailto:fred@qainc.net]
Sent: Wednesday, September 06, 2006 8:40 AM
To: Sampson, Lindsey J.
Cc: Gaither, Wayne; Inia
Subject: CPA2005-00002 (Webb Buckingham)

Lindsey,

My firm is acting as agent for the applicant in the above referenced case. The reviewer for this case, Wayne Gaither, has requested we receive a letter form LC Solid Waste stating that it is OK for the City of Fort Myers to provide Sanitary Sewer services, when available, to the subject property. I would like to request a letter and provide any necessary information.

Here are some questions I have been asked by other agencies and the answers I have given. **The project is to encompass 819,000 square feet of industrial and retail commercial development**

1. Target date to begin construction? **The planning amendment process will take 6 more months, then we rezone the property which will take nearly a year, then we apply for development order . . . we are looking at mid-to-late 2009.**
2. And if so is there an expected date of final build out? **We have no estimate for final build-out date.**

I have attached several useful documents that should provide a clear picture of the project. If you have any other questions, let me know.

Fred Drovdlic, AICP
Planning Director

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
11000 Metro Parkway, Suite 30
Fort Myers, Florida 33912
Tel: 239.936.5222 · Fax: 239.936.7228
QAINC.NET

Gaither, Wayne

From: Fred Drovdlic [fred@qainc.net]
Sent: Wednesday, September 06, 2006 8:24 AM
To: Hansen, Hans C.
Cc: Gaither, Wayne; Inia
Subject: CPA2005-00002 (Webb Buckingham)
Attachments: EXH E1-4 InternalConsistency_revised.pdf; MCP.pdf; CompPlanAmendmentApp.pdf; Letter_TiceFireDept.pdf; Letter_FortMyersUtilities.pdf

Chris,

My firm is acting as agent for the applicant in the above referenced case. You wrote to Wayne . . .

> *The proposal is within the Lee County EMS service area. Currently our nearest Lee County ambulance is stationed at 9700 Treeline Drive, 4.1 miles from this parcel. Actual response times will depend on the road system planned for reaching future dwelling units within the development.*
>
> *Lee County Public Safety looks forward to working with this developer and Tice Fire Control and Rescue Service District as it progresses to assure that we can meet additional demands for service this development places on our the County ambulance service.*

Our firm sent a letter to LC EMS previously, but I understand that it might not have gotten into the right hands. I am ready to provide you with any information you need so that you may provide a letter to Lee County Planning.

Here are some questions I have been asked by other agencies and the answers I have given. I would also like to note that there are not going to be ANY residential units on this former land fill, only commercial and light industrial.

1. Target date to begin construction? **The planning amendment process will take 6 more months, then we rezone the property which will take nearly a year, then we apply for development order . . . we are looking at mid-to-late 2009.**
2. And if so is there an expected date of final build out? **We have no estimate for final build-out date.**
3. Second, are there any road modifications planned for ingress and egress and have there been any traffic density projections made respective to increased vehicular traffic impacting the area? **Yes, we are planning to add an ingress/egress from Buckingham Road in two places: one across from Neal Road and the other across from Buckingham Park. FDOT has run the traffic impacts based on 819,000 square feet of industrial and retail commercial development. Buckingham Road is on the 2020 to be four-laned so they feel the impact is acceptable, but official word will have to wait for the report to come out mid-September. I have attached the application, project narrative and preliminary MCP for your review.**
4. Finally, during construction do you anticipate any interruption to the normal flow of traffic that might require the assignment of traffic control officers on a routine basis? **No.**

I have attached several useful documents that should provide a clear picture of the project. If you have any other questions, let me know.

Fred Drovdlic, AICP
Planning Director

Fred Drovdlic

From: Clifton, Charles [MClifton@sheriffleefl.org]
Sent: Tuesday, August 01, 2006 1:33 PM
To: Fred Drovdlic
Subject: Your Request

I apologize for not responding to your first request the fact is that I never received it in my office. For future reference my office address is 2117 Dr. Martin Luther King Jr. Boulevard, Fort Myers, Florida 33901-3603. My direct dial number is 344-5113 and my fax number is 344-5151. In order to draft a response to your letter for the Sheriff's signature I need some additional details about the proposed comprehensive plan amendment. First, is there a target date to begin construction? And if so is there an expected date of final build out? Second, are there any road modifications planned for ingress and egress and have there been any traffic density projections made respective to increased vehicular traffic impacting the area? Finally, during construction do you anticipate any interruption to the normal flow of traffic that might require the assignment of traffic control officers on a routine basis?

Captain Mike Clifton
Commander of Facilities
and Project Development
Lee County Office of the Sheriff
Lee County, Florida
(239) 344-5113

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This footnote also confirms that this email message has been swept by Network Associates Security for the presence of computer viruses, WORMS, Hostile Scripts, and other mail born network threats.

Gaither, Wayne

From: Fred Drovdlic [fred@qainc.net]
Sent: Thursday, July 27, 2006 8:18 AM
To: Gaither, Wayne
Subject: Buckingham CPA

Here is what we have been able to come up with. Is this what you need for sufficiency on the drainage section? We have learned that Olympia Pointe, the residential development in the City south of the incinerator contains all of its water on-site. We feel we may have to do close to that also until we may be able to join ELCWC.

Thanks.
The project site is located in the Orange River Drainage Basin which has an allowable peak discharge of 35 CSM which equates to approximately 5.2 CFS for our 95 acre site. Onsite detention areas in the form of either lakes and/or dry detention areas will be constructed to provide water quality treatment and attenuate the additional runoff associated with the developed site to comply with the peak allowable discharge rates. Historical drainage patterns for this site are from South to North towards the Orange River. Therefore it is anticipated that an outfall structure will be placed on the north side of the project discharging into the South Buckingham Road swale. At time of project design, additional analysis will be made of the conveyance system from the project site to the Orange River to verify capacity. The onsite water management system will be designed accordingly and if necessary enlarged to further reduce offsite discharge rates.

Fred Drovdlic, AICP
Planning Director
Quattrone and Associates, Inc.
239.936.5222

05-09-18
3.01

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 479-8567
Writer's Direct Dial Number:

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

July 18, 2006

Fred Drovdlic, AICP
Quattrone and Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: CPA2005-00002 (Map Amendment)
19-44-26-00-00003.0000
Webb-Buckingham Property

Mr. Drovdlic:

This letter is sent as a reminder that the application for the above referenced Comprehensive Plan Amendment was found insufficient. To date we have not received a reply.

A thirty (30) day time frame is needed to review the re-submitted Comprehensive Plan Amendment by the various agencies/departments within Lee County to ensure sufficiency. This must be done before the application and all supplemental information is analyzed and a staff report is generated.

If your intentions to pursue a comprehensive plan amendment have changed, please notify me, in writing, so we may close the case.

Your time in this matter is greatly appreciated.

Sincerely,

H. Wayne Gaither
Planner
479-8567
wgaither@leegov.com

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111

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Internet address http://www.lee-county.com
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LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Paul O'Connor, Division of Planning

From: David Loveland DHL

Date: June 19, 2006

Subject: CPA2005-02 (Webb Buckingham CPD)

We have reviewed the above application, which requests that the land use designation of approximately 95.56 acres be changed from the existing "Rural" to "Urban Community" and proposes a text amendment to accompany the map amendment to ultimately allow the property to be rezoned from AG-2 to a combination of CPD and IPD. As indicated by the application, the proposed "Urban Community" designation would allow approximately 573 dwelling units, or 742,500 square feet commercial uses, or 877,500 of industrial on the property.

After running the FSUTMS travel demand model, in a worst case analysis, with 742,500 square feet commercial uses for the year 2030 condition, we have determined that the land use change on this property will not alter the futre road network plans.

Gaither, Wayne W.

From: Ellen Lindblad [EllenLL@Lee.K12.FL.US]
Sent: Friday, May 26, 2006 11:43 AM
To: Gaither, Wayne W.
Subject: RE: Resubmittal CPA2005-00002 Web-Buckingham (aka Carlton Property)

Wayne, would you have a copy of the boundaries of the Buckingham Preserve Area or could you tell me where I can find a copy?

Ellen

-----Original Message-----
From: Gaither, Wayne W. [mailto:WGaither@leegov.com]
Sent: Friday, May 26, 2006 11:29 AM
To: Lidblad, Ellen; Bradley, Gregory; Bergquist, W.; Daltry, Wayne E.
Subject: Resubmittal CPA2005-00002 Web-Buckingham (aka Carlton Property)

Distribution List:

W. Bergquist, Lee County Sheriff's Office
Ellen Linblad, Lee County School Board
Wayne Daltry, Lee County Smart Growth
Chief Gregory Bradley, Tice Fire District

May 26, 2006

Public Service/Review Agencies

RE: CPA2005-00002 - Webb-Buckingham (Map Amendment)
19-44-26-00-00003.0000

This application has been resubmitted

Planning Division staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The proposed map amendment would change the Land Use designation from Rural to Urban Community. Attached is an electronic copy of the application. The applicant is proposing to amend the Future Land Use Map (FLUM). The property's site address is 9711 Buckingham Road, Lehigh Acres and is generally 95.6 acres in size. A notable aspect of this property is its previous use as a landfill.

The existing Rural Land Use designation allows a density range of one (1) dwelling unit per acre (1 du / acre). Under the existing land use designation it is estimated that 95 dwelling units could be generated on this site. The Rural Land Use designation is anticipated to remain predominately rural, with low density residential development and agricultural uses. These are areas not intended to receive urban type capital improvements.

The proposed land use designation of Urban Community recognizes properties that are generally characterized by a mixture of relatively intense commercial and residential uses. Although Urban Community areas have a distinctly urban character, they should be developed at a slightly lower density. As vacant portions of these communities are urbanized they will need to maintain their existing bases of urban services and expand and strengthen them. As in Central Urban, the predominate land uses in will be

residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6 of the Lee Plan).

Planning staff requests that your agency help determine the sufficiency of the proposed plan amendment application for review. If you can identify any deficiencies in the information provided, need clarification on the subject matter, or if you find the application sufficient for review, please provide these comments to us by June 2, 2006 (Approximately 2 weeks). A letter is being drafted to submit any additional data requests to the applicant and your input concerning the potential impacts to your agency is important.

A copy of the application can be found through the link below.

http://www.lee-county.com/dcd/PlanAmendments/PA2005-2006/CPA200502A2.pdf

If you have problems opening the attachment or if you have any questions, please contact:

Wayne Gaither
479-8567
wgaither@leegov.com

H. Wayne Gaither
Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

Gaither, Wayne W.

From: Daltry, Wayne E.
Sent: Friday, May 26, 2006 3:28 PM
To: Gaither, Wayne W.
Subject: RE: Resubmittal CPA2005-00002 Web-Buckingham (aka Carlton Property)

Is it a brownfield? Most landfills are. FDEP should have it listed, or given its past use, a clear affidavit that it is not a brownfield would be critical. As such it wouldn't even be eligible for residential property until the remediation is handled.

Wayne Daltry
Director, Smart Growth
239-335-2840
fx -335-2262

From: Gaither, Wayne W.
Sent: Friday, May 26, 2006 11:29 AM
To: Lidblad, Ellen; Bradley, Gregory; Bergquist, W.; Daltry, Wayne E.
Subject: Resubmittal CPA2005-00002 Web-Buckingham (aka Carlton Property)

Distribution List:

W. Bergquist, Lee County Sheriff's Office
Ellen Linblad, Lee County School Board
Wayne Daltry, Lee County Smart Growth
Chief Gregory Bradley, Tice Fire District

May 26, 2006

Public Service/Review Agencies

RE: CPA2005-00002 – Webb-Buckingham (Map Amendment)
19-44-26-00-00003.0000

This application has been resubmitted

Planning Division staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The proposed map amendment would change the Land Use designation from Rural to Urban Community. Attached is an electronic copy of the application. The applicant is proposing to amend the Future Land Use Map (FLUM). The property's site address is 9711 Buckingham Road, Lehigh Acres and is generally 95.6 acres in size. A notable aspect of this property is its previous use as a landfill.

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wgaither@leegov.com

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1500 Monroe Street, Fort Myers, FL 33901
P.O. Box 398, Fort Myers, FL 33902-0398

Tel. (239) 479-8567
Fax(239) 479-8319

Gaither, Wayne W.

From: Gaither, Wayne W.

Sent: Friday, May 19, 2006 10:10 AM

To: Bradley, Gregory; Bergquist, W.; Boutelle, Stephen J.; Campbell, George G.; Carroll, Charles M.; Collins, Donna Marie ; Daltry, Wayne E.; Diaz, Rick; Eckenrode, Peter J.; Hansen, Hans C.; Horner, Bill; Houck, Pamela E.; Jones, Timothy J.; Joyce, Rick K.; Lavender, James H.; Liddblad, Ellen; Loveland, David M.; Myers, Steve L.; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Richardson, Nettie M.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Trebatoski, Kim ; Velez, Sergio I.; Wilson, John; Yarbrough, John H.; Zettel, Mary S.

Cc: Noble, Matthew A.

Subject: CPA2005-00002 - Webb Buckingham Comp Plan Amendment

Attachments: CPA200502A2.pdf

Distribution List:

John Wilson, Lee County Public Safety
Chris Hansen, Lee County Public Safety, EMS
W. Bergquist, Lee County Sheriff's Office
Roland E. Ottolini, Lee County Natural Resources Management
Steve Boutelle, Lee County Natural Resources
Steven Myers, Lee Tran
John Yarbrough, Lee County Parks & Recreation
Ellen Linblad, Lee County School Board
Dave Loveland, Lee County Division of Transportation
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Pam Houck, Lee County Zoning
Nettie Richardson, Lee County Zoning
Pete Eckenrode, Lee County Development Services
Michael Pavese, Lee County Public Works
Wayne Daltry, Lee County Smart Growth
Mary Zettel, DCD/Code Enforcement
Rick Roberts, DCD/Code Enforcement
Chief Gregory Bradley, Tice Fire District
Donna Marie Collins, County Attorney's Office

May 19, 2006

Public Service/Review Agencies

RE: CPA2005-00002 – Webb-Buckingham (Map Amendment)
19-44-26-00-00003.0000

This application has been resubmitted

Planning Division staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The proposed map amendment would change the Land Use designation from Rural to Urban Community. Attached is an electronic copy of the application. The applicant is proposing to amend the Future Land Use Map (FLUM). The property's site address is 9711 Buckingham Road, Lehigh Acres and is generally 95.6 acres in size. A notable aspect of this property is its previous use as a landfill.

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Planning staff requests that your agency help determine the sufficiency of the proposed plan amendment application for review. If you can identify any deficiencies in the information provided, need clarification on the subject matter, or if you find the application sufficient for review, please provide these comments to us by April 2, 2006 (Approximately 3 weeks). A letter is being drafted to submit any additional data requests to the applicant and your input concerning the potential impacts to your agency is important.

A copy of the application is attached to this e-mail. It is a large document, we will be adding it to our website but have not been able to do so as of yet. If you have problems opening the attachment or if you have any questions, please contact:

Wayne Gaither
479-8567
wgaither@leegov.com

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 479-8567

March 31, 2006

Al Quattrone
Quattrone and Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: CPA2005-00002 (Map and Text Amendment)
19-44-26-00-00003.0000
Carlton Property

Mr. Quattrone:

This letter is sent as a reminder that the application for the above referenced Comprehensive Plan Amendment was found insufficient. To date we have not received a reply.

In subsequent conversations you stated an interest in pursing a different land use designation, if this is the case a new application will still be needed.

A thirty (30) day time frame is needed to review the re-submitted Comprehensive Plan Amendment by the various agencies/departments within Lee County to ensure sufficiency. This must be done before the application and all supplemental information is analyzed and a staff report is generated.

If your intentions to pursue a comprehensive plan amendment have changed, please notify me, in writing, so we may close the case.

Your time in this matter is greatly appreciated.

Sincerely,

H. Wayne Gaither
Planner
479-8567
wgaither@leegov.com

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SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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District Four

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District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 479-8567

February 28, 2006

Al Quattrone
Quattrone and Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: CPA2005-00002 (Map and Text Amendment)
19-44-26-00-00003.0000
Carlton Property

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If your intentions to pursue a comprehensive plan amendment have changed, please notify me, in writing, so we may close the case.

Your time in this matter is greatly appreciated.

Sincerely,

H. Wayne Gaither
Planner
479-8567
wgaither@leegov.com

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8567

Bob Janes
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Tammy Hall
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Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

December 12, 2005

Al Quattrone
Quattrone and Associates, Inc.
11000 Metro Parkway, Suite 30
Fort Myers, FL 33912

RE: CPA2005-00002 (Map and Text Amendment)
19-44-26-00-00003.0000
Carlton Property

Mr. Quattrone:

This letter is intended to identify all aspects of the Comprehensive Plan Amendment Application that did not have an answer or did not respond sufficiently to allow staff to review the application. It is recognized that some information maybe pending, however if it was not provided in the application it has been identified in this letter.

The application for a Comprehensive Plan (Map and Text) Amendment has been reviewed for completeness and has been found insufficient for review. Please review your responses to the specified questions and provide further comment.

In addition to the existing comprehensive plan amendment proposed, it has been determined that an additional amendment requesting the total of industrial lands allocated in Table 1(b) for the Buckingham Planning Community be brought up to, at least, 95 acres. Please see IV(E)(1) on page 2 of this letter.

III (E)(2): Acreages provided for commercial intensity and industrial intensity (when added together) are larger than the property acreage. Please correct.

Policy 1.1.7 (Industrial Development) allows for 10% of the total acreage of lands designated as Industrial Development, within a planning community, to be use as an ancillary minor retail commercial uses. However, the retail land uses can NOT exceed 30,000 square feet per development.

IV (B) Long Range Plan:

(a): TAZ has not been identified
(b): No determination of modifications necessary to TAZ has been done.
(c): No determination of the necessity for the 3 mile radius study done for the financial feasibility network.
(d): No determination for further analysis of modifications to the long range financially feasible network.

The TAZ ID is 1332. If you determine additional analysis is not necessary, please state so and why, N/A is not an acceptable answer.

IV (B) Short Range – 5 year CIP:

(a): Your application states a development plan will be prepared after the comprehensive plan approval. Do you have any conceptual plans or anticipated development parameters that can be provided?

(b): Colonial Blvd is in the CIP for improvements starting with FY 03/04. (Colonial from I-75 to SR 82)

(c): Proposed changes to LOS for roadway network needs to be completed.

(d): Identification of the projected roadway conditions (volumes and LOS) and additional improvements beyond what has been programmed, because of the proposed amendment, for the roads within the 3 mile radius study needs to be done.

IV (B)(2) Existing and Future Conditions Analysis:

(a & b): No analysis has been done for water and sewer generation or availability. Will you be connecting to the City of Fort Myers Utility for water and sanitary sewer? If so, please provide documentation of capacity. What are the existing and anticipated needs for potable water and sanitary sewer for 95 acres of Industrial Development lands? What are the existing capabilities for providing water and sewer? Will the site be able to take re-use water? Will the proposed land use amendment be more intense or less intense of a use to the infrastructure?

(c): Have you been in contact with the ECWCD and are they willing to accept the additional run-off generated by development in this area? Please submit confirmation of their decision.

For this section, no analysis has been done comparing existing impacts to the potential development impacts for this area, if the comprehensive plan amendment is adopted. Analysis should include a review of the LOS standards for the public facilities servicing this area and should expand to the anticipated LOS standards for the public facilities to the year 2020. This analysis should also include and review the Capital Improvement Plan programmed for the 5 year CIP and the 6-10 year CIP. If no impact is anticipated please state so, not applicable is not an acceptable answer.

IV (B)(3) Letters from appropriate support facility agencies:

(a – e): No letters from public service agencies have been provided

The application does state that the letters from the agencies listed in this section are pending.

IV (C): Environmental Impacts:

(3): No map delimiting the property boundaries and the 100 year flood prone areas were included.

IV (E) Internal Consistency with the Lee Plan:(1): Table 1(b) pertains to the allocation of uses, Industrial being a category. Please expand your discussion to explain how your plan amendment will impact the Planning Community Allocation Table and if the change is a benefit or a detriment to the Planning Community.

Table 1(b) will require an amendment altering the "Allocation Table" to allow a total of 95 acres of Industrial lands in the Buckingham Planning Community.

In addition to the above listed questions/concerns, prepared by the Division of Planning, your application was submitted to various agencies and divisions of Lee County Government responsible for a wide range of public services. Their comments are as follows:

Lee Tran:

"Current transit service is approximately ½ mile from the subject property along Lee Boulevard. This service could be accessed to and from the Carlton Property on foot or by bicycle. The short range transit development plan does not identify a need for transit service in the area other than on Lee Boulevard, and the long range transportation plan keeps transit service on the Lee Boulevard and SR 82 corridors. While transit service does not seem likely at this point on Buckingham Road, there will be some demand for access to transit. I feel the applicant should address pedestrian walkways and even bike ways that could be constructed for individuals to use getting to and from the transit corridors."

Lee DOT:

Lee DOT is requesting the anticipated Zoning Category you will be applying for. This information will be used in running the transportation model used to determine the impact you will be generating on the surrounding transportation network.

This letter should not be viewed as a final dead-line for comments from the above listed agencies. Should additional comments come in regarding sufficiency questions, they will be submitted to you in as timely a manner as possible.

Should you have any questions, please feel free to contact me at your convenience.

Sincerely,

H. Wayne Gaither

H. Wayne Gaither
Planner
(239) 479-8567
wgaither@leegov.com

From: Pavese, Michael P.
To: Gaither. Wayne W.
Date: 12/12/05 12:30PM
Subject: RE: CPA2005-00002 (Carlton Property - Map and Text Amendment)

Wayne, upon receipt of the required letters from the appropriate service providers PW staff will find the application sufficient. We will provide substantive comments upon your request.

From: Gaither, Wayne [mailto:WGAITHER@leegov.com]
Sent: Wednesday, November 23, 2005 4:15 PM
To: Adema, Gerald
Cc: Burris, Rick; Noble, Matthew
Subject: CPA2005-00002 (Carlton Property - Map and Text Amendment)

Distribution List:

John Wilson, Lee County Public Safety

Chris Hansen, Lee County Public Safety, EMS

Mike Scott, Lee County Sheriff's Office

Roland E. Ottolini, Lee County Natural Resources Management

Steve Boutelle, Lee County Natural Resources

Steven Myers, Lee Tran

John Yarbrough, Lee County Parks & Recreation

Kathy Babcock, Lee County School Board

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Dave Loveland, Lee County Division of Transportation

Mike Carroll, Lee County Development Services

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Lindsey Sampson, Lee County Solid Waste

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George Campbell, Lee County Public Safety, Emergency Management

Chief Clint Simmons, Matlacha-Pine Island Fire District

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Rick Diaz, Lee County Utilities

Ivan Velez, Lee County Utilities

Pam Houck, Lee County Zoning

Nettie Richardson, Lee County Zoning

Pete Eckenrode, Lee County Development Services

Michael Pavese, Lee County Public Works

Wayne Daltry, Lee County Smart Growth

Mary Zettel, DCD/Code Enforcement

Rick Roberts, DCD/Code Enforcement

November 23, 2005

Public Service/Review Agencies

RE: CPA2005-00002 - Carlton Property (Map and Text Amendment)

19-44-26-00-00003.0000

Planning Division staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The applicant is proposing to amend the Future Land Use Map (FLUM) designation and an accompanying Text Amendment. The property's site address is 9711 Buckingham Road, Lehigh Acres and is generally 95.6 acres in size. A notable aspect of this property is it's previous use as a landfill. The proposed map amendment would change the Land Use designation from Rural to Industrial Development. The proposed text amendment would place landscaping requirements on this property to make it more compatible to the surrounding Buckingham Planning Community. Attached is an electronic copy of the application.

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The proposed land use designation of Industrial Development recognizes a properties locational value such as transportation amenities (proximity to air, rail, or highway), and its ability to function as an area to expand job opportunities or production opportunities. Industrial Development areas are to be reserved mainly for industrial activities such as manufacturing, research, properly buffered recreational uses, and office complexes (as long as it is related to the adjoining industrial uses). General residential uses are not allowed.

Planning staff requests that your agency help determine the sufficiency of the proposed plan amendment application for review. If you can identify any deficiencies in the information provided, if you need clarification on the subject matter, or if you find the application sufficient for review, please provide these commenDecember by December 12, 2005. A letter is being drafted to submit any additional data requests to the applicant and your input concerning the potential impacts to your agency is important.

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If you have any questions, please feel free to contact Wayne Gaither at:

479-8567

wgaither@leegov.com

H. Wayne Gaither
Lee County Community Development
Planning Department
(239) 479-8567
wgaither@leegov.com

Wayne Gaither - Re: CPA2005-00002 (Carlton Property - Map and Text Amendment)

From: Wayne Gaither
To: Horsting, Michael
Date: 11/30/2005 8:38 AM
Subject: Re: CPA2005-00002 (Carlton Property - Map and Text Amendment)

Mike,

I received your comments and am working them into the insufficiency letter being prepared for the applicant. I would like to make you aware of one point, the applicant has not submitted a letter from Lee Tran determining the adequancy of suport facilities, as is required in the application [IV (B)(3)]. I believe your comments are valid, especially as this amendment proposes the changing of property from a Non-Urban Area to an Urban Area. I believe your comments would be well suited in any letter going to the applicant requesting a finding of adequate services by the Transit Authority.

To answer your question, I have no problem using this e-mail as Lee Tran's response to our request for a finding of sufficiency. A hard copy has been printed and is in the file.

Your timely response is greatly appreciated.

Wayne

H. Wayne Gaither
Lee County Community Development
Planning Department
(239) 479-8567
wgaither@leegov.com

>>> Michael Horsting 11/29/05 02:55PM >>>
Wayne,

Although transit is not addressed in the application, I do feel the application is nearly sufficient for review from our perspective. Current transit service is approximately ½ mile from the subject property along Lee Boulevard. This service could be accessed to and from the Carlton Property on foot or by bicycle. The short range transit development plan does not identify a need for transit service in the area other than on Lee Boulevard, and the long range transportation plan keeps transit service on the Lee Boulevard and SR 82 corridors. While transit service does not seem likely at this point on Buckingham Road, there will be some demand for access to transit. I feel the applicant should address pedestrian walkways and even bike ways that could be constructed for individuals to use getting to and from the transit corridors.

Is this the feedback you are looking for? Do you need a formal letter generated? Please let me know.

-Mike

Mike Horsting
Transit Planner

Lee County Transit
6035 Landing View Road
Fort Myers, FL 33907
mhorsting@leegov.com
(239) 533-0333 - Telephone
(239) 277-5064 - FAX

>>> Wayne Gaither 11/23/05 04:14PM >>>
Distribution List:

John Wilson, Lee County Public Safety
Chris Hansen, Lee County Public Safety, EMS
Mike Scott, Lee County Sheriff's Office
Roland E. Ottolini, Lee County Natural Resources Management
Steve Boutelle, Lee County Natural Resources
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November 23, 2005

Public Service/Review Agencies

RE: CPA2005-00002 – Carlton Property (Map and Text Amendment)
19-44-26-00-00003.0000

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If you have any questions, please feel free to contact Wayne Gaither at:

479-8567
wgaither@leegov.com
H. Wayne Gaither
Lee County Community Development
Planning Department
(239) 479-8567
wgaither@leegov.com

Wayne Gaither - Re: CPA2005-00002 (Carlton Property - Map and Text Amendment)

From: Michael Horsting
To: Gaither, Wayne
Date: 11/29/2005 2:55 PM
Subject: Re: CPA2005-00002 (Carlton Property - Map and Text Amendment)

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Mike Horsting
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mhorsting@leegov.com
(239) 533-0333 - Telephone
(239) 277-5064 - FAX

>>> Wayne Gaither 11/23/05 04:14PM >>>
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November 23, 2005

Public Service/Review Agencies

RE: CPA2005-00002 – Carlton Property (Map and Text Amendment)
19-44-26-00-00003.0000

Planning Division staff requests your agencies help in reviewing the above referenced Lee Plan Amendment. The applicant is proposing to amend the Future Land Use Map (FLUM) designation and an accompanying Text Amendment. The property's site address is 9711 Buckingham Road, Lehigh Acres and is generally 95.6 acres in size. A notable aspect of this property is it's previous use as a landfill. The proposed map amendment would change the Land Use designation from Rural to Industrial Development. The proposed text amendment would place landscaping requirements on this property to make it more compatible to the surrounding Buckingham Planning Community. Attached is an electronic copy of the application.

The existing Rural Land Use designation allows a density range of one (1) dwelling unit per acre (1 du / acre). Under the existing land use designation it is estimated that 95 dwelling units could be generated on this site. The Rural Land Use designation is anticipated to remain predominately rural, with low density residential development and agricultural uses. These are areas not intended to receive urban type capital improvements.

The proposed land use designation of Industrial Development recognizes a properties locational value such as transportation amenities (proximity to air, rail, or highway), and its ability to function as an area to expand job opportunities or production opportunities. Industrial Development areas are to be reserved mainly for industrial activities such as manufacturing, research, properly buffered recreational uses, and office complexes (as long as it is related to the adjoining industrial uses). General residential uses are not allowed.

Planning staff requests that your agency help determine the sufficiency of the proposed plan amendment application for review. If you can identify any deficiencies in the information provided, if you need clarification on the subject matter, or if you find the application sufficient for review, please provide these commenDecember by December 12, 2005. A letter is being drafted to submit any additional data requests to the applicant and your input concerning the potential impacts to your agency is important.

A copy of the application is also located within the Planning Departments website. The link below will bring you to the application:

http://www.lee-county.com/dcd1/PlanAmendments/PA2005-2006/CPA200502A1.pdf

If you have any questions, please feel free to contact Wayne Gaither at:

479-8567
wgaither@leegov.com
H. Wayne Gaither
Lee County Community Development
Planning Department
(239) 479-8567
wgaither@leegov.com

1. All uses or activities must provide a Type E buffer unless the director determines that the proposed use or activity will not have an adverse impact on adjacent property. If the director determines that a Type E buffer is not required, a Type F buffer must be constructed.

2. The required buffer landscaping must be 100 percent native.

(4) *Buffer types.* The following table provides six different buffer types. Each type buffer, identified by a letter, provides the minimum number of trees and shrubs per 100 linear foot segment and indicates whether or not a wall or hedge is required.

TABLE INSET:

BUFFER TYPES (per 100 linear feet)						
Buffer types	A	B	C	D(3)	E	F
Minimum width in feet	5	15	15	15	25	30
Minimum # of trees	4	5	5	5	5	10
Minimum # of shrubs	--	Hedge(2)	18(4)	Hedge(2)	30(4)	Hedge(2)
Wall required (1)	No	No	Yes	No	Yes	No

Notes for Buffer Types Table:

1. A solid wall, berm or wall and berm combination, not less than eight feet in height as measured from the finished grade of the project site. All trees and shrubs required in the buffer must be placed on the residential side of the wall. Walls must be constructed to ensure that historic flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with the SFWMD requirements.

2. Hedges must be planted in double staggered rows and be maintained so as to form a 36-inch high (F type buffers must be 48 inches at installation and be maintained at 60 inches high) continuous visual screen within one year after time of planting.

3. Trees within the ROW buffer must be appropriately sized in mature form so that conflicts with overhead utilities, lighting and signs are avoided. Palms are limited to a maximum of 50 percent of the ROW tree requirement. Palms must be clustered and cannot be planted in a "soldiering" effect, where they are equal distance and in a single row. South Florida slash pine (*Pinus elliotii var. densa*) and Longleaf pine (Pinus palustris) trees are encouraged for use in the ROW buffers due to their high crown, which provides tree canopy while maintaining good visibility to the development site.

4. Shrubs required by this section are intended to provide visual screening and may not be pruned to reduce height.

(5) Public and quasi-public facilities, including, but not limited to, places of worship, parks, utility facilities, government offices, neighborhood recreational facilities and private schools must provide a type C buffer if, in the opinion of the director, the proposed development will have a significantly adverse impact on adjacent existing residential uses.

(6) If roads, drives, or parking areas are located less than 125 feet from an existing single-family residential subdivision or single-family residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet or a

TABLE INSET:

USES	
AG	Agricultural uses
SF-R	Single-family, duplex or two-family attached situated on individual lots
MF-R	Residential structures containing three or more dwelling units on a single parcel
COM	Commercial uses, public facilities, schools (other than Lee County School District), and recreational vehicle parks
WOR	Places of worship (df)
IND	Industrial use
STP	Sewer treatment plant or water treatment plant
ROW	Public street right-of-way or roadway easement.
REC	Public active recreational park
PRE	Public preserve lands for conservation and/or passive recreation

(3) *Buffer requirements.* The following table provides the required buffer type when a proposed use is abutting an existing use or, in the absence of an existing use, the existing zoning.

TABLE INSET:

BUFFER REQUIREMENTS											
Permitted or Existing Uses											
		AG	SF-R	MF-R	CO	WOR	IND	STP	RO	REC	PRE
Proposed Uses	AG	---	---	---	---	---	---	---	---	---	---
	SF	---	---	---	---	---	---	---	---	B	F(2)
	MF	---	B	---	---	---	---	---	D	B	F(2)
	CO	---	C/F	C/F	A	A	---	---	D	A	F(2)
	WO	---	C/F	C/F	A	A	---	---	D	A	F(2)
	IND	---	(1)	(1)	---	(1)	---	---	D	---	F(2)
	STP	C/F	E	E	E	E	C/F	---	D	---	F(2)
	REC	---	C/F	C/F	A	A	---	---	D	F	F(2)
	PRE	---	F	F	---	---	---	---	---	F	---

Notes for Buffer Requirements Table:

Sec. 10-416. Landscape standards.

(a) *General.* Landscaping for all new developments, except community and regional parks as defined in the Lee Plan, must include, at a minimum, the following number of trees, in addition to the landscaping required for parking and vehicle use areas and buffers. General tree requirements may be reduced through the utilization of larger trees as specified in section 10-420(c)(2) or through use of an alternative landscape betterment plan (see section 10-419). Existing waterbodies within the development area will not be included in the calculation for general tree requirements.

(1) *Single-family residence developments that are constructed on individual (single) lots.* One tree must be provided per 3,000 square feet of development area, which must include a minimum of two trees per single-family lot installed prior to issuance of the certificate of occupancy.

(2) *All other residential developments.* All other residential developments must provide one tree per 3,000 square feet of development area.

(3) *Recreational vehicle developments.* One tree must be provided per 3,000 square feet of development area.

(4) *All other developments.* One tree must be provided per each 3,500 square feet of development area.

(b) *Building perimeter plantings.* All new development in commercial zoning districts and commercial components of planned development districts and DRIs must provide building perimeter plantings equal to ten percent of the proposed building gross ground level floor area. These planting areas must be located abutting three sides of the building with emphasis on the sides most visible to the public, not including the loading area. The perimeter planting areas must consist of landscape areas, raised planters or planter boxes that are a minimum of five feet wide. These landscape areas must include shrubs and ground cover plants with a minimum of 50 percent coverage of the landscape area at the time of planting. Shrubs must meet the size requirements of section 10-420(d). General trees may be planted within the building perimeter planting areas, especially effective are clusters (three or more) of sabal palms. Turfgrass is discouraged and is limited to ten percent of the landscape area. Water management areas may not be a part of this five-foot planting area. Pedestrian access ways may cross and loading areas may be placed in the perimeter planting area, but may not be used to meet minimum planting area or open space requirements.

An enlarged perimeter landscape area is required in the front of shopping centers and freestanding retail uses that constitute a large development. An area that is at least five percent of the size of the vehicular use area must be developed as green space within the front of shopping centers and retail establishments and be an enlargement to the front building perimeter planting area. However, it is not a requirement that this area directly abut the front of the building. The enlarged perimeter planting areas must consist of landscape areas, raised planters or planter boxes that are a minimum of five feet wide. These enlarged perimeter planting areas must include trees, shrubs and ground cover plants with a minimum of 50 percent coverage of the landscape area at the time of planting. Turfgrass is discouraged and is limited to ten percent of the landscape area. Water management areas may not be a part of this enlarged planting area.

This five percent green space area may be used to meet open space requirements if they are in compliance with section 10-415(c), but may not be used to reduce the perimeter planting areas on the sides and rear of the building. These areas must be designed for scenic, noncommercial recreation purposes and be pedestrian-friendly and aesthetically appealing. They may include the following: limited turfgrass, mulch, decorative plantings, landscape, walkways within the interior of the green space area not used for shopping, fountains, manmade watercourses (but not water retention areas), park benches, site lighting, sculptures, gazebos, and any other similar items.

(c) *Landscaping of parking and vehicle use areas.* The provisions of this section apply to all new off-street parking or other vehicular use areas. Existing landscaping that does not comply with the provisions of this code must be brought into conformity, to the maximum extent possible, when: the vehicular use area is altered or expanded except for restriping of lots/drives, the building square footage is changed, or the structure has been vacant for a period of one year or more and a request for an occupational license to resume business is made. Consistent with the provisions of section 10-104, the director may permit administrative deviations where a conflict exists between the application of this division and the requirements for the number of off-street parking spaces or area of off-street loading facilities.

(1) *Vehicular overhang of landscape areas.* The front of a vehicle may overhang any landscaped area a maximum of two feet, provided the landscaped area is protected by motor vehicle wheel stops or curbing. Two feet of such landscaped area or walkway may be part of the required depth of each abutting parking space. Walkways must be designed with a minimum of five feet width that is clear of any vehicle overhang.

(2) *Internal landscaping.* All parking areas must be internally landscaped to provide visual relief and cooling effects and to channelize and define logical areas for pedestrian and vehicular circulation, as follows:

a. Trees must be planted or retained in landscaped areas in parking areas, including landscaped areas reserved for future parking spaces, to provide for canopy coverage when the trees mature. At least one canopy tree or a cluster of three sabal palms must be planted or retained for every 250 square feet of required internal planting area, and no parking space may be more than 200 feet from a tree planted in a permeable island, peninsula or median of 18-foot minimum width. Canopy requirements must be met with existing indigenous native trees whenever such trees are located within the parking area.

b. Landscaped areas on the parking area perimeter or internal islands must equal or exceed a minimum of ten percent of the total paved surface area. Landscaped areas reserved for future parking spaces pursuant to section 34-2017(d) may not be included in this calculation.

c. The minimum average dimension of any required internal landscaped area must be ten feet for projects less than ten acres and 18 feet for projects ten acres or larger.

d. No more than an average of 20 parking spaces must occur in an uninterrupted row unless optional divider medians, as specified in subsection (c)(2)f. of this section, are used. Where existing trees are retained in a landscape island the amount of parking spaces in that row may be increased to 25.

e. For large developments only, each row of parking spaces must be terminated by landscaped islands that measure not less than five feet in width and not less than 18 feet in length. Curbing is strongly encouraged. If terminal islands are used for required canopy trees, they must be a minimum of ten feet in width.

f. Optional divider medians may be used to meet interior landscape requirements. If divider medians are used, they must form a landscaped strip between abutting rows of parking spaces. The minimum width of a divider median must be 18 feet. One tree must be planted for each 40 linear feet of divider or fraction thereof. Trees in a divider median may be planted singly or in clusters. The maximum spacing of trees must be 60 feet.

g. All interior landscaped areas not dedicated to trees or to preservation of existing vegetation must be landscaped with grass, ground cover, shrubs or other approved landscaping materials, and this must be so noted on the landscape plans. Sand, gravel, rock, shell or pavement are not appropriate landscape

materials.

(d) *Buffering adjacent property.* Buffering and screening applies to all new development. Existing landscapes that do not comply with the provisions of this section must be brought into conformity to the maximum extent possible when: the vehicular use area is altered or expanded, except for restriping of lots/drives, the building square footage is increased, or there has been a discontinuance of use for a period of one year or more and a request for an occupational license to resume business is made.

(1) *General.* A buffering area is required along the entire perimeter of the proposed development whenever the proposed development abuts a different use. The existing use or, where vacant, the permitted use, of the abutting property will determine the type of buffering area required for the proposed development. Buffer areas may not be located on any portion of an existing or dedicated street right-of-way or roadway easement. Variances or deviations from this requirement are prohibited.

(2) *Use categories.* In interpreting and applying the provisions of this section, development is classified into the following use categories:

TABLE INSET:

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AG	Agricultural uses
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COM	Commercial uses, public facilities, schools (other than Lee County School District), and recreational vehicle parks
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REC	Public active recreational park
PRE	Public preserve lands for conservation and/or passive recreation

(3) *Buffer requirements.* The following table provides the required buffer type when a proposed use is abutting an existing use or, in the absence of an existing use, the existing zoning.

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Permitted or Existing Uses										
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AG	---	---	---	---	---	---	---	---	---	---
SF	---	---	---	---	---	---	---	---	B	F(2)

Proposed Uses	MF	---	B	---	---	---	---	---	D	B	F(2)
	CO	---	C/F	C/F	A	A	---	---	D	A	F(2)
	WO	---	C/F	C/F	A	A	---	---	D	A	F(2)
	IND	---	(1)	(1)	---	(1)	---	---	D	---	F(2)
	STP	C/F	E	E	E	E	C/F	---	D	---	F(2)
	REC	---	C/F	C/F	A	A	---	---	D	F	F(2)
	PRE	---	F	F	---	---	---	---	---	F	---

Notes for Buffer Requirements Table:

1. All uses or activities must provide a Type E buffer unless the director determines that the proposed use or activity will not have an adverse impact on adjacent property. If the director determines that a Type E buffer is not required, a Type F buffer must be constructed.

2. The required buffer landscaping must be 100 percent native.

(4) *Buffer types.* The following table provides six different buffer types. Each type buffer, identified by a letter, provides the minimum number of trees and shrubs per 100 linear foot segment and indicates whether or not a wall or hedge is required.

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Notes for Buffer Types Table:

1. A solid wall, berm or wall and berm combination, not less than eight feet in height as measured from the finished grade of the project site. All trees and shrubs required in the buffer must be placed on the residential side of the wall. Walls must be constructed to ensure that historic flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with the SFWMD requirements.

2. Hedges must be planted in double staggered rows and be maintained so as to form a 36-inch high (F type buffers must be 48 inches at installation and be maintained at 60 inches high) continuous visual screen within one year after time of planting.

3. Trees within the ROW buffer must be appropriately sized in mature form so that conflicts with overhead utilities, lighting and signs are avoided. Palms are limited to a maximum of 50 percent of the ROW tree requirement. Palms must be clustered and cannot be planted in a "soldiering" effect, where they are equal

distance and in a single row. South Florida slash pine (Pinus elliotii var. densa) and Longleaf pine (Pinus palustris) trees are encouraged for use in the ROW buffers due to their high crown, which provides tree canopy while maintaining good visibility to the development site.

4. Shrubs required by this section are intended to provide visual screening and may not be pruned to reduce height.

(5) Public and quasi-public facilities, including, but not limited to, places of worship, parks, utility facilities, government offices, neighborhood recreational facilities and private schools must provide a type C buffer if, in the opinion of the director, the proposed development will have a significantly adverse impact on adjacent existing residential uses.

(6) If roads, drives, or parking areas are located less than 125 feet from an existing single-family residential subdivision or single-family residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet or a 30-foot wide Type F buffer with the hedge planted a minimum of 20 feet fromthe abutting property. Where residences will be constructed between the road, drive or parking area and the existing residential subdivision or lots, the wall or wall and berm combination are not required.

(7) Uses or activities that generate noise, dust, odor, heat, glare or other similar impacts, must provide a type C or F buffer if, in the opinion of the director, the proposed development will have a significantly adverse impact on adjacent property.

(8) Walls, berms and buffer plantings must not be placed so they violate the vehicle visibility requirements of section 34-3131.

(9) *Development abutting natural waterway.* Except where a stricter standard applies for the Greater Pine Island Area (as defined in Goal 14 of the Lee Plan), there must be a 25-foot wide vegetative buffer landward from the mean high water line of all tidally influenced waterways or from the top of bank of non-tidal waterways. Where a proposed planned development or subdivision is located in the Greater Pine Island Area abutting state-designated aquatic preserves and associated natural tributaries, the width of the required buffer will be 50 feet.

Existing native vegetation within the buffer area must be retained. The natural waterway buffer must at a minimum include ten native trees per 100 linear feet, which may be met through tree credits with existing native trees.

(10) All freestanding parking areas, whether commercial, public or private, not associated with other development must provide a D type buffer for the right-of-way and C type buffer if they abut single-family residential or multiple-family residential uses or zoning.

(11) *Use of buffer areas.* Required buffers may be used for passive recreation such as pedestrian, bike, or equestrian trails, provided that:

a. No required trees or shrubs are eliminated;

b. Not more than 20 percent of the width of the buffer is impervious surface;

c. The total width of the buffer area is maintained; and

d. All other requirements of this chapter are met.

(Ord. No. 92-44, § 13(E), 10-14-92; Ord. No. 94-28, § 24, 10-19-94; Ord. No. 95-12, § 5, 7-12-95; Ord. No. 98-28, § 2, 12-8-98; Ord. No. 00-14, § 3, 6-27-00; Ord. No. 01-18, § 2, 11-13-01; Ord. No. 05-14, §

3, 8-23-05)

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BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

Transcript of proceedings had at the public hearings conducted by the Board of County Commissioners, Lee County, Florida, at the Lee County Courthouse, Fort Myers, Florida, on February 22, 1993, commencing at 9:30 A.M.

MEMBERS OF THE BOARD:

John Manning, Chairman
Douglas St. Cerny
John Albion
Ray Judah

kwiktag® 022 582 576

KATHERINE I. NOLEN
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Lee County Justice Center Complex
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Fort Myers, Florida 33902-1674
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COPY

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The next case is PAM 92-16.

Paul?

MR. O'CONNOR: Yes.

Commissioners, this is a slightly unusual case. This amendment was initiated by the Board of County Commissioners after a private citizen had put in for first a small-scale map amendment and then finally a regular amendment.

What we have here is a piece of property which is zoned C-1 which is included in the Buckingham planning area and was redesignated to rural preserve.

As you are aware, within the Buckingham planning area there was a specific commercial node that was established which excludes commercial development happening anywhere else in that area. This particular piece of C-1 property was not identified by the Buckingham plan, and the property owner came in and approached the planning department to have this situation rectified.

The planning staff initially looked at it and was hesitant at this round of amendments to make this change; and our initial recommendation to the Local Planning Agency was not to transmit this but to wait until next year's EAR in order to try and fix this problem.

We were convinced through the property owner and the County Attorney's Office and the LPA that we could probably make this amendment fly if we made a minor change to Goal 19, the Buckingham goal, which would allow us to recognize oversights that were made during the planning area and then to take this parcel out of the rural preserve land use category and out of the Buckingham planning area and put it back into the rural category, which it was in originally.

That's our recommendation for transmittal now, and that was basically derived from the LPA's recommendation.

THE CHAIRMAN: Questions by the board? If not, we'll go to the cards that I have.

Stu, you're first.

MR. SILVER: I'd like to be the last person to speak.

THE CHAIRMAN: You're last. Mike Roeder? Those are the only two cards I have. Then we'll go to the public.

MR. ROEDER: Good morning, Chairman and members of the Commission. My name is Mike Roeder, Humphrey and Knott, here on behalf of the Buckingham Conservation Association.

I would like to request that the board not transmit

this amendment at this time. We would note that the existing goal says that there should be no changes to this plan until the 1994 EAR, and we're in the middle of that right now.

There are some other minor issues relating to the commercial node that need to be looked at. As it turns out, this isn't the only problem; and we are inclined to work with property owners like Mr. Silver to solve problems like this, but we haven't had a chance to review this. We haven't had a chance to review the language; and, frankly, we're afraid that something like this could set a precedent we don't want to set.

I was at the first LPA meeting when this came up, but it wasn't discussed then because there were two continued hearings, and when this finally did come up I wasn't there due to a conflict. And I understand that the LPA directed staff to try and work something out that wouldn't violate the spirit of Goal 19 and get with the Buckingham Civic Association to discuss that.

Well, apparently the language was worked out and we were really not consulted with. We don't have a chance to evaluate what this is going to mean in terms of the broad plan.

Paul O'Connor did spend some time explaining to Don Blackburn what the language was after it had been agreed

upon and drafted between the applicant and the County Attorney's office. We had no input at the early stages when it was being formulated, and there are some other commercially zoned properties within Buckingham that do have issues associated with them that we would like to look at, and we think the ERA is an appropriate mechanism; and if you adopt this today you will be, you know, short-circuiting that process.

So, we would respectfully ask that you not transmit this at this time because of the precedent, because we have not had a chance to review it.

THE CHAIRMAN: Thank you.

Is there anyone else in the audience who wishes to speak on this one?

MR. FITZSIMONS: Good morning, Commissioners. Ted Fitzsimons, Fort Myers Beach, speaking on behalf of Responsible Growth Management Coalition.

The Responsible Growth Management Coalition requests that this proposed amendment not be transmitted. Goal 19 specifically prohibits changes to the Buckingham plan prior to 1994. This prohibition should be honored except in the case of overriding public interest.

Thank you.

THE CHAIRMAN: Thank you. Anyone else in the

audience? If not, Stu.

MR. SILVER: Good morning. I think it's still morning. We're pushing --

My name is Stu Silver. I'm a citizen of Lee County. I'm proud of it. This has been a very interesting, eye-opening experience to me.

I was told approximately a year and a half to two years ago by a friend of mine that property that was zoned commercial in Buckingham could not be used for commercial purposes, and I called them a liar. I said this is not a banana republic. We're talking about the United States of America and Lee County. There's no way that someone can take away commercial use on a property that's zoned commercial, and I found out that, yes, they could.

The Buckingham Rural Preserve Committee was saying that they weren't properly notified. I was never notified. I had no idea the Buckingham Rural Preserve was ever started, was ever formed, and I had no idea that my property was being considered to remove the commercial use on it.

I came down here one day to speak in favor of moving some of the commercial - I don't know what you want to call them - credits from the Buckingham part over to State Road 80 so that somebody could build some

commercial facilities over on State Road 80, which I felt were needed for the community. It didn't benefit me the in slightest. It was just a benefit to the community.

I spoke about it. Ray Judah came over and said, hi, Stu, how are you doing; and I said fine, and he said, why are you here? And I explained.

He said, Stu, you shouldn't have lost the commercial use on your property. That was an oversight of the Buckingham Rural Preserve. We had no idea that we were taking away a commercial use from you.

I found out later -- Paul O'Connor also told me the same thing, after talking with the Buckingham Rural Preserve, nobody had any idea they were taking away commercial uses on property that was zoned commercial from me, it was an oversight.

So then I bumped into a Catch-22 that's been a real thrill, and I would like you to consider this any time you ever make another land use change.

The founding fathers of this country, perhaps even the founding mothers, were really intelligent in that they recognized the fact they were not all seeing and all knowing, and they recognized that change occurs, and they gave the constitution a way of amending itself. They gave a way of changing.

The Buckingham Rural Preserve, when they established their land use change, said that if we have -- they, in effect, said if anybody wants to change this, you're going to have to wait four or five years.

Well, okay, but what about if you make a mistake, and clearly a mistake was made here, an injustice was done, which almost everybody agrees an injustice was done, a mistake was made and an oversight occurred. Well, the answer I got was, tough luck, the wording says we cannot change it, so therefore we're not going to change it.

Now, I spoke to Tim Jones. I said, Tim, I don't understand this. We created the wording. Can't we change the wording?

And he said, Yes, the Board of County Commissioners created the Buckingham Rural Preserve, Goal 19, they can amend the wording. Even though the wording says that it can't be amended, they can amend the wording. Okay.

Paul and I, and I believe, even -- have a philosophical difference on this. Paul is reluctant to submit this because he feels that we should go to Goal 19 as if it were a religious tenet and not make any changes.

This is the change that we were going to make to Goal 19 to accommodate me and my land rights, which was

after, "shall not be amended," in Goal 19, we were going to add the phrase, "should not be amended, comma, except to correct oversights." That's it.

And everybody recognizes this was an oversight. They were going to take it out of the Buckingham -- do a map change, take it out of the Buckingham Rural Preserve, and therefore I would be able to have commercial use on my property.

I'm want to say something else further, because when this happened I talked to an attorney. I talked to several attorneys. I have spent over a hundred hours on this. Every attorney urged me to sue Lee County; and I said, I don't want to sue Lee County, I like Lee County, I love Lee County, I want to work with Lee County; and I was thrilled when Ray Judah made a motion to the board to correct this oversight. I really was, because that gave me -- I could work positively with the county.

And I feel up to this point, up to the two people that spoke today, everybody was on the same team. We were ready to carry this ball over the goal line. And now I just found out, wait a minute, somebody's putting something up again, the religious tenet that, oh, no, we said we wouldn't make any changes for four or five years, regardless if it was a mistake, regardless if it was an oversight, and we should adhere to that.

And I would again reiterate that I was brought up, when I make a mistake I admit it and I try to correct it as soon as possible. A mistake was made to me, an injustice was done to me.

I don't want to sue Lee County. That is not something I look forward to. It's a total waste of time and money. I would like Lee County to push this amendment through to the DCA, and I would like to get the commercial use back to my property, and I don't want to wait another year. I think that by waiting - I've already waited approximately a year and a half - that I've been more than patient.

And I thank you for your time.

THE CHAIRMAN: Thank you.

Is there anyone else in the audience who wishes to speak on this one before we get back to the board?

Seeing no one, we'll go back to the board for discussion and/or motion.

MR. JUDAH: Make a motion to transmit, Mr. Chairman.

THE CHAIRMAN: Motion to transmit by Commissioner Judah. Is there a second?

MR. ST. CERNY: Second.

THE CHAIRMAN: Second by Commissioner St. Cerny.

MR. O'CONNOR: As a point of clarification, I'm

sorry, but there's a slight error in staff's proposed language under Goal 19. What we're adding is a parenthetical statement which currently just states, "except in the case of a clear and undisputed --"

MR. JUDAH: That's included.

MR. O'CONNOR: And we meant to include, "a clear and undisputed error or omission," in that language.

MR. ST. CERNY: Thanks.

MR. JUDAH: Motion includes the additional language.

THE CHAIRMAN: Okay. As amended?

MR. JUDAH: Yes, sir. Under discussion?

MR. BLACKBURN: Can I say something?

THE CHAIRMAN: Yeah, go ahead.

MR. BLACKBURN: For the record, my name's Don Blackburn. I just ran up here. Excuse me, I'm out of breath.

I need to say before I start talking I'm a county employee but I'm on vacation today and I'm here as a private concerned citizen.

My concern is about this request is, number one, we weren't notified of any additional language that was taking place apparently between County Attorney's office and Mr. Silver. I felt like we should have been involved in that because it was our plan, we created it.

I spent about three years of my life on this thing, a lot of hard work. The residents have, too.

If we're going to do something today, then what -- I need to tell you this here. First of all, I think we should not do something today, give us time to look at it and address it; but if we're going to do something today -- let me say this.

Originally our intent in the Buckingham plan was not to take away anybody's existing zoning. That was not our intent. I think the three commissioners here remember that. We had like unanimous cooperation from the residents with the exception of one man who was a developer, had an interest in some property; but as far as the people living out there, it was unanimous. But our original intent was not to take away existing zoning.

We do, however, have some boundaries of the Buckingham area. We'd like to keep those boundaries. We don't want to open up any doors of possibilities, for somebody to start cutting themselves out. We like our boundaries. They go down the right-of-way lines, section lines, and we'd like to keep those boundaries.

As far as existing commercial that we overlooked, and there's a few pieces, there's a few pieces around The Hut Restaurant, and there's Mr. Silver's piece that

we absolutely didn't know it was there. I mean, it was just one of those things. We're talking sixteen square miles and we had to look at every piece of property. We missed it. But I can tell you all our intent was -- if we're going to do something today, you know, absolutely for Mr. Silver, what I'd like to do is to change the language in the commercial section of the plan to allow the existing commercials to develop as commercial.

I don't want -- and the community doesn't want to start cutting people out. We can leave him in our plan if we can change the language in that one section to allow him to develop commercially, which that's fine with us, that wasn't our intent to take zoning away -- Buckingham didn't create, you know, that process; we didn't want to do that anyway. And then we'll, you know -- that would be satisfactory if something has to be done today. We'd much rather postpone it and give us time to look at it, but that's the plan.

We're very concerned. We don't want to start cutting people out. I think Mr. Silver can still develop his property commercially if we change that language to allow commercial, existing commercial prior to the plan to develop; but we really don't want to start cutting people out.

We're happy with our boundaries, and I don't see

any detriment to his property if he stays within the boundaries and we allow him to go ahead and develop commercially.

THE CHAIRMAN: Correct me if I'm wrong, Tim. That's not the issue.

MR. JONES: There's probably more than one way to skin the cat and to provide the commercial use here. What this particular amendment proposes is essentially to take this parcel out of the rural community preserve, leave it in the rural category, which is the next thing to rural community preserve, therefore, it won't be subject to the very specific prohibitions against commercial that are in rural community preserve.

I personally would find it difficult, and I think that's probably why we opted for this particular method, to justify creating a new commercial node without any data and analysis within the rural community preserve.

I think this whole problem illustrates some problems that we need to work on in terms of sector plans. Sector plans can't just be what the neighbors want. Sector plans have to conform to good planning principles and data and analysis.

The second problem we have with sector plans is the current desire to put these things in place and carve them in stone in accordance with the type of language we

have here, it's very dangerous to use that kind of language, because you are then probably improperly delegating your legislative authority to these neighbors.

Mr. Stewart is correct. I did advise him that this board has the legislative authority to change the language that it wrote in the first place, as does the Florida Legislature and any legislature. So, yes, you can do this, there is no legal prohibition against doing it; the one alternative that we rejected in deference to Mr. Blackburn's group was to just delete that entire sentence.

Essentially what you've done with this rural preserve area with the standards you have set is make it virtually impossible for anyone to amend anything within that preserve area by your language requiring some kind of a clear and overriding public interest. I don't think anybody can meet that standard.

MR. BLACKBURN: Well, that's what I'm saying. If we'd have saw those commercial pieces in the beginning, we wouldn't even be here today.

THE CHAIRMAN: Well, that's what we are trying to correct.

MR. BLACKBURN: Right, I understand that. And my concern is I don't want to start cutting parcels out.

Leave him in, and let him stay commercial, like -- we've got two or three Buckingham stores, the Buckingham Bar, we've got The Hut, there's some commercial uses there that can stay, and let Mr. Silver and those other pieces, you know, that enjoy the same thing. We just don't want to cut him out.

We overlooked him. We didn't mean to; and if we're going to do something, let's just change the language to allow him to develop, become part of the commercial node or something. That's our concern.

THE CHAIRMAN: Thank you.

MR. BLACKBURN: And we are concerned also we weren't involved also in the rewording of our plan.

MR. JONES: I think it needs to be clarified that the existing commercial uses that are being allowed to stay are being allowed to stay as nonconforming uses. They could not redo those uses in any way, shape or form.

THE CHAIRMAN: I understand.

Further discussion?

MR. SILVER: Can I say something? I'll make it brief, I promise.

What I would like you to do is to continue forward today. If the Buckingham Rural Preserve wants to invite me in later at a future date, by all means, I'll come

in; but I want to correct the problem now, because I've been suffering with this mistake for a year and a half and I don't think that's fair.

THE CHAIRMAN: Stu, the motion is on the floor as amended with the language.

Further discussion by the board?

MR. JUDAH: Mr. Chairman, just for clarification, I think we all have a lot of respect for those individuals that put together the Buckingham study and what we tried to accomplish the rural preserve area; but clearly we're dealing with an inequity here, and I think it's already been admitted to by all parties.

And I don't see this language change opening up the barn door by any means. In fact, I do see it very specific on a case by case basis, undisputed error or omission. I respect what Mr. Blackburn is saying about trying to keep the boundaries intact. But again, the point is, this property would probably never have been included to begin with if it were not for the oversight.

So, again, I do support moving ahead.

THE CHAIRMAN: My question to Matt, and I don't know, are you in the EAR process looking at sector plans and how they relate to infrastructure needs, et cetera, the whole long-range planning process?

MR. UHLE: We're looking at the entire plan, which

includes the Goal 19 and all the policies.

THE CHAIRMAN: Thank you.

Further discussion on the motion? Objection?

Motion carries.

WEBB-BUCKINGHAM
CPA 2005-02
PAM/T 92-16
& PARCEL RECEIVING
COMMERCIAL
ZONING

RESOLUTION Z-75-56

The following resolution was offered by Commissioner Goldtrap and seconded by Commissioner Sayers, and upon poll of the members present the vote was as follows:

George Goldtrap	AYE
James Sweeney	AYE
Richard Sayers	AYE
Bob Whan	AYE
Betty Bowen	NAY

WHEREAS, Lois M. Keates has requested a zoning change from AU to BU-2A for convenience store, farm and garden store

SUBJECT PROPERTY: Lot 2, Eastwood Acres Subdivision, as recorded in Official Records Book 596, Pages 577-581, Lee County, Florida, Sec 19, Twp 44, Rge 26

WHEREAS, a public hearing of the Lee County Zoning Board was advertised and held, as requested by law, and after hearing all interested parties and considering adjacent areas, the Zoning Board recommended that the petition be denied for a zoning request from AU to BU-2A for convenience store, farm and garden store and approved for a special permit in an AU zone for a convenience store, farm and garden store

WHEREAS, this Board after reviewing the records and recommendations of the Zoning Board and having given an opportunity to all interested persons to be heard after being duly sworn according to law, and upon due and proper consideration having been given to this matter, this Board took action as hereinafter described.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lee County, Florida, that the decision of the Zoning Board of denial for a zoning change from AU to BU-2A for convenience store and approval for a special permit in an AU zone for a convenience store, farm and garden store be set aside and approve the request for a change in zoning from AU to BU-2A for convenience store, farm and garden store.

PASSED AND ADOPTED THIS 17 DAY OF March, 1975

Heard 2/4/75

Approved As To Form.
By _____ County Attorney

75-2-23

LEE COUNTY ORDINANCE NO. 02-02

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT CERTAIN SPECIFIC AMENDMENTS APPROVED IN CONJUNCTION WITH ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENTS TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF "THE LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

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

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6 on January 22, 2001, February 26, 2001, March 26, 2001, April 23, 2001, June 4, 2001, June 25, 2001, and July 23, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the transmittal of the proposed amendments on August 29, 2001; and at that hearing approved a motion to send, and did later send, the proposed

amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and,

WHEREAS, at the August 29, 2001 meeting, pursuant to Chapter 163, Part II, Florida Statutes, the Board of County Commissioners did announce its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report," which were later received on November 21, 2001 by the Chairman of the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing for the plan amendments on January 10, 2002, moved to adopt the proposed amendments as more particularly 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, has conducted a series of public hearings to review the proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt those 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 Plan, as hereby amended, will continue to be the "Lee Plan." This ordinance may be referred to as the "2000/2001 Regular Comprehensive Plan Amendment Cycle Consent Ordinance."

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 10, 2002, known as PAT 99-14, PAT 99-20, CPA 2000-03, CPA 2000-06, CPA 2000-07, CPA 2000-08, CPA 2000-09, CPA 2000-10, CPA 2000-11, CPA 2000-13, CPA 2000-14, CPA 2000-17, CPA 2000-21, CPA 2000-22, CPA 2000-23, CPA 2000-25, CPA 2000-26, CPA 2000-29, and CPA 2000-31, which amend the text of the Lee Plan as well as the Future Land Use Map series, the Transportation Map series, and the tables of the Lee Plan.

Creation of Planning Communities

In addition, the above-mentioned Staff Reports and Analysis, along with all attachments for these amendments are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION THREE: 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 so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

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

SECTION FIVE: 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 of County Commissioners that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SIX: 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 Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such 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 SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by

commence before it 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 which resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved its adoption. The motion was seconded by Commissioner St. Cerny and, when put to a vote, the vote was as follows:

ROBERT JANES	AYE
DOUGLAS ST. CERNY	AYE
RAY JUDAH	AYE
ANDREW COY	ABSENT
JOHN ALBION	AYE

DONE AND ADOPTED this 10th day of January, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
Chairman

DATE: January 10, 2002

Approved as to form by:

_____
County Attorney's Office

BOARD OF COUNTY COMMISSIONERS LEE COUNTY FLORIDA SEAL

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
MEMBER OF THE FLORIDA CABINET

HISTORIC PRESERVATION BOARDS
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF ELECTIONS

January 18, 2002

Honorable Charlie Green
Clerk of Circuit Court
Lee County
Post Office Box 2469
Ft. Myers, Florida 33902-2469

Attention: Ruth Frymier, Deputy Clerk

Dear Mr. Green:

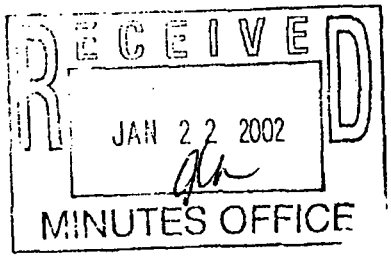
Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 14, 2001 and copies of Lee County Ordinance Nos. 02-02 through 02-06, which was filed in this office on January 17, 2002.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mp



PAM/T 99-20
BoCC SPONSORED AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Document

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585

August 29, 2001

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
PAM/T 99-20

☑ **Text Amendment** ☑ **Map Amendment**

	This Document Contains the Following Reviews:
✓	**Staff Review**
✓	**Local Planning Agency Review and Recommendation**
✓	**Board of County Commissioners Hearing for Transmittal**
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: June 15, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Reevaluate the allocations of Table 1(b), Planning Community Year 2020 Allocations, for consistency with existing and approved developments. Create and modify Map 16 "Planning Communities" to acknowledge the incorporation of Bonita Springs and the planning efforts of specific communities. This amendment was originally initiated in the 1999/2000 cycle and tabled to the 2000/2001 cycle.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:**

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to table 1(b) and Map 16. Staff recommends that Map 16, the Planning Communities Map, be amended to include two new communities (Bayshore and Estero) and modified to reflect the incorporated boundaries of the City of Bonita Springs, Future Land Use Map amendments, and annexations by the City of Fort Myers. Staff also

recommends that Table 1(b) be revised as depicted in Attachment 1 of this report to reflect the changes in the community boundaries and to respond to changes in development patterns.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:**

- **There is a need to create two new Planning Communities to depict the "grass roots" planning efforts of these communities.**
- **The incorporation of the City of Bonita Springs has created disconnected areas within the Bonita Springs Community. The areas remain in unincorporated Lee County.**
- **The City of Bonita Springs incorporation included property outside of the existing Bonita Springs Planning Community.**
- **Future Land Use Map changes has altered the anticipated future development of areas making them more homogeneous to bordering communities.**
- **To maintain consistency with the Port Authority's expansion plans for the International Airport, changes to the planning communities' boundaries are required.**
- **The creation of the Conservation 2020 Land Acquisition Program and its subsequent land purchases has limited the potential development on these properties.**
- **Market shifts and changes in development patterns have occurred requiring alterations in the allocation of residential uses.**

C. BACKGROUND INFORMATION

The Board of County Commissioners (BoCC) initiated this amendment on September 28, 1999. This amendment will address concerns about Planning Community allocations, where existing development acreage totals are approaching the allocations adopted into the Lee Plan. Members from the development community have discussed with Planning Staff their anticipated development plans. Staff has identified Planning Communities where insufficient acreage is allocated to accommodate these projects. Due to time constraints and a pending update to the existing land use inventory which would yield more current data, this amendment was tabled until the 2000/2001 cycle.

On September 19, 2000 this amendment was re-initiated by the BoCC. One privately initiated amendments requesting changes to the allocations table (Lee Plan Table 1(b)) in the Fort Myers Shores Planning Community was filed for reviewing during this amendment cycle. Additionally, a DRI amendment, which is running concurrently with this amendment cycle, includes a request to change Table 1(b) in the Bonita Springs Planning Community. One privately initiated amendment in this amendment cycle is requesting changes to the allocation table, in the Daniel's Parkway Planning Community. When the Brooks of Bonita was approved, language was included in the resolution (Z-97-037) requiring the County to "...undertake, to the extent legally permissible, any amendment to the 2010 Overly, or its successor, necessary to accommodate the build out of the Brooks...." A number of smaller Future Land Use Map Amendments have been approved since the creation of the planning community allocation table, which have an impact on the residential allocations. Similarly, there are 3 amendments in

this round of amendments that do not include specific proposals for allocation changes. If adopted, these changes will impact the residential allocations within the respective community.

Since the adoption of Table 1(b), further refinements have been made to the existing land use inventory maintained by the Planning Division through certificates of occupancy (CO's), field checks, and in-depth database scrutiny. The primary purpose of this inventory is to measure the status of each of the 20 planning community's exiting developed acres in relation to its adopted 2020 allocations. Analysis of existing land use inventory had shown that during the past four years of development, since the original planning community allocations were made, new development patterns have emerged that were not anticipated when the allocations were made. These changes show that re-allocations are needed within some of the communities to reflect the market changes in Lee County. Also, there have been a number of "grass roots" planning efforts started for local communities, the incorporation of the City of Bonita Springs, and several future land use map amendments which have created a need to adjust the boundaries of the planning communities on Map 16.

At this time, staff is not proposing a major amendment to the Year 2020 Allocation methodology. Allowable development acres are only being adjusted to reflect changes in development patterns. Changes have occurred where previously anticipated developments are no longer viable, in some cases due to conservation land acquisitions. To accommodate the projected population for the year 2020, the same number of dwelling units previously anticipated will be needed. The curved residential acreage allocation is based on the number of units needed to accommodate the projected population. The result of this amendment will provide acreage allocations that allow for the same number of units.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Origin of Lee Plan Table 1(b) (Planning Community Allocations) and Map 16

The Planning Community Allocations were adopted into the Lee Plan in the Lee Plan EAR Addendum cycle. The creation of this table and amp was the topic of PAM/T 96-13, which addressed the need to replace the original "Year 2010 Overlay." The 2010 Overlay was a result of the 1989 Settlement Agreement between Lee County and the Department of Community Affairs (DCA). This agreement required the County to amend the Future Land Use Map Series by designating the proposed distribution, extent, and location of the generalized land uses required by Rule 9J-5.006(4)(a)1.-9 for the year 2010. This was accomplished by creating 115 sub-districts, generally nesting within the existing adopted Planning Districts and allocating projected acreage totals for each generalized land use needed to accommodate the projected 2010 population. Policies added to the plan provided that no development approvals would be issued in a sub-district that would cause the allocated acreage for that land use category to be exceeded. The Overlay was a device designed to reconcile the population accommodation' capacity of the Future Land Use Map (estimated to be 70 years in 1989) with the 20-year time frame in the text of the element. It was also designed to provide more certainty to the extent and location of future commercial and industrial development.

The Year 2010 Overlay was exceptionally difficult to administer. Some of the initial problems experienced by the staff included the inadequacy of the original inventory. There was a lack of a reliable existing land use database to monitor the use of land, which drew down the available acres in each sub-district. Finally, there was difficulty in explaining the concept and regulatory nature of the overlay to the public. A major effort was directed to resolve these problems. The Sheridan vs. Lee County Final Order required an amendment to the Lee Plan effecting the implementation of the "Year 2010 Overlay". Prior to this final order, the overlay was implemented at the building permit stage. The final order required all development order approvals to be consistent with the overlay. This amendment also required the Planning Division to create a parcel specific database to track the use of land in conjunction with the 2010 sub-district allocations. This requirement resolved the monitoring issue that was considered the largest obstacle in establishing a workable overlay. Other issues with the original overlay, however, could not be resolved in a principled and satisfactory manner. The 1994 Evaluation and Appraisal Report (EAR) included a proposal to remove the overlay from the Lee Plan. Final Order No. AC-96-11 was issued on July 25, 1996. The Final Order specified that the 1994 EAR based amendments, which proposed the deletion of the Year 2010 Overlay, were not in compliance with Chapter 163, Part II, F.S., and Rule 9J-5, FAC. The Final Order required Lee County to rescind, and not make effective, all of the amendments, which sought to delete the Year 2010 Overlay.

Lee County's 1996 EAR Addendum Cycle included a proposed replacement to the "Year 2010 Overlay." This amendment (PAM/T 96-13) proposed replacement of 115 sub-districts with twenty community-based districts (Planning Communities). In comparison, the average size of the 115 sub-districts was four thousand acres, while, the average size of the new Planning Communities is twenty thousand acres. The increase in size allowed for increased flexibility in the regulation. The acreage allocations for the Planning Communities only regulate residential, commercial, and industrial uses. The time horizon of the allocations was extended to the year 2020. The 2020 population forecast used for the allocations was also reduced from the 797,288 as adopted in the EAR to the Bureau of Economic and Business Research's (BEBR) mid-range population projection of 602,000. This amendment to the Lee Plan became effective on July 30, 1998.

Creation of Map 16

The Planning Communities Map, Lee Plan Map 16, serves as the geographic boundaries for the Year 2020 acreage allocation table (Table 1(b)). Staff was clearly directed to substantially reduce the number of areas used for the allocations from 115 to a more manageable number. Projecting the amount of development that would occur twenty years in the future proved to be difficult in most of the original sub-districts. It was nearly impossible when development approvals for single projects spanned multiple sub-districts. The idea for the Planning Community was to create boundaries reflecting existing communities within Lee County. The Local Planning Agency, however, deemed the number twenty as the appropriate number of districts as the basis for the new allocations. It was also considered desirable to follow census lines as much as possible. Based on these criteria, staff created the Planning Communities Map that was adopted into the Lee Plan as Map 16. The Planning Communities Map identified the four existing cities, platted communities, and island communities. These communities have easily definable boundaries. Staff also tried to delineate the boundaries of other unincorporated communities using previous sector (community) plans and exiting/future land use patterns. Due to the limitations listed above, staff was not able to create a planning community for each community in Lee County. Since staff did not want to create the same unmanageable tool it was

trying to replace, neighborhoods having similar characteristics, and neighborhoods that identified with a larger geographic area were combined into one Planning Community.

Creation of Table 1(b)

Table 1(b) was adopted into the Lee Plan as the regulatory aspect of the Planning Community Allocations. This table contains the acreage allocations which depict the expected distribution and extent of generalized land uses for the year 2020. Table 1(b) differs from its predecessor ("Lee Plan Map 17") by its foundation of baseline data based on a parcel specific existing land use inventory. Also, the uses regulated are limited to commercial, residential, and industrial. Non-regulatory allocations are made for agricultural, public/quasi-public, conservation and vacant lands to show anticipated land use patterns though the year 2020. Staff utilized information from the existing land use inventory to estimate how much land had already been developed and how much land was available for future development. Of the undeveloped land, staff analyzed properties used for passive and active agriculture to estimate how much land would be converted out of agriculture by the year 2020. The undeveloped acreage was also studied for existing approvals. The Planning Division created an extensive database to track development within planned developments. Using this database, staff links approvals for developments with existing land use data. This tool does have its limitations in that the categories used to track existing land use do not always match the categories used in the planned development approvals. Also, acreage figures are not always given by individual use in the planned development approval, or the approval may propose development options between uses. Staff did use this tool to the best of their ability. Special attention was given to planned developments that were active and/or anticipated to approach build out by the year 2020. Based on this analysis, the allocations for the three regulated land uses were made.

B. PROPOSED CHANGES

This amendment is proposing to alter two aspects of the Planning Community Year 2020 Allocations. Changes to Map 16 (Planning Communities) and Table 1(b) – Planning Community Year 2020 Allocations are included in this amendment. This amendment is not proposing any changes to the Lee Plan Policies or the methodology behind the allocations.

1. **Map Changes**

   In creating the adopted 20 Planning Communities, Lee County attempted to reflect the existing communities within the County (Attachment 2). Over the past 4 years, staff and the community informally evaluated these community lines and came to the realization that minor changes are needed to make the community map a better description of the existing communities. Therefore, a number of changes are being proposed to Map 16. It is acknowledged that these changes will not completely describe all of the communities in Lee County; however, staff prefers to limit changes to the map at this time and to only address some of the more urgent issues which have evolved since the map's original creation. These issues include changes reflecting recent "grass roots" planning efforts, changes in incorporated city boundaries, and finally changes to the Future Land Use Map which have altered the direction of development in those areas. Attachment 3 shows the areas being removed from one community and placed into another. Attachment 4 is the revised generalized description of the proposed community boundaries in strikethrough underline format. Attachment 5 is the map of the proposed

Planning Communities. The following communities are proposed to have areas added to their current boundaries.

Bayshore (new)
This community will foster two purposes. First, in the spring of 2001 the Bayshore residents initiated a "grass roots" planning effort. Creating this planning community will help identify a community that is working to plan its future. Secondly, the two areas that are being re-designated to form a single community are more homogeneous to each other than to the communities in which they are now included. There are subtle differences between the Bayshore area and North Fort Myers, as well as the Bayshore area and Alva. In fact, staff struggled with creating a Bayshore Community on the original Map. Since staff had been given the task to create no more than 20 communities and there are no census tract lines that create a logical boundary for Bayshore, this community was split into other communities. The proposed Bayshore Community uses the centerline of I-75 as its western boundary and SR 31 as its eastern boundary. This is also the boundary being used by the Bayshore residents for their planning effort. This new planning community will contain areas reassigned from the Alva Community and North Fort Myers Planning Communities.

Area 1 is the portion of the current North Fort Myers Planning Community that is east of I-75. This area should be removed from the North Fort Myers Planning Community and included into New Bayshore Planning Community.

Area 2 is the portion of the Alva Planning Community west of SR 31. This area should be removed from the Alva Planning Community and included into New Bayshore Planning Community.

Areas 1 and 2 are being combined to create the New Bayshore Planning Community

Fort Myers
It was always intended that the Fort Myers Community would contain all lands within the City of Fort Myers' corporate limits. Since there is no official urban reserve map to follow, staff tried to define an area that would reflect the City of Fort Myers by the Year 2020. However, there is one area where land has been annexed into Fort Myers, causing the City of Fort Myers to extend outside of the Fort Myers Planning Community. To maintain the original intent, staff is proposing that this community be amended to include this area.

Area 3 is the Heritage Palms Estates subdivision, which was annexed into the City of Fort Myers. This area should be put into the Fort Myers Planning Community.

Lehigh
Lehigh Acres is a large platted community that began developing in the middle 1950's. Given its small platted lot layout, there are limited commercial opportunities within this community. This situation prompted the Lehigh Acres CRA to commission a study of the community's commercial needs. The results of this study showed that most of the commercial land needs would be satisfied by utilizing larger lots that were not platted in original Lehigh plats or through lot assembly along the community's major road corridors. The Commercial Study also

recommended one area outside Lehigh Acres platted areas south of SR 82 be re-designated from Density Reduction/Groundwater Resource (DRGR) to Central Urban. This allows for additional commercial development to satisfy the needs of the Lehigh Community. This change from DRGR to Central Urban was not identified as being in the Lehigh platted area. Therefore it was not included in the Lehigh Planning Community. Since this area is now anticipated as an area that will satisfy some of Lehigh's commercial needs, it should be included in the Lehigh Planning Community.

Area 4 is both of the southern quadrants formed by the intersection of SR 82 and the Daniels Parkway Extension and is designated Central Urban on the Future Land Use Map. This area should be removed from the Gateway/Airport Community and be included in the Lehigh Community.

Southeast Lee County

This Community was intended to be all of the lands designated Density Reduction/Groundwater Resource on the Future Land Use Map south of SR 82 and east of I-75 with the exception of those lands which were anticipated to be needed for the expansion of the Southwest International Airport. When the original Planning Community lines were drawn, the Port Authority was working on the land acquisitions for the airport expansion. Since the land acquisitions are near completion for the pending airport expansions more certainty exists about the airport's ultimate property line. The adopted Planning Communities Map extends the Gateway/Airport Planning Community beyond this line into an area that is designated DRGR. Some of the area in the Gateway/Airport Planning Community is designated DRGR; however, this area differs from other DRGR areas in that its 2020 anticipated uses will be airport related. The Port Authority and their consultants have begun a new master plan study and DRI Substantial Deviation ADA that may change the Airport Layout Plan (ALP), the area south of SR 82 north of the airport's ultimate property line is not currently anticipated to be included in future airport expansions. Since it is not anticipated that this area will develop with airport related uses. This area should not be included in the Gateway/Airport Planning Community. The future uses in this area are expected to be more like those that will exist in the other areas designated DRGR in the Southeast Lee County Community.

Area 5 is located south of SR 82 north of the ultimate airport property line in sections 04, 05, 08, and 09 Township 45 South Range 26 East. This area should be removed from Gateway/Airport Community and be included into the Southeast Lee County Community.

Two areas are proposed to be included into this community that are not lands designated Density Reduction/Groundwater Resource on the Future Land Use Map. These areas are currently in the Bonita Springs Planning Community, but were not incorporated into the City of Bonita Springs.

Area 11 is a 20-acre area designated as General Interchange north of Bonita Beach Road in Section 32 Township 45 South Range 26 East. This area should be removed from the Bonita Springs Community and be included into the Southeast Lee County Community.

Area 12 is the area south of Bonita Beach Road between the eastern city boundary and the county line (Sections 01, 02, and 03 Township 48 South Range 26 East). Annexation of the area into the City of Bonita Springs is not anticipated at this time. This area should be removed from the Bonita Community and be included into Southeast Lee County.

Gateway/Airport

This community was intended to be the areas that had a connection to the Southwest International Airport or the Gateway Community. However, it was not meant to imply that there is a connection between the Gateway development and the airport, other than their physical location. Therefore, this community primarily includes lands designated New Community (Gateway), Airport, Airport Commerce, and the area of Industrial Development north of Alico Road which is one of the main flight paths used by the airport. While negotiating purchases for the RSW airport expansion, the Port Authority was offered a parcel not originally included on the acquisition list. This parcel is outside of Gateway/Airport Community. Since this land is owned by the Port Authority and has been designated on the Lee Plan Future Land Use Map as "Airport," it should be removed from the Southeast Lee County Community and included in the Gateway/Airport Community.

Area 6 is the portion of land located in Section 32 Township 45 South Range 26 East that is in the Southeast Lee County Planning Community and designated "Airport" on the Future Land Use Map. This area should be removed from the Southeast Lee County Community and be included into the Gateway/Airport Community.

Daniels Parkway

This community contains lands located between I-75 and the Six-Mile Cypress Slough south of the City of Fort Myers and north of the Industrial Development area within the Gateway/Airport Community. This community is generally a lower density residential area with lands designated for 3 units an acre or less. The Briarcliff subdivision, although it does not directly access Daniels Parkway, is an area designated as Rural on the Future Land Use Map. It has maintained a rural character while abutting more intense urban areas. One portion of the Briarcliff neighborhood in Section 05 Township 46 South Range 25 East, was designated Industrial Development at the time the current planning communities were created. Due to the Industrial designation and location in the "airport corridor" this area was included in the Gateway/Airport Planning Community. Since residential uses are not listed as a permissible use in the Industrial Development FLUM category, landowners in this portion of the Briarcliff Subdivision were required to obtain a "Minimum Use Determination" (MUD) from the County to build a single family home. Since the change from Rural to Industrial Development in 1987, 12 homes have been built in this area. To rectify this situation, Lee County initiated PAM/T 98-12, adopted on November 22, 1999, to re-designate this area within the Gateway/Airport Community from Industrial Development to Open Lands on the Future Land Use Map. This allows for the development of these lots with residential uses without the need for the property owner to apply for a MUD. Since this area is anticipated to be developed as low density residential, it is clearly more closely related to the Daniels Parkway Community than its current community.

Area 7 is the area in the northwest quadrant of Section 05 Township 46 South Range 25 East north and west of the Briarcliff Canal. This area should be removed from the Gateway/Airport Lee County Community and be included into the Daniels Parkway Community.

Estero

The rationale for creating this community is similar to that of the creation of the Bayshore Community. First, had it not been for the desire to limit the Planning Community Map to 20 communities, staff on the original Map 16 would have proposed the Estero Community in 1997. Second, there is an on going "grass roots" planning effort for the Estero area, that is using the proposed community as the boundaries of their planning. This effort is the subject of an amendment included in this cycle of amendments (2000/2001). If adopted will create new Goals, Objectives, and Policies (GOPs) for properties within this area of the County will be added to the Lee Plan. The proposed Estero Community will also be used to define the area where these GOPs will be implemented. Finally, the incorporation effort of the City of Bonita Springs did not include all of the lands in the Bonita Springs Planning Community. There is now a large area of land, most of which considers itself "Estero," between the City of Bonita Sprints and the San Carlos/Estero Planning Community. This amendment proposes creating an Estero Planning Community from the San Carlos/Estero Community (area 8) and the Bonita Springs Community (area 9). Additionally, the remaining San Carlos/Estero Planning Community is proposed to be renamed the San Carlos Planning Community.

Area 8 is the southern portion of the existing San Carlos/Estero Community, south of the San Carlos Park development. This area included lands along Koreshan Boulevard and Corkscrew Road south to the existing Bonita Springs Planning Community.

Area 9 is the area north of the City of Bonita Springs west of I-75 and south of the Estero River. This is a rapidly growing area of the county with a number of new developments. This area contains the Brooks, West Bay Club, and the portions of the Pelican Landing Developments.

Bonita Springs

Most of the proposals for this community remove areas from the community to reflect the incorporation of the City of Bonita Springs. However, there is one area currently in the Southeast Lee County Planning Community that was included in the incorporation of Bonita Springs and should be included in the Bonita Springs Planning Community. This area is located between the interstate and Bonita Grande Drive north of Bonita Beach Road for four miles. This area is designated DRGR; however, few of the developments existing prior to the DRGR designation are consistent with this designation.

Area 10 is located east of I-75 south in sections 13, 24, and 25 Township 47 South Range 25 East and Sections 18, 19, 30, 31 Township 47 South Range 26 East.

2. **Allocation Changes**

The proposed changes to the Planning Communities Map (Map 16) will require modifications to the Planning Community's Allocation Table (Table 1(b)). The most notable changes are based on the creation of two new communities. Other changes are needed due to annexations, incorporations, changes on the Future Land Use Map, and market/development shifts. The

proposed adjustments will be made utilizing the methodology used to generate the original allocations. This methodology is included as attachment 6. PAM/T 96-13, the planning community acreage allocation amendment in the EAR Addendum, was adopted in July 1998. In 1998 Planning Staff was directed to generate Traffic Analysis Zone (TAZ) socio-economic forecasts for the year 2020. This project began after the Allocation Table was adopted into the Lee Plan. The Planning Community grouped TAZs and the adopted Planning Community totals were used as control totals o these groupings. Some TAZs were split between communities and forecasts were made for each portion. These forecasts were monitored to ensure that the sum of the TAZ forecasts matched the allocations in Table 1(b). The zonal data was adopted by the Lee County Metropolitan Planning Organization (MPO) in the spring of 2000 as the official numbers to be used to generate Lee County's 2020 Financially Feasible Transportation Plan

The following guidelines have been used to re-allocate acres between communities on Table 1(b) and are consistent with the original methodology.

- This amendment will have no impact on the net development potential allowed by the Lee Plan. No increases in the development accommodation of Table 1(b) are being proposed. Acreage differences will occur due to differences in each community's assumptions. The original methodology addressed differences between each planning community development characteristics by calculating the density assumption for each FLUM category in each community based on historical and proposed residential developments. Attachment 7 contains exerts of the Future Land Use Map for each planning community with proposed changes.
- In those instances where land is now included in an incorporated city, the allocation table should be amended to reflect the fact that development previously anticipated to occur within the unincorporated County will now occur within a municipality and will not be subject to this amended Table 1(b).
- Changes based on Future Land Use Map amendments are done based on the community's assumptions for each FLUM category. If the change to the FLUM also reflects an approved Planned Development, the approval numbers are used for allocation purposes. Not all changes made to the FLUM, since the adoption of Table 1(b), require changes. In most instances, the amendment that changes the FLUM designation also addresses the allocation table. There are also amendments in this cycle that have impacts on the distribution of acres on Table 1(b).
- The commercial and industrial allocations are based on community and county needs and are not regulated by Future Land Use Category and are not directly impacted by changes to the Future Land Use Map. Changes to the Commercial and Industrial allocations are needed only where changes to Map 16 (the Planning Communities) Map have been proposed.
- In instances where acres need to be re-allocated between communities or to one of the new communities, staff is utilizing the TAZ zonal forecasts when possible. These forecasts for units, commercial square feet, and industrial acres were based on the Planning Community Allocations. The methodology used to generate the socioeconomic data used the

commercial building and industrial acreage information to project employment information for the transportation model. Attachment 8 contains maps of the Traffic Analysis Zones in each planning community with proposed changes.

- On the original allocation table, residential allocations for the Wetlands category were only made when the existing inventory showed units existed on parcels designated as Wetlands. Refinements to the exiting land use inventory have corrected this situation on most of the residential parcels that were shown as wetlands. Once a property is filled and developed it is no longer inventoried as a wetland. These sites will be inventoried in this most appropriate upland category. Depending on the extent of the fill, a parcel may show a percentage of the site as uplands and residential and the remaining area as wetlands. Therefore, no allocations for Wetland residential acres are required in any Planning Community.

Needed Allocation Adjustments Based on Changes to Map 16

The proposed changes to Map 16 require modifications to the Table 1(b) Planning Community Year 2020 Allocations. Each of the 11 changes are analyzed below, based on which planning community allocations need to be added to, followed by the planning community that will have its allocation reduced. Each area depicted on attachment 3 will be addressed separately. The re-distribution of acres/units due to changes in development patterns and market shifts are addressed following the re-allocations based on map changes.

Bayshore—Alva & North Fort Myers: Areas 1 & 2

The allocations for the Bayshore Community will be re-allocations from the Alva and North Fort Myers Communities. The residential allocations requiring changes are in the Rural, Outlying Suburban, General Interchange, Open Lands, and Density Reduction/Groundwater Resource categories.

Area 1

The New Bayshore Community and remaining North Fort Myers Community both contain property designated Rural. The current Rural residential allocation for the North Fort Myers Planning Community is 856 acres. The community consists of 2,380 acres of land designated Rural. The changes in Map 16 will result in the North Fort Myers Planning Community containing 1,725 acres designated Rural and the Bayshore Planning Community will contain 655 acres of land designated Rural. Through Lee County's Conservation 2020 program, 2,388.56 acres of land were purchased for conservation purposes in the North Fort Myers Planning Community. Approximately 960 acres of that purchase are lands designated Rural. This property is located in the portion of the North Fort Myers Planning Community remaining in the North Fort Myers Planing Community. This property will no longer have residential development potential. This property is in TAZ 108. Eighty percent of the land designated Rural within TAZ 108 was purchased by Lee County. The MPO Zonal forecasts, which were done prior to the Conservation 2020 purchase, estimated that 318 units would exist in that TAZ by the year 2020. Of those units 208 are existing or anticipated to be built in the Rural area of the property now being preserved for conservation purposes. The North Fort Myers residential allocation for Rural will only need to accommodate the existing development and few remaining vacant parcels in the rural area not purchased by the Conservation 2020 program. The Rural areas in the existing North Fort Myers Planning Community have similar

development characteristics east and west of I-75, the proposed boundary between the North Fort Myers and Bayshore Communities. No adjustments to the underlying land use assumptions for Rural are needed at this time for the re-allocation of residential acreage. The Rural allocations will be reduced by 210 acres to reflect the purchase by the Conservation Lands program (Lee County). The allocations for the units expected in the area purchased for conservation can be re-distributed to other areas of the County. The re-allocation for Rural residential uses will be based on the MPO zonal forecasts. The North Fort Myers Planning Community will need to retain a Rural residential allocation of 383 acres to accommodate the projected 156 units in that area by the year 2020. The Bayshore Planning Community should be allocated 263 acres to accommodate 109 units. To reflect the conservation lands purchase, 210 acres should be removed from the allocation table that would have accommodated the 208 additional units anticipated on that land. The land purchased by Lee County is not subdivided and was anticipated for development closer to the 1 unit per acre maximum density allowed by the Lee Plan Rural Future Land Use category.

Table 1 – North Fort Myers/Bayshore Rural Residential Allocation Split

Rural Residential Split								
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations					
			North Fort Myers		Bayshore		Surplus	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	475	856	158	383	109	263	208	210
Existing	224	541	152	379	65	180		
Remaining	251	315	6	3	44	84	208	210

The creation of the Bayshore Community will not eliminate the existence of property with the Outlying Suburban designation in the North Fort Myers Community. Therefore, the current allocation will be divided between the two communities based on the MPO zonal forecasts. In this instance, the Outlying Suburban development patterns differ between the area that will remain in the North Fort Myers Community and that which will be in the proposed Bayshore Community. The proposed re-allocation provides for the differences between the two communities. The North Fort Myers Planning Community will need to accommodate 1,500 units by 2020 which requires an Outlying Suburban residential allocation of 610 acres. Based on the TAZ zonal data, the Bayshore Planning Community needs an Outlying Suburban residential allocation of 469 acres to accommodate the 335 units forecast by the TAZ zonal data. There is one development proposal in the Outlying Suburban area that is requesting 265 acres of residential uses. This will exceed the available Outlying Suburban residential allocation by 181 acres. This proposal is addressed in the in the market demand/development pattern shifts section below.

Table 2 - North Fort Myers/Bayshore Outlying Suburban Residential Allocation Split

Outlying Suburban Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			North Fort Myers		Bayshore	
	Units	Acres	Units	Acres	Units	Acres
Allocated	2,014	1,079	1,679	610	335	469
Existing	820	601	784	235	278	401
Remaining	1,194	478	895	375	57	68

The North Fort Myers/Bayshore boundary line will now divide the General Interchange category. The portion of this category that will remain in the North Fort Myers Community is nearly all zoned for commercial development, which is consistent with the General Interchange Category. PAM/T 98-07 removed the language from the Lee Plan that allowed residential uses in the General Interchange Category. It was demonstrated that the criteria in the removed language would not allow any new developments to include residential uses in the General Interchange area and that it made no sense to retain this language. Therefore, the North Fort Myers Community's residential allocation for this FLUM category will be 9 acres reflecting the existing residential uses. Since the allocations only need to accommodate the existing development, the residential allocation for General Interchange in the Bayshore Community need only be 12 acres.

Table 3 - North Fort Myers/Bayshore General Interchange Residential Allocation Split

General Interchange Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			North Fort Myers		Bayshore	
	Units	Acres	Units	Acres	Units	Acres
Allocated	14	55	5	9	9	12
Existing	14	55	5	9	9	12
Remaining	0	0	0	0	0	0

During the research for this amendment, an error in the original allocations was discovered. At the time the original allocations were developed, the baseline inventory was also being updated. This included updating the Future Land Use designation for each parcel that had been effected by the latest rounds of Plan Amendments. One recent change, on the FLUM, was the creation of the Open Lands Category. It is apparent that when the base data for the allocations was generated, the inventory had not been completely updated to reflect the changes of 4 sections of land from DRGR to Open Lands in the North Fort Myers Community. This has caused an over allocation for residential uses in DRGR and an under allocation for those in Open Lands in the North Fort Myers Community on Table 1(b). Staff is proposing to correct this mistake in this amendment. The proposed redistribution of residential allocations for Open Lands and Density Reduction/Groundwater Resource between North Fort Myers and Bayshore Communities is depicted in the table below. The redistribution is based on the original assumptions used for

each FLUM category for the North Fort Myers Planning Community. This reallocation also corrects the original error in the DRGR and Open Lands residential allocations.

Table 4 - North Fort Myers/Bayshore Open Lands and Density Reduction/Groundwater Resource Residential Allocation Splits and Corrections

Open Lands/DRGR Corrections								
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations					
			North Fort Myers		Bayshore		Combined	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Open Lands Residential Split								
Allocated	77	374	10	45	353	1,236	363	1,281
Existing	34	158	5	20	332	1,130	337	1,150
Remaining	43	216	5	25	21	106	26	131
Density Reduction/Groundwater Resource Residential Split								
Allocated	546	2037	0	0	260	1,089	260	1,089
Existing	535	1918	0	0	255	1,035	255	1,035
Remaining	11	119	0	0	5	54	5	54
Total of Both Open Lands and DRGR								
Allocated	623	2411	10	45	613	2,325	623	2,370
Existing	569	2076	5	20	587	2,165	592	2,185
Remaining	54	335	5	25	26	160	31	185

Commercial and Industrial re-allocations are proposed to follow the MPO Zonal forecasts. There is no industrial acreage forecast for the TAZs in the Bayshore Planning Community by the year 2020. The commercial forecast for area one is 538,916 square feet. Based on the North Fort Myers commercial assumptions from the original Table 1(b) methodology, 538,916 square feet of commercial building area is equivalent to 77 acres of land. The North Fort Myers Planning Community's Commercial and Industrial allocations will be reduced accordingly.

Table 5 - North Fort Myers/Bayshore Commercial and Industrial Allocation Splits

Commercial and Industrial Splits						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			North Fort Myers		Bayshore	
	Commercial	Industrial	Commercial	Industrial	Commercial	Industrial
Allocated	1,235	209	1,158	209	77	0
Existing	705	125	700	155	24	0
Remaining	530	84	458	54	53	0

Area 2

The area of the new Bayshore Planning Community currently in the Alva Planning Community has the following Future Land Use Map designations: Density Reduction/Groundwater Resources, Rural, Outlying Suburban, Public Facilities, and Wetlands. Since no property designated Outlying Suburban will remain in the Alva Community, the entire Outlying Suburban allocation, of 295 acres should be re-allocated to the Bayshore Community.

The DRGR land located in the existing Alva Planning Community now be split between the Alva Planning Community and the new Bayshore Planning Community. The DRGR designated land remaining in the Alva Planning Community is in TAZs 92 and 94. TAZ 92 also covers properties designated Rural and Open Lands. The 2020 estimate for TAZ 92 is 6 units. Today, 5 units exist in the area designated Rural; none in the areas designated DRGR or Open Lands. The TAZ forecasts also estimate one additional unit in TAZ 94. If both of these units were to be built in the DRGR area of the Alva Planning Community, based on current assumptions, they would utilize 20 acres of the residential allocation in that category. Staff has not anticipated much growth in the DRGR area in either Alva or the new Bayshore Planning Communities (previously the Alva Planning Community). Since the densities and existing lot layouts are similar between the area remaining in the Alva Planning Community and the area included in the new Bayshore Planning Community, the proposed allocation splits follow the TAZ projections for these areas. Staff is proposing to retain 20 acres of the DRGR allocation in the Alva Community while transferring the remaining 768 acres to the Bayshore Community.

Table 6 - Alva/Bayshore Density Reduction/Groundwater Resource Residential Allocation Splits

Density Reduction/Groundwater Resource Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Alva		Bayshore	
	Units	Acres	Units	Acres	Units	Acres
Allocated	159	788	2	20	157	768
Existing	148	668	0	0	148	668
Remaining	11	120	2	20	9	100

The proposed split or Rural residential allocation is based on the TAZ Forecasts. The original unit forecast for the Alva Community for residential units is 1,167. The Zonal Data forecasts 412 of these units to be within the proposed Bayshore Community. Based on these figures and the assumptions used in the methodology for the Allocation Table, 988 acres should be re-allocated to the Bayshore Rural residential allocation and 1,419 should remain allocated to the Alva Community in Rural.

Table 7 - Alva/Bayshore Rural Residential Allocation Splits

Rural Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Alva		Bayshore	
	Units	Acres	Units	Acres	Units	Acres
Allocated	1,167	2,407	755	1,419	412	988
Existing	987	2,188	659	1,132	373	882
Remaining	180	219	75	113	105	106

All of the property designated as Open Lands and Outer Islands will remain in the Alva Planning Community. No re-allocations are required.

The proposed Bayshore Community includes the Lee County Civic Center which is expected to attract new tourist oriented commercial development to the area, such as a new hotel, by the year 2020. The Alva Community does not have a similar facility that will attract new commercial. However, the area remaining in Alva is where most of the existing commercial is located today. Additionally, the core area of the Alva community (which will stay in the Alva Community) is the only area that allows commercial development greater than neighborhood centers (100,000sf). This portion of the community is designated Urban Community, a FLUM category that assumes a larger percentage of commercial land. There are 36 existing acres of commercial uses in the area that will remain the Alva Community and 22 acres of commercial in the portion that will be included in the Bayshore Community. Therefore, staff proposes to re-allocate only 27 of the 73 acres currently allocated to the Alva Community to the Bayshore Community. This will leave 46 acres allocated to the Alva Community.

Table 8 – Alva/Bayshore Commercial and Industrial Allocation Splits

Commercial and Industrial Splits						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Alva		Bayshore	
	Commercial	Industrial	Commercial	Industrial	Commercial	Industrial
Allocated	73	29	46	26	27	3
Existing	48	19	36	17	22	2
Remaining	25	10	10	9	5	1

Currently, 2 acres of industrial uses exist in the portion of the Alva Planning Community to be re-named to the Bayshore Planning Community. There are 17 existing acres in the portion that will remain as Alva. Given the existing FLUM designations, there is more potential for additional industrial uses to be developed in the remaining Alva Planning Community. Therefore, staff proposes that of the 29 acres allocated to the existing Alva Planning Community 26 remain allocated to Alva and 3 be allocated to the Bayshore Planning Community.

Fort Myers--South Fort Myers: Area 3

These communities have been changed to reflect the recent annexations into the City of Fort Myers. Land within cities is not under county jurisdiction and is not required to follow the provisions in the County's comprehensive plan. Therefore, the allocations in the Lee Plan Table 1(b) are not regulatory in the City of Fort Myers. The Heritage Palms development is located in the South Fort Myers Planning Community and was annexed into the City of Fort Myers. This is an active development that would be "drawing down" the available acreage in the South Fort Myers Community had it not annexed into the city. While Table 1(b) does not regulate city development, the methodology requires that the city developments be recognized. For example, the current allocations are based on a 2020 population projection of 602,000 for the entire county; the city population projections were subtracted from that projection to determine the County's 2020 population projection. As cities annex additional property, their population projections increase and consequently the projected population for the unincorporated area decreases to maintain total county population projection. For this reason, the South Fort Myers allocations need to be changed to reflect the City of Fort Myers annexation. Since the land was annexed and not just reassigned to the Fort Myers Planning Community, no additional acreage should be added to the Fort Myers Planning Community. The development annexed into the city contains 58 acres of existing or future residential land and is designated Central Urban on the Lee Plan FLUM. The South Fort Myers Planning Community should have its Central Urban residential allocation reduced by 58 acres. No changes are needed in the commercial or industrial allocations.

Table 9 – Fort Myers/South Fort Myers Central Urban Residential Allocation Splits

Central Urban Residential Split								
Base Data and Allocations from Adopted Table 1(b)					Existing Data and Proposed Allocations			
	South Fort Myers		Fort Myers		South Fort Myers		Fort Myers*	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	14,845	2,739	2,650	545	13,788	2,681	2,650	545
Existing	12,521	2,293	2,075	445	12,131	2,265	2,036	437
Remaining	2,324	447	575	100	1,657	416	614	108

*Fort Myers Allocation does not increase since the change is based on an annexation into the City of Fort Myers

Lehigh--Southeast Lee County: Area 4

This change to the planning communities map reflects the re-designation of 182± acres of land from DRGR to Central Urban on the Lee Plan Future Land Use Map. This amendment stems from a recommendation from the Lee County Community Redevelopment Agency's Lehigh Acres Commercial Land Use Study. The recommendation to change the future land use designation on this site was made to allow for approximately 535,000 square feet of commercial development to serve the Lehigh community. Only commercial uses are anticipated on this site. Recommendations from this study were adopted in the 1996 EAR

Addendum cycle round of amendments to the Lee Plan. Drafts of the Lehigh Acres Commercial Study estimated the commercial needs for the Lehigh Acres Planning Community and were available for when the allocations on table 1(b) were generated. The stated need for commercial acres on Table 5-4 of the Lehigh study was incorporated in the commercial allocations for the Lehigh Planning Community. Therefore, no allocation changes are needed based on this Planning Community Map Change. Since the map change had not been adopted, staff did not incorporate the FLUM change into the proposed Lehigh Community on Map 16.

Gateway/Airport--Southeast Lee County: Areas 5 & 6

The changes to Map 16 in areas 5 and 6 will not affect the residential, commercial, or industrial allocations as they exist on Table 1(b). The existing residential allocation in the Gateway/Airport Community needs to be retained the Gateway/Airport Planning Community to accommodate existing and forecasted residential development in this DRGR area. There are 94 residential acres allocated to areas designated DRGR within the Gateway/Airport Planning Community. The inventory of land shows there is 67 acres of existing residential uses in this community and FLUM category. There are also 170 acres that are currently inventoried by the Planning Division as vacant. The vacant 170 acres figure does not include lands used for agricultural purposes.

Daniels Parkway--Gateway/Airport: Area 7

On November 22,1999 the Lee County BoCC voted to adopt a change for this area from Industrial Development to Open Lands. This change was made due to pressures for residential development in this portion of the Briarcliff Subdivision. No amendment to the allocation table was made to reflect this FLUM change. The proposed changes to Map 16 reassign this area to the Daniels Parkway Planning Community. While there are residential uses within the Industrial Development area that will remain in the Gateway/Airport Planning Community, the TAZ zonal data does not forecast additional units in this area. There are currently 18 acres of residentially developed land in the area designated Industrial Development. The Open Lands area now being included in the Daniels Parkway Planning Community has 29 acres of residentially developed land. The original allocation for residential uses in the Individual Development area of the Gateway/Airport Planning Community anticipated that all new residential uses would occur in the area now in the Daniels Parkway Planning Community designated Open lands. No adjustment in the residential assumptions is needed in the re-allocation of residential between the two FLUM designations in this area. Accordingly, all of the residential acres not inventoried as existing in the Industrial Development area should be re-allocated to Open Lands in the Daniels Parkway Community. Allocation change based on the change in area seven is to re-allocated 47 acres from the industrial Development Residential allocation in the Gateway/Airport Planning Community to the Daniels Parkway Open Lands Residential allocation.

Table 10 – Daniels Parkway/Gateway/Airport Industrial Development and Open lands Residential Allocation Splits

Industrial Development/Open Lands Residential Split*								
Base Data and Allocations from Adopted Table 1(b)					Existing Data and Proposed Allocations			
	Gateway/ Airport		Daniels Parkway		Gateway/ Airport		Daniels Parkway	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	17	65	0	0	8	18	9	47
Existing	17	65	0	0	8	18	8	27
Remaining	0	0	0	0	0	0	1	20

*Gateway Airport information is for Industrial Development, Daniels Parkway informaiton is for Open Lands.

No changes to the commercial or industrial allocations are needed based on this change.

Estero—San Carlos/Estero (Proposed name change to San Carlos): Area 8

The San Carlos Planning Community will retain all the residential allocations for the Central Urban and Industrial Development. These designations only exist in the San Carlos portion of the original community. The Rural residential allocation should be reduced to reflect the State of Florida's purchase of Estero River Bay for conservation purposes. This property will no longer be developed as approved on the planned development master concept plan. The allocations did not assume that all 1,598 approved units would be built by 2020. The 1,352 units anticipated to be built on this site by the year 2020 should be re-distributed to other areas. An accommodation for the Bonita Bay Parcels B&F RPD/CPD should be made from the allocation originally intended for the Estero River Bay property. This project was approved after the Table 1(b) was adopted into the Lee Plan and after the Estero River Bay property was purchased by the State of Florida. The San Carlos Planning Community will need to retain 160 acres of Rural residential allocation to accommodate the 511 dwelling units forecast for that area by 2020. The transfer of the remaining Rural residential units is addressed in the development shifts section of this report.

Table 11 – San Carlos/Estero Rural Residential Allocation Splits

Rural Residential Split								
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations					
			San Carlos		Estero		Surplus	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	1462	280	511	160	0	0	951	120
Existing	33	13	35	13	0	0		
Remaining	1429	267	476	147	0	0	951	120

No Outlying Suburban designated land exists in the San Carlos Planning Community. The entire 81 acres residential allocation for Outlying Suburban should be assigned to the Estero Community.

Table 12 - San Carlos/Estero Outlying Suburban Residential Allocation Splits

Outlying Suburban Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			San Carlos		Estero	
	Units	Acres	Units	Acres	Units	Acres
Allocated	140	81	0	0	140	81
Existing	96	67	0	0	118	73
Remaining	44	14	0	0	22	8

The residential allocations for Urban Community and Suburban should be split between the San Carlos and Estero Community. Staff reviewed the TAZ forecasts, existing development, and approved development in the current San Carlos/ Estero Community to determine the split between the two areas. The proposed re-allocation of the residential acres allocated for the areas designated Urban Community is 930 acres remaining in the San Carlos Planning Community and 183 acres to the new Estero Community. The allocation to the Estero Community does not accommodate the existing development. To accommodate what is there and future growth, additional allocations are needed in the Suburban residential designation in Estero. This is addressed in the market changes section below.

Table 13 - San Carlos/Estero Urban Community Residential Allocation Splits

Urban Community Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			San Carlos		Estero	
	Units	Acres	Units	Acres	Units	Acres
Allocated	6,885	1,113	5,485	930	1,400	183
Existing	3,728	772	3,058	595	1,280	166
Remaining	3,157	341	2,427	342	120	17

The Suburban allocation for residential that should be transferred to the Estero Community from the San Carlos/Estero community is 713 acres. The San Carlos Planning Community should retain 2,250 acres to accommodate the forecasted 11,599 units for that area. The forecast for TAZ 820 which is in the new Estero Planning Community is not as great as the number of units approved in the approved planned developments. A number of the developments, in that area, remained inactive for years. Since the opening of the new university located approximately 2 miles north of Corkscrew road, the developments in this area have experienced tremendous growth. To reflect market changes in the Corkscrew Road

Corridor, additional units are appropriate. These additional units will require additional Suburban residential allocation. This issue is addressed in the discussion of changes needed to Table 1(b) due to market shifts.

Table 14 - San Carlos/Estero Suburban Residential Allocation Splits

Suburban Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			San Carlos		Estero	
	Units	Acres	Units	Acres	Units	Acres
Allocated	15,275	2,963	11,599	2,250	3,676	713
Existing	9,207	1,994	7,447	1,580	3,894	667
Remaining	6,068	969	4,152	670	-218	46

Review of the zonal forecasts for commercial and industrial land shows the Estero Community's share of the existing allocations is 1,241 acres of commercial and 2 acres of industrial. The allocations should be transferred from the San Carlos/Estero Community allocations. The San Carlos Planning Community's commercial and industrial allocations will be reduced by these amounts leaving 1,613 acres of commercial allocated to the San Carlos Planning Community and 350 acres of industrial.

Table 15 - San Carlos/Estero Commercial and Industrial Allocation Splits

Commercial and Industrial Splits						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			San Carlos		Estero	
	Commercial	Industrial	Commercial	Industrial	Commercial	Industrial
Allocated	2,854	352	1,613	350	1,241	2
Existing	274	176	278	192	121	0
Remaining	2,580	176	1,335	158	1,120	2

Estero and Southeast Lee County--Bonita Springs: Areas 9, 11, & 12

There are no properties designated Central Urban, General Interchange, or Industrial Development in the portion of the Estero Planning Community being created from the Bonita Springs Planning Community (Area 9). As such, no re-allocations are needed between Bonita Springs Planning Community and the new Estero Planning Community in for these FLUM categories. The remaining allocations by Future Land Use Map designations do require splits between the two communities. The Suburban FLUM category only exists in the City of Bonita Springs on Bonita Beach. This area is expected to build out by the year 2020. As such, a full allocation of Suburban residential acres is needed to accommodate this growth. There exists 106 acres of residential use in this area of Bonita Beach and 22 acres remain vacant. The vacant acreage is zoned for residential use and forecast to be developed by the year 2020. Therefore, 128 acres of Suburban residential allocation should remain with the Bonita Springs

Community. This will allow for 402 Suburban residential acres to be re-allocated to new Estero Planning Community from the Bonita Springs Planning Community.

Table 16 – Bonita/Estero Suburban Residential Allocation Splits

Suburban Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Bonita		Estero	
	Units	Acres	Units	Acres	Units	Acres
Allocated	2,762	530	636	128	2,126	402
Existing	1,273	215	444	106	1,544	214
Remaining	1,489	315	192	22	582	188

The Outlying Suburban and Urban Community residential allocations for the existing Bonita Springs Community encompass the Pelican Landing Development. The allocations in Table 1(b) fully accommodated this development. However, the TAZ zonal forecasts estimated that the other developments in this area would be 80% built out by the year 2020. Therefore, the Estero Planning Community requires a residential allocation for these two future land use categories that will accommodate the build out of the Pelican Landing Developments and 80% of the other planned/approved developments. Based on this information, the Estero Planning Community requires a residential allocation for the Outlying Suburban category of 756 and 144 acres for the Urban Community residential allocation.

Table 17 - Bonita/Estero Outlying Suburban Residential Allocation Splits

Outlying Suburban Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Bonita		Estero	
	Units	Acres	Units	Acres	Units	Acres
Allocated	9,669	1,806	5,622	1,050	4,047	756
Existing	2,496	512	2,916	500	545	126
Remaining	7,173	1,294	2,706	550	3,502	630

Table 18 - Bonita/Estero Urban Community Residential Allocation Splits

Urban Community Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Bonita		Estero	
	Units	Acres	Units	Acres	Units	Acres
Allocated	18,302	3,923	17,630	3,779	672	144
Existing	11,170	2,481	15,764	3,202	413	54
Remaining	7,132	1,442	1,866	577	259	90

The Rural residential allocations are more complex since this allocation must be divided into three communities. The current allocation in Table 1(b) for Rural residential in the Bonita Spring Planning Community is 1,037 acres which is anticipated to accommodate 5,415 units. This Rural allocation is insufficient to accommodate the existing and pending approvals. The zonal forecasts estimate 1,000 units in the rural portion of the City of Bonita Springs (TAZs 825, 826, 828, 833). The majority of this area is the San Carlos Estates Subdivision which was created in 1969. Accommodating the estimate for the City of Bonita Springs results in 4,415 units remaining to be divided between the Brooks development, which is currently approved for 5,200 units, and the three sections of land south of Bonita Beach Road (Area 12) designated Rural. Applications for development of these 3 sections of land have been submitted and are currently under review by staff. The sums of these requests are 1,802 dwelling units and full accommodation of these units will require an allocation of 702 acres. Accommodating the 1,000 units forecast for the Rural designated area (San Carlos Estates) in the City of Bonita Springs utilize the entire acreage allocation in Table 1(b). The current allocation anticipated some development in this area by the year 2020; however, recent trends show that the pace of development in this area is increasing. Of the 513 dwelling units inventoried in this area, 105 units have been built in the past 5 years. The three Rural designated areas have significantly different net densities for residential. The Brooks is approved for a net density close to 6 dwelling units per acre (DU/A), the three sections, if approved as requested, will have a net density of 2.5 DU/A, and area in the City of Bonita Springs is currently developing at less than 1 unit per net residential acre. To accommodate the predicted residential development in the Rural designated areas in the Bonita Springs Planning Community, it should retain the current residential acreage allocation for Rural. Additional acres will be needed to accommodate the units which are anticipated in areas 9 and 12. The unit difference, 4,415 units, between what was anticipated in the Bonita Springs Planning Community before the changes and what is being proposed above will be added to the "Unit Bank" and redistributed to other communities. Acreage allocations will be made based on the community assumptions for residential development in the area where they are allocated. This redistribution is explained below.

Table 19 – Bonita Rural Residential Allocation Splits

Rural Residential Split						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Bonita		Surplus	
	Units	Acres	Units	Acres	Units	Acres
Allocated	5,415	1,037	1,000	1,037	4,415	0
Existing	337	376	513	595	0	0
Remaining	5,078	661	487	442	4,415	0

Based on the zonal forecasts for commercial and industrial, the Estero Planning Community will be allocated 158 acres of commercial and 85 acres of industrial from the Bonita Springs Planning Community allocations. The Bonita Springs Planning Community commercial and industrial allocations will be reduced by these amounts.

Table 20 - Bonita/Estero Commercial and Industrial Allocation Splits

Commercial and Industrial Splits						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Bonita		Estero	
	Commercial	Industrial	Commercial	Industrial	Commercial	Industrial
Allocated	1,101	565	963	480	138	85
Existing	416	98	689	140	55	0
Remaining	685	467	274	340	83	85

Lee Plan Policy 1.4.1 number 1.a states that 5 acres of commercial may be developed in the 3 sections designated Rural south of Bonita Beach Road. The Southeast Lee County Planning Community should be allocated 5 acres of commercial development from the Bonita Springs Planning Community.

Table 21 - Bonita/Southeast Lee County Commercial Allocation Splits

Commercial Splits				
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations	
	Bonita*	Southeast Lee County	Bonita	Southeast Lee County
	Commercial	Commercial	Commercial	Commercial
Allocated	963	154	958	159
Existing	689	149	689	185
Remaining	274	5	269	-26
*Based on running total from previous tables				

Area 11 is a 20 area designated as General Interchange. This area has 15 existing acres of residential development that should be allocated to the Southeast Lee County Planning Community.

Table 22 - Bonita/Southeast Lee County General Interchange Residential Allocation Splits

General Interchange Residential Split*								
Base Data and Allocations from Adopted Table 1(b)					Existing Data and Proposed Allocations			
	Bonita		Southeast Lee County		Bonita		Southeast Lee County	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	61	22	0	0	60	7	4	15
Existing	61	22	0	0	60	7	4	15
Remaining	0	0	0	0	0	0	0	0

Bonita Springs -- Southeast Lee County: Area 10

This area is located east of I-75 and is designated DRGR. The TAZ zonal data estimate there will be 750 units in this area by the year 2020. While the Lee Plan Density for this area is 1 unit per 10 acres, for the most part, the area incorporated into the City of Bonita Springs is at a much higher density. These developments were approved prior to DRGR designation. The average net residential density in this area exceeds 1 unit per acre. Since all development patterns were factored into the original allocations, this situation was accounted for in the original creation of Table 1(b). Transferring these units at 1 unit per 10 acres would require 7,500 which exceeds the current allocation in the Southeast Lee County Planning Community. Therefore, these units should be transferred from the Southeast Lee County Community at the underlying density of those developments, or 750 acres. Likewise, The DRGR residential allocation in the Southeast Lee County Community should be reduced by 750 acres leaving 3,573 acres allocated to DRGR residential development in the Southeast Lee County Planning Community. Subsequent updates to the Planning Division Existing Land Use Inventory have looked at the issue of residential units in wetlands. It has been determined that once the lots are filled and the units are built the inventory should reflect the most appropriate upland FLUM designation for that area. In the Southeast Lee County Planning Community, all of the units are now inventoried in the DRGR category. Therefore, the 17 existing unit in the Wetlands FLUM designation are now in the DRGR category. The total allocated units has been increased by 17 units.

Table 23 – Southeast Lee County/Bonita Density Reduction/Groundwater Resource Residential Allocation Splits

Density Reduction/Groundwater Resource Residential Split*								
Base Data and Allocations from Adopted Table 1(b)					Existing Data and Proposed Allocations			
	Southeast Lee County		Bonita		Southeast Lee County*		Bonita	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	1,410	4,323	0	0	571	3,573	873	750
Existing	1,190	2,115	0	0	534	1,770	671	437
Remaining	220	2,208	0	0	37	1,803	202	313

*Unit allocation has increased by 17 DUs due to updates in the base data for residential uses in the Wetlands category.

No industrial uses are forecast for Area 10 by the year 2020. Therefore, no industrial allocation changes are needed. The TAZ forecasts for Area 10 (TAZ 831 and 845) include a need for 128 commercial acres in the area being re-assigned to the Bonita Springs Planning Community. The allocation table requires a change to the commercial allocations in the Southeast Lee County Planning Community. The new commercial allocation should be 26 acres plus 5 acres for the area south of Bonita Beach Road for a total of 31 commercial acres allocated in the Southeast Lee County Planning Community.

Table 24 - Southeast Lee County/Bonita Commercial Allocation Splits

Commercial Splits				
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations	
	Southeast Lee County*	Bonita*	Southeast Lee County	Bonita
	Commercial	Commercial	Commercial	Commercial
Allocated	159	958	31	1,086
Existing	185	689	13	861
Remaining	-26	269	18	225

*Based on running total from previous tables

Allocation changes based on development shifts

The Planning Communities Map 16 and Table 1(b) were not adopted into the Lee Plan until the summer of 1998; however, most of the data used in the analysis was gathered by the end of the summer 1997. These projections were based on historical data and approved developments. Given the magnitude of these allocations, it was not possible to base the allocations on all of the pending cases based on staff's opinion on which would be approved and which would be denied. Amendments, to the adopted allocation table, are needed between planning

communities and/or future land use classifications due to changes in development patterns and market shifts since the original allocations were generated.

Since the summer of 1997, a number of conditions have changed impacting the development patterns in Lee County. While it was known that these changes were "in the works" at the time of the plan amendment, the complete impact they have had on development patterns was not known. Since the acreage allocations were generated, Florida Gulf Coast University has opened, the Veterans Memorial Bridge and Expressway has opened, and the Conservation Lands Program has been implemented and has began purchasing land for conservation/preservation purposes. Additionally, several of these large developments like Pelican Landing and the Brooks have altered the development trends in Lee County. There have been Future Land Use Map amendments approved since the adoption of the allocations. In some instances these changes have created surplus residential allocations in one FLUM category, within a community, while, at the same time, in another FLUM category the community's residential allocation will be depleted earlier than projected. Adjustments are also required to re-allocate residential accommodations from communities or areas with excess potential. The Lehigh Acres Commercial Study was completed and adopted in the same amendment cycle as the allocations. The residential unit projections in this study are not consistent with those used in allocating residential acres in the Lehigh Community. In like fashion, to maintain the same population accommodation, this development potential must be re-allocated to other areas of the county.

Communities with excess residential development potential

Dwelling Units can be re-allocated from five communities based on the condition changes mentioned above. Some of these units may be redistributed within the same planning community to different Future Land Use Categories; however, the majority of the units will need to be re-allocated to other communities. This section of the staff report is addressing areas where the existing allocation accommodates more units than are reasonably expected. These units are being consolidated (in a "unit bank") and an explanation of the redistribution is explained below.

Lehigh Acres

The allocations adopted into Table 1(b) were generated concurrently with the Lehigh Acres Commercial Land Use Study. Section 4(c) of the Lehigh study includes a table (Table 4-2) forecasting the housing units for Lehigh Acres through build out. This table forecasts that Lehigh Acres will have 41,099 units in the year 2020. This estimate is 7,651 units less than can be accommodated by the current allocations. To correct this misallocation, the 7,651 units and their corresponding acreage allocations need to be removed from the Lehigh Community. To ensure that the Lee Plan will accommodate the projected 2020 population, these units need to be reallocated to other planning communities. This adjustment will amend the Lehigh Acres Planning Community residential allocations for Urban Community and Central Urban. The Urban Community allocation should be lowered by 1,237 acres (4,119 units) and the Central Urban allocation should be lowered by 752 acres (3532 units).

Table 25 – Lehigh Acres Urban Community and Central Urban Excess Residential Capacity

Urban Community and Central Urban Excess Residential Capacity						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Need		Surplus	
	Units	Acres	Units	Acres	Units	Acres
Central Urban						
Allocated	17,873	3,804	14,341	3,052	3,532	752
Existing	9,306	2,399	10,095	2,653		
Remaining	8,567	1,405	4,246	399		
Urban Community						
Allocated	30,877	9,274	26,758	8,037	4,119	1,237
Existing	3,280	1,389	4,354	1,787		
Remaining	27,597	7,885	22,404	6,250		
Total						
Allocated	48,750	13,078	41,099	11,089	7,651	1,989
Existing	12,586	3,788	14,449	4,440		
Remaining	36,164	9,290	26,650	6,649		

San Carlos/Estero (propose name change to San Carlos)
This community is being split to create the Estero Community. The allocations in this community which were anticipated to occur in the Estero portion of this community are being transferred to the Estero Community. The underlying assumptions used in the original allocations are being maintained for this transfer.

The original allocations did accommodate a development in the Rural FLUM category that has subsequently been purchased for conservation purposes. This development (Estero River Bay) was approved using the Planned Development District Option (PDDO) in the Lee Plan allowing for densities greater than normally allowed in the Rural FLUM category (up to 6 DU/A). This provision has been deleted from the plan since subsequent to this development's application. This development was approved at a gross density of approximately 3 DU/A and a net density of 5.2 DU/A. The original allocations estimated that 1,462 units would be built by the year 2020 in the San Carlos/Estero Community in the Rural designated areas. However, since the development Estero River Bay property was purchased by the state, the units attributed to that development need to be re-allocated to accommodate other projects in order to sustain the projected 2020 population.

As explained above, the San Carlos Planning Community will require an acreage allocation for Rural residential of 160 acres to accommodate 511 units. There are 35 existing units on 13 acres existing in the community. The remaining units are anticipated to be built in the existing mobile home parks and the recently approved residential planned development (RPD). The RPD is approved for 441 units with a net density of 3.53 DU/A.

The Rural designated areas in the new Estero Community will not require a residential allocation. The Rural properties in this area are those purchased by the state and a 60-acre

parcel adjacent to the state purchase. Both of the properties are currently being reviewed for re-designation on the FLUM. The Estero River Bay property is being considered for inclusion in the Conservation Lands category (CPA 2000-09) and the 60 acre parcel has an active plan amendment request to change its designation to outlying suburban (PAM 98-06).

Since only 511 of the 1,462 units projected for the Rural area of the San Carlos/Estero Planning Community will be accommodated by the acreage allocations proposed based on Map 16 changes, 951 units need to be assigned to other areas in the county. Also, an allocation of 160 acres of Rural residential development is needed to accommodate the 511 units, the remaining 120 acres should be removed from the allocation table.

Table 26 – San Carlos/Estero Rural Excess Residential Capacity

Rural Excess Residential Capacity						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Need		Surplus	
	Units	Acres	Units	Acres	Units	Acres
Allocated	1462	280	511	160	951	120
Existing	33	13	35	13		
Remaining	1429	267	476	147	951	120

North Fort Myers

In April 2001, Lee County, through the Conservation 2020, program purchased 2,388.56 acres known as the "Little Ranches" preserve site located in North Fort Myers. This parcel includes almost all of TAZ 108. This TAZ was forecasted to include 318 units by the year 2020. The property in TAZ 108 which was not purchased by the county will accommodate 110 of the 318 forecasted units. The remaining 208 units should be re-allocated to other areas of the county. Utilizing the existing North Fort Myers' assumptions for residential development in the Rural future land use category, the Rural residential allocation for North Fort Myers should be reduced by 210 acres (in addition to those being re-allocated to the New Bayshore Community) to reflect this reduction in units.

Table 27 – North Fort Myers Rural Excess Residential Capacity

Rural Excess Residential Capacity*						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Need		Surplus	
	Units	Acres	Units	Acres	Units	Acres
Allocated	475	856	267	646	208	210
Existing	224	541	217	559	0	0
Remaining	251	315	50	87	208	210

*Base Data and Need information is based on the original North Fort Myers Planning Community boundary.

Daniels Parkway

An amendment to the Future Land Use Map has been filed and reviewed concurrently with this amendment which is proposing to re-designate land from Mixed Use Interchange to Outlying Suburban. Currently, the Mixed Use Interchange category in this community that is allocating 600 units on 68 acres. If this amendment is approved, there will be no land designated Mixed Use Interchange in the Daniels Parkway Community. These units need to be redistributed to other future land use categories or other communities.

Table 28 – Daniels Parkway Mixed Use Interchange Excess Residential Capacity

Mixed Use Interchange Excess Residential Capacity*						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Need		Surplus	
	Units	Acres	Units	Acres	Units	Acres
Allocated	600	68	0	0	600	68
Existing	0	0	0	0	0	0
Remaining	600	68	0	0	600	68
This Future Land Use Designation is proposed to be deleted from the Lee Plan.						

Bonita Springs

The changes outlined above for the re-allocation for Rural residential development in the new City of Bonita Springs will require the entire acreage allocation that appears on Table 1(b). This allocation will not accommodate all 5,415 units forecast for the Bonita Springs Planning Community. The proposed allocation for the redefined Bonita Springs Planning Community will accommodate 1,000 units. The remaining 4,415 units need to be reassigned to other areas of the County. Other developments (approved and pending) do exist in the Rural designated area of the old Bonita Springs Planning Community. These developments have a net residential density 2 to 6 times higher than the area now in the City of Bonita Springs. Since the entire existing Rural residential acreage allocation is utilized in the revised Bonita Springs Planning Community, additional acres will be needed to accommodate 4,415 units.

Table 29 – Bonita Springs Rural Excess Residential Capacity

Rural Excess Residential Capacity*						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Need		Surplus	
	Units	Acres	Units	Acres	Units	Acres
Allocated	5,415	1,037	1,000	1,037	4,415	0
Existing	337	376	513	595	0	0
Remaining	5,078	661	487	442	4,415	0
*Base Data and is based on the original Bonita Springs Planning Community boundary. The need information is based on the proposed Bonita Springs Planning Community.						

Based on the re-assignment of the units from changes proposed to the Planning Communities Map and the identification of the areas where over allocations occur have been identified, a "unit bank" of 13,825 units exist which can be redistributed to other areas of the county.

Table 30 – Communities with Excess Residential Development Potential (Unit Bank)

Unit Bank				
Donating Community	**Excess Units**	**Future Land Use Category**	**Acres Removed from Table 1(b)**	**Notes**
Bonita Springs	4,415	Rural	0	See explanation in Bonita Section above
Daniels Parkway	600	Mixed Use Interchange	68	Future Land Use Map Category is proposed to be eliminated from Lee Plan
Lehigh	3,532 4,119	Central Urban Urban Community	752 1,237	Lehigh Acres Residential Need now based on the Lehigh Acres Commercial Land Use Study Section 4(c) Table 4-2
North Fort Myers	208	Rural	210	Property purchased for conservation purposes
San Carlos/ Estero	951	Rural	120	Property purchased for conservation purposes - Units approved under the PDDO
Total	13,825		2,388	

*Base Data and is based on the original Bonita Springs Planning Community boundary. The need information is based on the proposed Bonita Springs Planning Community.

The majority of the units are being reallocated from the Future Urban Areas of the Lehigh Acres Planning Community. This proposed changed is due to a significant "over allocation" in the original Table 1(b). These designations do have higher allowable densities than most FLUM categories; however, in the Lehigh Planning Community, the actual net density is less than 4 units per acres in the Central Urban areas and less than 2.5 units per acres in the Urban Community areas. The Lee Plan assumptions for the gross density for the Central Urban category is 5.75 units per acre and the gross density for the Urban Community category is 3.5 units per acre.

The other Future Urban Area proposed to have units placed in the "unit bank" is the Mixed Use Interchange, which is proposed to be deleted from the Lee Plan. If the category is removed, the allocation becomes meaningless. This transfer is based on a land use map amendment requesting to re-designate property from the Mixed Use Interchange to Outlying Suburban. The Daniels Parkway area is also proposed to receive units in this re-distribution exercise.

The Rural transfer from the Bonita Springs Planning Community is included because of density differences between Rural areas in the Old Bonita Springs Planning Community. The Brooks

development was approved at a higher density than allowed in the Rural FLUM category. Therefore, re-distributing acres on a 1 to 1 bases between this area and other Rural areas in the Bonita Springs and Estero Planning Communities will alter the 2020 unit count and accommodated population estimates.

The two remaining Rural area transfers are based on properties being purchased for non-residential conservation purposes. Transferring these units into the "unit bank" includes a removal of residential acres from Table 1(b).

Areas needing Units/Acres

The shifts in the Market and Development patterns not anticipated during the generation of Table 1(b) effect properties in the following communities: Fort Myers Shores, Burnt Store, Daniels Parkway, Southeast Lee County, and Estero.

Fort Myers Shores

This community is located in the eastern area of Lee County south of the Caloosahatchee River north and west of the Buckingham Planning Community. As the areas of south Lee County begin to build out, this planning community has begun to receive attention from the development community. Since 1997, in the Fort Myers Shores Planing Community, there have been 11 rezonings (1 was denied), 5 of which were to Planned Development and 3 were rezoned from the AG-2 category. The number of approved dwelling units in planned developments has increased from 1,838 to 5,776 in the same time frame.

The largest of the new developments approved since the adoption of Table 1(b) is Hawk's Haven a residential development approved for 1,598 units with a net residential acreage of 560 acres. The entire development consists of 1,797 acres of which, 79 acres are designated Suburban and the remaining property is designated Rural or Wetlands. The portion of this development in the Rural category cannot be accommodated by the existing Rural residential acreage allocation. The rural portion of the development is approved for 1378 units on 481 acres. The Hawk's Haven development has begun to make improvements although, future development orders will be denied based on insufficient allocations on Table 1(b). There is, however, no evidence that this development in the "Non-Urban Areas" of the county will build out by the year 2020 while other approved developments in the "Future Urban Areas" areas of the county do not build out. Allocating enough additional acreage to accommodate half of this development should be sufficient at this time. This community should be assigned 700 of the surplus units to the Rural category. This transfer should increase the Rural allocation by 245 acres.

Table 31 – Fort Myers Shores Rural Residential Allocation Need

Rural Residential Need

Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	258	454	700	245	958	699
Existing	149	318			162	317
Remaining	109	137			796	382

CPA 2000-04 is a request to amend Table 1(b) to provide "sufficient" acreage to accommodate a development in the Suburban area of the Fort Myers Shores Planning Community (attachment 9). The development which is the subject of this request Bonita Bay's "Veranda" development also referred to as The Orange River Property. This is also a residential project and is located between State Road 80 and the Orange River. This development is not approved at this time. Staff is addressing CPA2000-04 in this BoCC sponsored amendment. This project is also the subject of an ongoing rezoning case. The plans submitted for the zoning review indicate that the Veranda project will require a Suburban residential allocation sufficient to accommodate 1500 units. The proposed development has a net density lower than what is assumed in this planning community. To accommodate this development, 500 acres should be added to the Suburban residential allocation in the Fort Myers Shores Community.

Table 32 - Fort Myers Shores Suburban Residential Allocation Need

Suburban Residential Need*						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	4,639	1,383	1500	500	6,139	1,883
Existing	3,950	1,229			4,082	1,256
Remaining	699	154			2,057	627
*Proposed changes reflect CPA 2000-04 request for proposed project						

Burnt Store

This community is located in the northeast corner of mainland Lee County. Most of this community is designated Open Lands. The Burnt Store Marina Development is located in the Rural designated portion of this community. This development is the primary development in this community. The Burnt Store Marina development has grown rapidly over the past few years nearly doubling the number of built units since 1995. Given this demand, a 70 unit residential development was proposed adjacent to Burnt Store Marina to the south.

All of the property west of Burnt Store Road in the unincorporated area of Lee County was designated Rural on the original Lee Plan Future Land Use Map. The Burnt Store Marina Development was approved prior to the 1984 Lee Plan and exceeds the 1 unit per acre density maximum of the Rural Category. The net density of the existing residential in this development is 4.5 DU/A. Many of the property owners of the Burnt Store Marina development filed for a

vesting determination to ensure that they would not lose density based on the Lee Plan. The owners of the property to the south of Burnt Store Marina requested an amendment to the Future Land Use Map to increase the density of their site to be more inline with the Burnt Store Marina Site. This request, from Rural to Outlying Suburban, allowed the developer to achieve a net residential density of 3.5 DU/As. Originally only 8 residential acres were allocated to the outlying Suburban category. At this time, 29 units have been built utilizing the entire residential allocation. Therefore, to accommodate the remaining 41 units, an additional 12 acres should be added to the Outlying Suburban residential allocation in the Burnt Store Community.

Table 33 – Burnt Store Outlying Suburban Residential Allocation Need

Outlying Suburban Residential Need						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	29	8	41	12	70	20
Existing	0	0			29	8
Remaining	29	8			41	12

Estero

This community is one of the fastest growing areas of Lee County. The Estero Community as a whole has been witnessing renewed growth pressures in part due to its close proximity to Florida Gulf Coast University (FGCU). This area contains a number of large planned developments which have changed the character of the Estero Community. A number of older developments which have remained dormant for years have had new activity since the opening of the university. Since the adoption of Table 1(b), 10 new planned developments have been approved and of the 30 exiting, prior to the adoption of the allocation table, 7 have been substantially amended. Most of these developments are designated Suburban on the FLUM. The most recent approval in the Suburban area of the Estero Planning Community is the Estero Golf Resort (820 units on a net residential acreage of 280). The zonal data for TAZ 770, which includes this development, forecasts only 500 units by the year 2020. Also within this TAZ is the Vines Country Club which is approved for 440 units of which, 429 exist. Since the approval of the 820 units, the forecast falls short by 760 units. . The zonal forecasts for the TAZs east of I-75 within the Estero Planning Community (TAZ 791, TAZ 792, and TAZ820) are also less than what has been approved in that area. The combined unit forecast for these TAZs is for 2,948 du's. There are currently 7,735 units approved in planned developments in the Estero Planning Community east of I-75. The Planning Division existing land use inventory shows that 328 exist today. When the TAZ zonal forecasts were done, 235 units were shown to exist. Finally, only 147 units were shown to exist when the original allocations were developed. While there has been a trend with some of the older planned developments being amended to reduce the number of approved units, the area's unit forecasts are still grossly under estimated. Population forecasts for Lee County still do not support a full accommodation of the approved units by the year 2020, however, the Suburban residential allocation should be increased to accommodate additional units. Given the average net residential density is

approximately 4.5 units per net residential acre for these developments; the acreage allocation should be increased by 457 acres for a total of 2,056 additional units. This will accommodate roughly half of the remaining approved units. The final allocation for Suburban residential in the Estero Planning Community will be 1,572 acres.

Table 34 – Estero Suburban Residential Allocation Need

Suburban Residential Need						
Existing Data and Allocations from Proposed transfers*			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	5,802	1,115	2,056	457	7,858	1572
Existing	5,438	881			5,438	881
Remaining	364	240			2,420	697

*Based on all proposed allocation transfers to the Estero Planning Community residential Suburban FLUM category from the Bonita Springs and San Carlos/Estero Planning Communities.

Two of the largest developments in the area are the Brooks and a portion of the Pelican Landing. Pelican Landing is located in the Outlying Suburban area which has a sufficient allocation to accommodate the development. The Brooks development is located in the Rural designated area of the Estero Planning Community. This development was approved under the PDDO provision of the Lee Plan that provided for developments in the Rural FLUM category to exceed the allowable density for the Rural category. This provision has since been deleted from the Lee Plan. As mentioned in the Bonita/Estero discussion above, a division of acres between developments approved under the normal provisions for the Rural category and those, like the Brooks, approved under the PDDO provision is difficult. Therefore, due to changes in market conditions that have shown that the rural area of the City of Bonita Springs will have more growth than originally predicted, all of the previously allocated Rural residential acres were assigned to the Bonita Springs Planning Community. However, the number of units accommodated by the proposed allocation to the Bonita Springs Planning Community is far less than was originally anticipated by the original Bonita Springs Planning Community in the Rural designated areas due to the difference in densities of the existing developments. These excess units were put in the "redistribution bank". Given the building trends in the Brooks development, build out will most likely occur by 2020. Furthermore, when the Brooks of Bonita was approved, language was included in the resolution (Z-97-037) requiring the County to "...undertake, to the extent legally permissible, any amendment to the 2010 Overly, or its successor, necessary to accommodate the build out of the Brooks...." When staff was generating the allocations for the initial Table 1(b) the Rural area in Bonita Springs was not developing at the rate it is today. Trends at that time showed that the 1,037 acres allocated would be sufficient to accommodate the Brooks. Since San Carlos Estates began developing (probably in part due to its location adjacent to the Brooks), the allocation is no longer adequate. Therefore, full allocation for this development is in order. The Brooks' 5,200 units are approved for development on 900 acres. The Rural residential for Estero should be 900 acres. The remaining Rural designated land in the Estero Community is currently the subject of

a Lee Plan amendment request to change the FLUM designation. No units are expected to be built in this area requiring a Rural residential allocation on Table 1(b).

Table 35 – Estero Rural Residential Allocation Need

Rural Residential Need						
Existing Data and Allocations from Proposed transfers*			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	0	0	5200	900	5200	900
Existing	421	63			421	63
Remaining	-421	-63			4,779	837

*No allocation transfers were made to the Rural residential category in the proposed Estero Planning Community.

Southeast Lee County

Originally this planning community only contained property designated DRGR, Public Facilities, and Wetlands. This community will now contain property designated as Rural and General Interchange. The General Interchange area contains existing residential uses and will have an allocation for them transferred from the Bonita Springs Community. No new residential uses are anticipated for this area. The new Rural area was not forecasted to have any units by 2020 in the TAZ zonal data. This area was considered remote and the timing was not appropriate for development. However, the proposed Bonita Beach Road DRI (Development of Regional Impact) encompassing two thirds (1,280± acres) of the Rural designated land in this area is being reviewed at this time. Concurrent with this DRI is a Lee Plan amendment request to provide sufficient allocation for this development. (Attachment 10) An application to rezone the remaining 649 acres of Rural land in this area has also been submitted (Bonita Beach Road Section 3). This proposal is located between the existing development in the City of Bonita Springs and the proposed DRI. The total net residential acreage being requested for this area is 702 acres and 1,802 units. These sections could be considered the extension of a development pattern that has been extending eastward on the south side of Bonita Beach Road. The developments immediately to the west of the Bonita Beach Road have experienced rapid growth since the original allocations were completed. Given the surrounding development, it is likely that these three sections of Rural designated land will develop by the year 2020. Table 1(b) should include a Rural residential allocation of 702 acres in the Southeast Lee County Community. Given the trends seen in other areas between Fort Myers and Naples, this area of the county is expected to build out in the next 20 years.

Table 36 – Southeast Lee County Rural Residential Allocation Need

Rural Residential Need	
Existing Data and Allocations	Existing Data and Proposed Allocations

from Proposed transfers[1]			Needed Adjustment[2]		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	0	0	1,802	702	1,802	702
Existing	0	0			0	0
Remaining	0	0			1,802	702

[1]No allocation transfers were made to the Rural residential category in the Southeast Lee County Planning Community.

[2]Needed adjustment is based on 2 development proposals in this area.

Daniels Parkway Community

This community is currently allocated 940 acres for residential development in the Outlying Suburban category. The existing inventory shows there are 800 acres of residentially used land in this planning community in the Outlying Suburban area. Only 140 acres remain for future development. The original allocation of 940 acres was based on 4,565 units. The community had an assumed residential density of 4.86 based on the net residential acres in the Outlying Suburban category of 4.86 DU/A. This density was slightly higher than the existing density of 4.66 DU/A. Today's existing density in this community for development in the Outlying Suburban category is 4.72 and is approaching the allocation assumption. The current development trend in this area is golf course communities compared to the older developments that existed prior to the paving of Daniels Road which were larger rural lots. This community has changed since the early 1980s when the interchange of Daniels Road and I-75 opened followed by the 1983 opening of the Southwest International Airport (then regional). Now Daniels Parkway is a 6-lane road and a main entryway into Lee County. This community is located with close proximity to air transportation, interstate access, the new university, beaches, shopping, and recreational facilities. This has caused this area to become a popular residential location in Lee County. In the past 5 years more than 700 units have been built in this community in the Outlying Suburban area. If this pace of growth continues, the Daniels Parkway Community will exceed its forecasted units for the year 2020 in the next 5 years. The current growth rate will not cause this area to build out by the year 2020. However, the current forecast is for the area to be 60% built out in the year 2020. This projection is low for this centrally located area. A more realistic projection for the area is additional 2,000 units by the year 2020. This projection will still not accommodate all of the 3,294 dwelling units remaining to be built in approved and existing planned developments in this area. Additionally, there are also 375 acres of AG-2 zoned vacant/pasture land in the Outlying Suburban area of the Daniels Parkway Planning Community that have no existing approvals. If approved for residential development at the community's currently assumed DU/A and percentage that will be utilized for non-residential purposes, roads, amenities etc., an additional 1,100 could be expected in this area in the future. Build out is still not anticipated for this area by 2020, however additional development, beyond what is currently accommodated by today's allocations, is evident. To accommodate approximately half of the remaining potential dwelling units, this area will require the Outlying Suburban residential allocation to be increased by 412 acres.

Table 37 – Daniels Parkway Community Outlying Suburban Residential Allocation Need

Outlying Suburban Residential Need

Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	4,565	940	2,000	412	6,565	1,352
Existing	2,987	640			3,779	800
Remaining	1,578	300			2,786	552

South Fort Myers

This community is another area that upon review is developing faster than the methodology for the allocations anticipated. Once the acreage for the area annexed into the City of Fort Myers is removed from the allocation table, 2,681 acres remain in the Central Urban residential allocation. There are currently 2,293 acres developed with residential uses in the Central Urban area of the South Fort Myers Community. The Central Urban area is anticipated to have higher residential densities; however, also have a greater amount of commercial development. The remaining allocation (388 acres) will accommodate (based on adopted assumptions) 1,657 new dwelling units. This community has 1,200 vacant acres designated Central Urban that are zoned residential (690 acres) or AG-2 (510 acres). This community is another appropriate recipient of units from the "unit bank". The South Fort Myers Planning Community is centrally located in Lee County. This community neighbors the City of Cape Coral and the City of Fort Myers, the two largest cities in the county. Much of the vacant land in this area could be considered infill development and is within existing developments. Accommodating 526 additional units in this area of the county requires an additional 97 acres to be allocated to the South Fort Myers Community's Central Urban residential category. This final transfer assigns all of the units from the "unit bank".

Table 38 – South Fort Myers Central Urban Residential Allocation Need

Central Urban Residential Need						
Existing Data and Allocations from Proposed transfers			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	13,788	2,681	526	97	14,314	2,778
Existing	12,521	2,293			12,521	2,293
Remaining	2,324	388			1,793	485

The cumulative affect of the redistribution of units to areas with limited remaining allocation capacity will not increase the total number of units/population accommodation of the Planning Community Year 2020 Overlay.

Table 39 – Distribution of Units from the "Unit Bank" Summary

Distribution of Units from the "Unit Bank" Summary By Planning Community

Receiving Community	Needed Units	Future Land Use Category	Acres added to Table 1(b)	Notes
Fort Myers Shores	700 1,500	Rural Suburban	245 500	Additional Rural allocation is needed to accommodate approved developments and additional Suburban allocation is needed to accommodate one pending case that is the subject of a plan amendment to address the allocation deficit in that area.
Burnt Store	41	Outlying Suburban	12	Units/Acres are needed to accommodate an approved development which has utilized the entire allocation.
Estero	5,200 2,056	Rural Suburban	900 457	Rural allocation is needed to accommodate an existing DRI, Suburban allocation is needed for multiple approved developments
Southeast Lee County	1,802	Rural	702	Units/Acres are needed to accommodate two proposed developments in an area of the county where development is anticipated. The larger projects is a pending DRI and the subject of an ongoing plan amendment to address the allocation deficit in the area.
Daniels Parkway	2,000	Outlying Suburban	412	Units/Acres are needed for multiple approved developments.
South Fort Myers	526	Central Urban	97	Units/Acres are needed for multiple approved developments.
Total	13,825		3,326	

*Base Data and is based on the original Bonita Springs Planning Community boundary. The need information is based on the proposed Bonita Springs Planning Community.

Areas needing reallocation between Future Land Use Categories

Most of the amendments to the Future Land Use Map have been addressed at the time of the change, or in the preceding analysis. For example, when density assumptions differed greatly between Future Land Use Categories, the units assumed for the old category were placed in the "unit bank" and then reassigned. Other changes in the FLUM do not require allocation changes due to there being sufficient acreage allocated in the community to accommodate the change. This is the situation for the 60 acres proposed to be re-designated from Rural to Outlying Suburban in the Estero Planning Community. The Estero Planning Community's share of the current allocations in the Bonita Springs Planning Community and the San Carlos/Estero Planning Community is 1,887 acres. The exiting inventory of residential acreage in the Estero Planning Community in the areas designated Outlying Suburban is 199 acres.

The one proposed amendment to the Future Land Use Map that will require an amendment to the allocation table is CPA2000-06. If adopted, this amendment will re-designate 340 acres from Open Lands to Rural in the Burnt Store Planning Community. Currently, 76 units exist in this area "drawing down" Open Lands allocation by 202 acres. Since the primary reason for re-designating this area to Rural is that the area is developed inconsistent with the Open Lands Category, the re-allocation should be based on the existing conditions in the area. The TAZ

zonal forecasts estimate 3 new units in this area by the year 2020. The existing residential allocation for Rural in the Burnt Store Planning Community will accommodate 3 additional units. Therefore, the only allocation change needed for this FLUM change is to accommodate the 76 existing units or 202 acres of residential uses. The Burnt Store Planning Community allocations should be amended to reduce the Open Lands allocation by 202 acres (leaving 588 acres) and adding 202 acres to the Rural allocation (increased to 633 acres).

Table 41 – Transfer from Open Lands to Rural Residential Allocation

Open Lands to Rural Transfer												
Base Data and Allocations from Adopted Table 1(b)							Existing Data and Proposed Allocations					
	Open Lands		Rural		Total		Open Lands		Rural		Total	
	Units	Acres	Units	Acres	Units	Acres	Units	Acres	Units	Acres	Units	Acres
Allocated	184	790	1,797	431	1,981	1,221	108	588	1,873	633	1,981	1,221
Existing	58	160	858	202	916	362	81	223	1,107	247	1,188	470
Remaining	126	630	939	229	1,065	859	27	365	766	386	793	751

B. CONCLUSIONS

Map 16, the Planning Community Map, should be amended to reflect the incorporation of the City of Bonita Springs, an annexation to the City of Fort Myers, ongoing "grass roots" planning efforts in the Estero, Bayshore, and Alva communities, and amendments to the Future Land Use Map. These changes will help better define the existing communities in Lee County.

Table 1(b), The Planning Community Year 2020 Allocations, should be amended based on the changes made to Map 16. These changes should be made based on the TAZ Zonal data which is a break down of the Planning Community Allocations by TAZ. Utilizing the TAZ forecasts will ensure that unintended changes to the allocation table are not made. The allocation table should also be amended to reflect changes in the development patterns in the county. These changes include maintaining consistency with the Lehigh Acres Commercial Study, removing allocations from lands purchased by the Conservation 2020 program, reflecting changes based on FLUM changes, and finally re-allocating acres to the high/new growth areas of the county.

Commercial and industrial allocations will only be required in areas where community boundaries have changed, primarily where the two new planning communities have been created.

C. STAFF RECOMMENDATION

Planning recommends that the Board of County Commissioners transmit the proposed amendment. Staff recommends that Map 16, the Planning Communities Map be amended to include two new communities (Bayshore and Estero) and the existing Bonita Springs Community be modified to reflect the incorporated boundaries of the City of Bonita Springs. Staff also recommends that Table 1(b) be revised as depicted in Attachment 1 of this report.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. June 25, 2001

A. LOCAL PLANNING AGENCY REVIEW

This hearing was continued from the June 25th hearing date until July 23, 2001. The LPA review of this amendment began with staff's overview of the major changes to Map 16, the Planning Communities Map. Staff stated that that the major changes were to modify the Bonita Springs Planning Community to only include land incorporated into the City of Bonita Springs, the creation of a new Estero Planning Community, due in part to the exclusion of land from the old Bonita Springs Community, and finally the creation of a new Bayshore Community, which reflects the ongoing planning study in that area. Staff also noted that two privately initiated amendments were incorporated into this amendment. Also, staff made it clear that no changes to the original 2020 allocation methodology had been made. Finally, staff explained the process used in making changes to Table 1(b) the Year 2020 Allocations.

The LPA had questions regarding the planning community boundaries, particularly the Pine Island Community. Staff clarified that the Pine Island Planning Community was not intended to be the boundary for the Pine Island planning study. Another question from the LPA was whether staff anticipated revisiting the allocations in the next EAR. Staff stated that the EAR would be the next logical process to address issues raised from the 2000 Census, population projections, and planning time horizons.

The next issue discussed was the residential allocation in the Fort Myers Shores Planning Community. A July 19, 2001 memo from planning staff proposed a new residential acreage split (Attachment 11). The following tables from the original staff report were revised to address issues raised by representatives of developments in this area. Staff and the LPA agreed to the updated allocations in the tables below which are incorporated in the new Attachment 1.

Table 40 – Fort Myers Shores Rural Residential Allocation Need

Rural Residential Need						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	258	454	~~700~~ 940	~~245~~ 329	~~945~~ 1,198	~~699~~ 783
Existing	149	318			162	317
Remaining	109	137			~~796~~ 1,036	~~382~~ 466

Table 41 - Fort Myers Shores Suburban Residential Allocation Need

Suburban Residential Need*						
Base Data and Allocations from Adopted Table 1(b)			Existing Data and Proposed Allocations			
			Needed Adjustment		Final Allocation	
	Units	Acres	Units	Acres	Units	Acres
Allocated	4,639	1,383	~~1500~~ 1,260	~~500~~ 420	~~6,139~~ 5,899	~~1,883~~ 1,803
Existing	3,950	1,229			4,082	1,256
Remaining	699	154			~~2,057~~ 1,817	~~627~~ 547
*Proposed changes reflect CPA 2000-04 request for proposed project						

The LPA also questioned the affect of the proposed allocations on the new City of Bonita Springs. Staff responded that this amendment will have no impact on the City of Bonita Springs and that the allocations that were in the Lee Plan in effect when the city incorporated are the numbers that are regulatory in the City until they amend that plan, or adopt their own comprehensive plan.

The LPA finally questioned how the two privately initiated amendments (CPA 2000-04 and CPA 2001-01) coordinated with this amendment. Staff informed the LPA that these two requests were incorporated into this county-wide amendment.

The LPA then opened this item up to the "floor." More discussion on the differences between the Pine Island Planning Community and the Greater Pine Island planning efforts. One member of the public representing the Hawk's Haven Development spoke in favor of the changes to the Fort Myers Planning Community's residential allocations as discussed by staff and the LPA. A second member of the public spoke to the two privately initiated amendments which requested changes to the allocations. She stated that the allocations proposed in this amendment were acceptable to her clients.

The next member of the public was a member of the Bayshore steering committee and spoke in favor of the creation of the new Bayshore Planning Community. The next speaker was a representative from the Alva planning effort and spoke in favor of the new Alva boundaries. Following this speaker, public participation on this amendment was closed.

Following public participation, a motion was made to recommend transmittal of this amendment incorporating the changes proposed in the July 19th memo. This motion was seconded and based with a 4-0 vote with one LPA member recusing himself from the vote.

Following the vote, the LPA discussed the issue of the two privately initiated amendments and how to handle a vote on them. The conclusion of this discussion was to include these to amendments as back up documentation to this amendment. CPA 2000-04 is attached as Attachment 9 and CPA 2001-01 is included as Attachment 10.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Transmit this amendment as proposed and revised by the July 19th staff memo

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted Staff's Findings of Fact.

C. VOTE:

NOEL ANDRESS	AYE
SUSAN BROOKMAN	AYE
BARRY ERNST	AYE
RONALD INGE	AYE
GORDAN REIGELMAN	ABSENT
VIRGINIA SPLITT	ABSENT
GREG STUART	ABSTAINED

PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. **BOARD REVIEW:** Staff made a brief presentation to the board outlining the basic points of this amendment. One commissioner questioned why units originally anticipated to be developed in one of the areas purchased for conservation purposes would be re-allocatted to other areas of the county. Staff explained that the purchase of conservation lands has not altered the projected population for Lee County. Therefore, these units need to be re-assigned to other areas of the county to accommodate the projected population in Lee County in the year 2020. No other issues were discussed on this item.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The BoCC voted to transmit this amendment to the Department of Community Affairs as recommended by the LPA and staff.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The BoCC accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	AYE
ANDREW COY	AYE
BOB JANES	AYE
RAY JUDAH	AYE
DOUG ST. CERNY	AYE

PART V – DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING:

BOARD REVIEW:

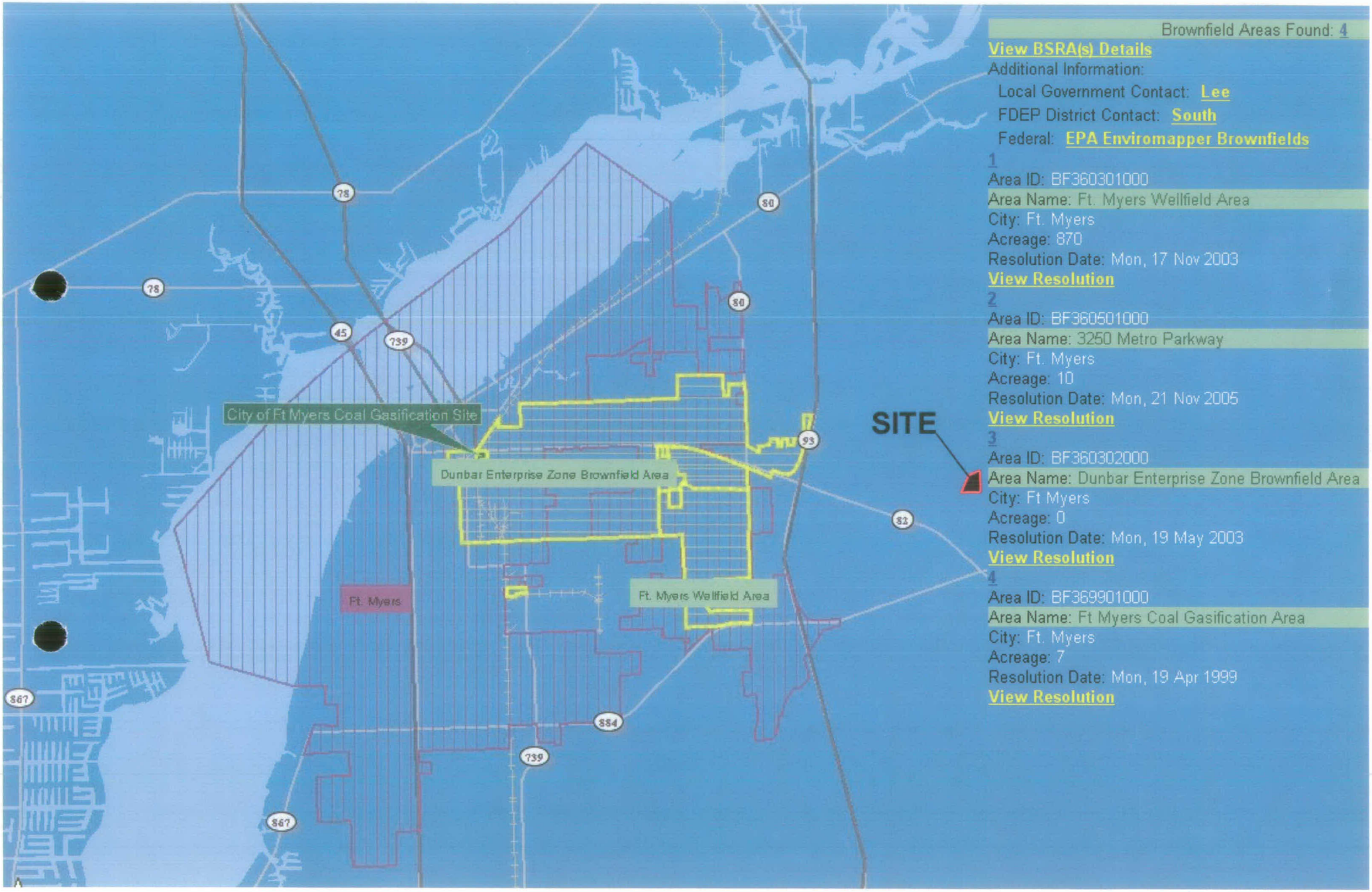
B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION	_____
ANDREW COY	_____
BOB JANES	_____
RAY JUDAH	_____
DOUG ST. CERNY	_____



Brownfield Areas Found: 4

View BSRA(s) Details

Additional Information:

Local Government Contact: Lee

FDEP District Contact: South

Federal: EPA Enviromapper Brownfields

1

Area ID: BF360301000

Area Name: Ft. Myers Wellfield Area

City: Ft. Myers

Acreage: 870

Resolution Date: Mon, 17 Nov 2003

View Resolution

2

Area ID: BF360501000

Area Name: 3250 Metro Parkway

City: Ft. Myers

Acreage: 10

Resolution Date: Mon, 21 Nov 2005

View Resolution

3

Area ID: BF360302000

Area Name: Dunbar Enterprise Zone Brownfield Area

City: Ft Myers

Acreage: 0

Resolution Date: Mon, 19 May 2003

View Resolution

4

Area ID: BF369901000

Area Name: Ft Myers Coal Gasification Area

City: Ft. Myers

Acreage: 7

Resolution Date: Mon, 19 Apr 1999

View Resolution

LEE COUNTY ORDINANCE NO. 91-19

AN ORDINANCE AMENDING LEE COUNTY ORDINANCE #89-02, THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," SO AS TO ADOPT THE AMENDMENTS APPROVED DURING THE 1990/1991 PLAN AMENDMENT CYCLE: PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENTS TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF THE "LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR CODIFICATION AND SCRIVENERS' ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan"), Policy 2.4.2 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and

WHEREAS, the Lee County Board of County Commissioners, through Lee County Administrative Code AC-13-6 provided an opportunity for individuals and other entities to propose specific amendments to the Lee Plan and also directed Lee County Staff to prepare those amendments which were initiated by the Board of County Commissioners on September 19, 1990; and

WHEREAS, the Lee County Board of County Commissioners, in accordance with Chapter 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-7 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Florida Statutes, and Lee County Administrative Code AC-13-6 on December 6 and 7, 1990 and January 3, 1991; and

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Florida Statutes, and Lee County Administrative Code AC-13-6, held statutorily prescribed public hearings for the transmittal of the amendments being proposed on January 24, 25, and 28, 1991, and at said hearings approved a motion to send, and did later send, the proposed amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for their review and comment pursuant to Chapter 163, Florida Statutes; and

WHEREAS, at the January 28, 1991, meeting, pursuant to Chapter 163, Florida Statutes, the Board of County Commissioners did announce its intention to hold a second public hearing after the receipt of DCA's written comments, commonly referred to as the "ORC Report", which were later received on May 28, 1991 by the Chairman of the Lee County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing on July 9, 1991, moved to adopt said proposed amendments as more particularly 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, Florida Statutes, and with Lee County Administrative Code AC-13-6, has conducted a series of public hearings to review proposed amendments to the Lee County Comprehensive Plan. The purpose of this ordinance is to adopt those amendments to the Lee County Comprehensive Plan discussed at said meetings and approved by an absolute majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan shall continue to be the "Lee Plan." The short title and proper reference for this ordinance shall be the "1990/1991 Amendment Cycle Ordinance."

SECTION TWO: ADOPTION OF AMENDMENTS TO THE LEE PLAN

The Board of County Commissioners hereby amends the existing Lee Plan, adopted as Ordinance #89-02, by adopting the amendments as described in a one-volume document entitled "1990/1991 Amendments to the Lee Plan" which in total, amend portions of the Future Land Use Element, the Traffic Circulation Element, the Community Facilities and Services Element, the Conservation and Coastal Management Element, the Ports, Aviation and Related Facilities Element, the Housing Element and the Procedures and Administration Chapter.

Included and referenced in the text of these amendments are certain maps and/or map series as required by Chapter 163, Florida Statutes. This volume includes additional supporting documentation to the Lee Plan, and the specific modifications and additions to the adopted portion of the Lee Plan are hereby adopted. Said document has been placed on file with the Clerk of the Circuit Court, Minutes Department, as part of the official records of Lee County and is incorporated by this reference as an integral part of this Ordinance.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development shall be permitted except in conformity with the Lee Plan, and all land development regulations and land development orders shall be consistent with the Lee Plan as so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan shall be applicable throughout the unincorporated area under the jurisdiction of Lee County, Florida, except in such unincorporated areas as are included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

This ordinance shall also be applicable to those portions of the incorporated areas of Lee County, Florida, for which the Florida Statutes have delegated regulatory jurisdiction to county governments over municipal governments.

SECTION FIVE: CODIFICATION AND SCRIVENERS' ERRORS

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lee County Code; and that any section of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section" or such other appropriate word or phrase in order to accomplish such intentions and, regardless of whether such inclusion in the Code is accomplished, Sections of this Ordinance may be renumbered or relettered, and typographical errors which do not affect the intent, may be authorized by the County Administrator, or his designee, without need of a public hearing, by filing a corrected or recodified copy of same with the Clerk of Circuit Court. It is further the intention of the Board of County Commissioners that Lee Plan may be reprinted with the changes adopted by amending ordinances in order that the Lee Plan may be more readily understandable. In the case of conflict between the reprinted version and the officially adopted parent and amending ordinances, the officially adopted ordinances shall rule.

SECTION SIX: SEVERABILITY

If any provision of this Ordinance, including, but not limited to, any section of this Ordinance, or any goal, objective, policy or map in the attendant documents is for any reason finally held invalid or unconstitutional or unenforceable by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions which shall remain in full force and effect. If pursuant to Sections 163.3184(9) or (10) Florida Statutes, any provision of this Ordinance, including but not limited to, any goal, objective, policy, or map is challenged as being not in compliance with the provisions of Chapter 163, Part II, Florida Statutes, as the term "in compliance" is defined in Section 13.3184(1)(b), then that challenged provision shall be presumed to be in compliance until a final determination to the contrary is rendered pursuant to Sections 163.3184(9), (10) and (11), and such challenged provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions which shall remain in full force and effect.

SECTION SEVEN: EFFECTIVE DATE

This Ordinance shall become effective immediately upon receipt of official acknowledgment of the Office of Secretary of State of Florida that this Ordinance has been filed with said office.

THE FOREGOING ORDINANCE was offered by Commissioner Judah, who moved its adoption. The motion was seconded by Commissioner Slisher and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas St. Cerny	Aye
Ray Judah	Aye
Vicki Lopez-Wolfe	Aye
Donald D. Slisher	Aye

DULY PASSED AND ADOPTED this 9th day of July, A.D., 1991.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By _____
Chairman

ATTEST:
CHARLIE GREEN, CLERK

_____
Deputy Clerk

Approved as to Form:

By _____
Office of the County Attorney

1990 - 1991 AMENDMENTS TO THE LEE PLAN

(THE LEE COUNTY COMPREHENSIVE PLAN)

• July 1991 •

PART 1
ADOPTED GOALS, OBJECTIVES, POLICIES, STANDARDS AND MAPS

Lee County Planning Divison
1831 Hendry Street
P. O. Box 398
Fort Myers, FL 33902-0398
(813) 335-2235
Suncom 726-2235

INTRODUCTION TO THE 1990-1991 PLAN AMENDMENTS

The 1984 Lee Plan (the Lee County Comprehensive Plan) was adopted on November 16, 1984. Since then, there have been several amendment cycles and one major update to the document. The major update was completed in 1989 and was adopted by County Ordinance 89-02. That 1989 plan has since been amended on four occasions: once through a DRI amendment (see Ordinance 90-09), once by the Stipulated Settlement Agreement amendments (see Ordinances 90-43 and 90-44), once by a small scale amendment (see Ordinance 91-10) and finally by the amendments contained in this document, which were adopted on July 9, 1991 (see Ordinance 91-19). The Lee Plan and the amendments to it are the adopted county policy for the guidance of land use in Lee County.

The chronology of this plan amendment cycle is as follows: public hearings on these amendments were held by the Local Planning Agency on December 6 and 7, 1990 and January 3, 1991. Transmittal hearings were held by the Board of County Commissioners on January 24, 25, and 28, 1991. The Florida Department of Community Affairs (DCA) then prepared a report entitled "Objectives, Recommendations and Comments for Lee County Amendment 91-1" (also known as the "ORC Report"). Adoption hearings were held by the Board of County Commissioners on July 9, 1991.

This document (Part 1) contains the amendments that were adopted by the Board of County Commissioners. These amendments are organized by the element of the Lee Plan, with notations on the specific amendment that promulgated the change. The abbreviation PAT signifies a "Plan Amendment Text" change, PAM a "Plan Amendment Map" change, PAT/M a "Plan Amendment Text and Map" change.

Part 2 of this document contains the support documentation which consists of the staff reports for each plan amendment including the actions by the Local Planning Agency and Board of County Commissioners at the transmittal stage and pertinent sections from the ORC Report, followed by staff responses and recommendations where appropriate.

Part 3 of this document contains the actions and findings of fact made by the Board of County Commissioners on July 9, 1991 and also contains the adopting ordinance.

This document has been prepared by the Lee County Division of Planning. Questions concerning these amendments should be directed to the Division of Planning located at 1831 Hendry Street in downtown Fort Myers, or by calling (813) 335-2235.

FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP SERIES

LANGUAGE ADDED OR AMENDED BY PAT/M 90-22, JULY 9, 1991

TABLE 1
SUMMARY OF RESIDENTIAL DENSITIES

	Standard Density Range [1]	Maximum Bonus Density [2]
Intensive Development	8-14 du/acre	22 du/acre
Central Urban	5-10 du/acre	15 du/acre
Urban Community[3, 4]	1-6 du/acre	10 du/acre
Suburban	1-6 du/acre	No Bonus
Outlying Suburban	1-3 du/acre[5]	No Bonus
Rural	1 du/acre	No Bonus
Outer Islands	1 du/acre	No Bonus
Rural Community Preserves	1 du/acre	No Bonus
Density Reduction/Groundwater Resource	1 du/10 acres	No Bonus
Transition Zone	1 du/20 acres[6, 7]	No Bonus
Resource Protection Area	1 du/40 acres[6, 7]	No Bonus
Planned Development District Option	1-6 du/acre	No Bonus
New Community	1-6 du/acre	No Bonus

[1] Adherence to minimum densities should not be construed as mandatory but is recommended and desirable in order to promote compact development.

[2] If development rights are transferred to non-contiguous uplands from Resource Protection Areas, Transition Zones, or rare and unique uplands, or if development rights are granted through the housing density bonus program, these higher densities may be permitted in conformance with the specific provisions established by special ordinance.

[3] No land shall 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 shall be allowed a density higher than 3 du/acre provided that all other applicable regulations are met, and provided further that no density shall 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.

[4] In no case shall the maximum permitted density exceed 3 du/acre on Captiva Island and Gasparilla Island.

[5] A special limitation of 2 du/acre applies in this category north of the Caloosahatchee and east of Interstate 75, and within the Buckingham Area (see Goal 19).

[6] Higher densities may be allowed if the dwelling units are transferred to more suitable locations in conformance with the specific provisions established by special ordinance.

[7] Owners of land containing Resource Protection Areas and Transition Zones adjacent to Intensive Development, Central Urban, and Urban Community areas may transfer density to developable contiguous uplands at the same underlying density as is permitted for the uplands, up to one-half of the additional bonus density available on the upland property.

POLICY 1.1.6:
The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general these areas are rural in nature or contain existing low-density development. Some but not all of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities that other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. In the Outlying Suburban area in North Fort Myers east of I-75 and in the Buckingham area (see Goal 19), the maximum density permitted is two dwelling units per acre (2 du/acre).

POLICY 1.4.3:
The Rural Community Preserves are established following special studies of Lee County's intact rural communities. Within these areas, special design approaches are to be used to maintain the existing rural character, for example: conservation easements, flexible road design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. These areas are

not to be programmed to receive urban-type capital improvements. Lands within this category are not intended to be converted to any Future Urban Areas; rather, they are to remain permanently rural in character and use. These areas are restricted to low density residential, agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Additional goals, objectives, policies, and standards for these areas may be included in this plan based on the special studies (see for example, Goal 19). Maximum density is one dwelling unit per acre (1 du/acre).

POLICY 1.4.4:
The Density Reduction/Groundwater Resource areas ... (existing Policy 1.4.3 unchanged except for renumbering to Policy 1.4.4).

LANGUAGE ADDED BY PAT/M 89-17, JULY 9, 1991

POLICY 1.7.7:
The Public Acquisition overlay zone designates areas that have been targeted for public acquisition by federal, state, regional, and/or local agencies. This overlay does not restrict the use of the land in and of itself. It shall be utilized for informational purposes since this map will represent a composite of public acquisition activities in the county.

LANGUAGE ADDED OR AMENDED BY PAT 89-11, JULY 9, 1991

POLICY 2.7.1:
Community redevelopment activities shall be conducted by the Lee County Community Redevelopment Agency within approved redevelopment areas according to adopted redevelopment plans.

POLICY 2.7.2:
Redevelopment activities shall be comprehensive in approach and include the following components:

- Study of incompatible land uses
- Correction of outdated zoning classifications
- Elimination of substandard or unsafe buildings
- Traffic circulation and parking
- Economic revitalization
- Protection of adjacent residential neighborhoods and historic and natural resources
- Signage
- Landscaping
- Urban Design/Master Planning
- Affordable Housing

LANGUAGE ADDED OR AMENDED BY PAT 90-04, JULY 9, 1991

OBJECTIVE 4.1:

Maintain the current planned development rezoning process which combines site planning flexibility with rigorous review. By the end of 1991, take specific steps to further promote the creation of mixed-use developments, to reduce the impact on collector and arterial roads.

POLICY 4.1.1:
Development designs shall be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements.

POLICY 4.1.2:
Development designs shall be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

POLICY 4.1.3:
Amend the Zoning Ordinance to create a "Planned Village" conventional zoning designation, which will require compatible mixed-use development with integrated design characteristics in which to capture a meaningful percent of the automobile trips generated for residential projects over 160 acres within the Intensive Development, Central Urban, and Urban Community land use categories.

POLICY 4.1.4.:
Amend the Zoning Ordinance to create a "Traditional Neighborhood" (TN) zoning district, a conventional zoning district that allows mixed uses without the need for planned development approval. At the same time, raise the DCI threshold if the developer seeks rezoning to TN rather than a planned development category.

POLICY 4.1.5.:
Amend the Zoning Ordinance to reduce other obstacles to mixed-use developments.

POLICY 4.1.6.:
By the end of 1991, study the possible incentives which would encourage mixed-use development, and initiate appropriate amendments to the Lee Plan at that time.

LANGUAGE ADDED BY PAT/M 90-21, JULY 9, 1991

GOAL 18: FORT MYERS BEACH. To manage growth, development, and redevelopment throughout the Fort Myers Beach plan area, which includes the entire Fort Myers Beach Fire District, the boundaries of which are indicated upon the

Future Land Use Map. To maintain and enhance the area's unique natural resources, quality of life, public and private infrastructure (including roads, public transit, wastewater treatment facilities, potable water transmission system, surface water management system, beach accesses, historic resources, and other community facilities). To ensure that residents and visitors will have adequate protection or evacuation opportunities in the event of a hurricane or other natural disaster and to ensure the ability to reconstruct all necessary facilities, public and private, in the event that a disaster occurs. (In the event of conflicts between policies contained under Goal 18 and policies contained elsewhere in this plan, the most restrictive shall apply, except for the buildback provisions of Policy 81.2.3.)

OBJECTIVE 18.1: NATURAL RESOURCES.
The county shall review its regulations and policies and administrative actions to insure that they preserve and enhance the estuarine, upland, scenic, and wetland resources of Estero Bay, San Carlos Island, Matanzas Pass, Black Island, Little Estero Island, and any areas of the mainland which drain into Estero Bay. No further functional degradation of estuarine and wetland resources shall take place; and the county shall take action to improve the water quality of Estero Bay to Class II [shellfish standards as defined in Florida Administrative Code (F.A.C.) 17-3] by the year 2000.

POLICY 18.1.1:
By 1991, the county shall, with recommendations from an advisory committee and other affected persons, further develop and implement a Matanzas Harbor Management Plan. The scope of this plan shall include the designation of a managed mooring area and the regulation of trash and wastewater disposal and will provide mechanisms and standards for the strict enforcement of health, safety and welfare regulations throughout the Estero Bay and Matanzas Harbor area, and regulations for the protection of marine resources.

POLICY 18.1.2:
The county shall enforce and strengthen regulations prohibiting those discharges that will degrade the water quality so as to improve the water quality of Estero Bay to Class II (shellfish standards as defined in F.A.C. 17-3) by the year 2000 through the acquisition of wetlands, monitoring of water quality, enforcement of adopted standards, careful control of development, and eliminating those discharges into the Estero Bay watershed which presently or potentially degrade water quality.

POLICY 18.1.3:
The county shall, with recommendations from a Fort Myers Beach advisory committee and other affected persons, on an as needed basis, make application to the Army Corps of Engineers, and all other agencies as required, to maintain, where environmentally and economically feasible, existing channels and passes to the Gulf of Mexico at their authorized and/or historic depths. The county shall

support the efforts of private individuals or groups to maintain established depths in private canals and waterways through the establishment of Municipal Service Benefit Units to fund such private efforts, unless the county has determined such efforts to be detrimental to the environment.

POLICY 18.1.4:
The county shall support the renourishment of the beaches of Estero Island through the use of environmentally responsible methods. Funding mechanisms for the renourishment may include but are not limited to the use of parks impact fees, public metered parking proceeds, tourist development taxes, Municipal Service Benefit Units (MSBUs), and beachfront property assessments, as long as the title to accreted lands remains public. The county shall study the use of and attempt to utilize dredge spoil from any channel maintenance projects as renourishment material.

POLICY 18.1.5:
The county shall support the establishment of a bottom fishing restriction zone, extending from the mean high water line to the statutory limit, in order to protect endangered, threatened, or species of special concern which utilize the beach areas for mating and/or nesting.

POLICY 18.1.6:
Starting immediately, the county shall work with the legislative delegation and Department of Natural Resources to extend the Estero Bay Aquatic Preserve, by 1995, to include the major inland tributaries (Hendry, Mullock, and Spring Creeks, and the Estero and Imperial Rivers).

POLICY 18.1.7:
The county shall oppose any efforts of other agencies to reduce or eliminate regulations relating to the protection of mangroves and other wetland areas. There shall be no functional degradation of wetlands within the Fort Myers Beach plan area. If wetlands are altered, they shall be replaced through mitigation based on a 1:1 ratio of productivity rather than area.

POLICY 18.1.8:
By 1990, the county shall, by resolution to federal and state authorities, oppose offshore petroleum drilling.

POLICY 18.1.9:
New transportation and parking facilities and improvements to existing transportation and parking facilities shall be designed and built to prevent the runoff of stormwater into the water of the Fort Myers Beach area without proper treatment.

POLICY 18.1.10:
Lee County shall maintain, enforce and/or strengthen its mangrove protection regulations.

POLICY 18.1.11:
By June 1991, the county shall adopt regulations which set standards for environmentally safe storage, transfer, and sale of petroleum products within the Fort Myers Beach area, special emphasis shall be placed on groundwater and surface water protection.

OBJECTIVE 18.2: LAND USES.
County regulations, policies, enforcement activities, and discretionary actions shall recognize the unique characteristics of Fort Myers Beach with regard to existing residential, commercial and resort development, vehicular access, seasonal infrastructure demands, and proposed future development/redevelopment in the Fort Myers Beach Fire District. Future land uses shall conform to the Future Land Use Map.

POLICY 18.2.1:
Within the Urban Community land use category, commercial expansion into residential neighborhoods shall not occur. Any new commercial development or redevelopment shall conform to the requirements of the Commercial Planned Development zoning category. Density shall be limited to the existing base densities provided by the Lee Plan Future Land Use element.

POLICY 18.2.2:
Within the Suburban land use category, in order to protect neighborhood character, no rezonings to commercial shall be allowed.

POLICY 18.2.3:
The county shall study amending the Zoning Ordinance by December 31, 1991 to limit the height of new buildings in the area to 35 feet above flood elevation level. The amendment may exempt certain non-habitable public safety or communications structures, and shall not be applied in a manner contrary to the buildback provisions of Policy 81.2.3.

POLICY 18.2.4:
By 1991, the county shall set a non-regulatory level of service for hurricane shelter and evacuation facilities. Future amendments to this plan shall be evaluated according to these standards to ensure that existing and planned shelter and evacuation facilities can be provided.

POLICY 18.2.5:
Within one year, amend county regulations to extinguish old development approvals issued under Administrative Code F-0015 in those cases where development activity has not commenced by then or has not been continued in good faith.

POLICY 18.2.6:

The county shall consider the purchase of those lands not already in public ownership suitable for community facilities or environmentally critical areas.

POLICY 18.2.7:
The county shall review disaster preparedness plans for all petroleum storage facilities. This review shall also include an assessment of the engineering specifications of the containment dikes at the site in a 100-year storm surge.

POLICY 18.2.8:
The county shall review disaster preparedness plans for any petroleum port or storage facility.

POLICY 18.2.9:
Land uses on San Carlos Island are subject to the provisions of Objective 8.1 and Policy 8.1.1 in addition to county-wide provisions. The county shall protect and promote the continuation of the commercial fishing industry while recognizing the important environmental constraints of Matanzas Pass and Harbor. Flexibility in use shall be a consideration in order to accommodate limited commercial uses on the industrial portions of the island.

OBJECTIVE 18.3: TRANSPORTATION.
By 1992, the county shall prepare and approve plans for transportation improvements and incorporate these improvements in the capital facilities plan, such improvements to be completed by 1995.

POLICY 18.3.1:
Within twelve (12) months from the date of adoption of this policy, the county shall provide signage, and/or striping for pedestrian crosswalks at appropriate beach access points and appropriate bay access points within the Fort Myers Beach area.

POLICY 18.3.2:
The county shall consider regulations requiring the location of major electric lines underground for all new and existing improvements, public and private, after studying the subject.

POLICY 18.3.3:
As part of the transit design process, the county shall consider ways to establish pull-overs and turn-offs for the pick-up and discharge of passengers from all trolley and mass transit vehicles and requiring that such pick-up and discharge be done only at specified transit stops.

POLICY 18.3.4:
By 1992, the county shall develop a strategy limiting commercial (greater than 10,000 lbs. Gross Vehicle Weight) deliveries to non-peak traffic hours on Estero Island. Specific problem areas

shall be studied, with service delivery plans made a part of any redevelopment activities.

POLICY 18.3.5:
By 1992, the county shall authorize a transportation study for the Fort Myers Beach area which shall examine, consider, and make specific recommendations for the improvement and enhancement of traffic movement throughout the Fort Myers Beach area, including but not limited to the following:

1. State/County Route 865 (within Fort Myers Beach plan area) corridor improvements, such as:

   a. A circulation plan for the north side of the Matanzas Pass Bridge, possibly including revision of traffic flows along the frontage roadways and added lanes to the frontage roads.

   b. Plans for sidewalks and bike paths along Estero Boulevard.

   c. Alternative accesses to Estero Island.

   d. Elevation of Estero Boulevard to eliminate low spots which could hinder evacuation.

   e. Possible widening or adding of lanes on the Matanzas Pass Bridge.

   f. Improvements to the hurricane evacuation system.

   g. Limiting vehicular access to the area.

2. Parking and other improvements:

   a. Installation of parking meters at appropriate locations, such as: beach accesses, under Matanzas Pass Bridge, Old San Carlos, North Estero, 5th Street and other locations; and dedicated assignment of personnel to enforce parking regulations.

   b. Designation of net parking revenues for maintenance of Estero Island beaches and support of transit services.

   c. Provision of on- and off- island parking facilities served by mass transit.

3. Possible funding sources include the following:

   * Bridge Tolls

   * Parking Permits

* Parking Meters
* Redevelopment tax increment proceeds
* Impact Fees
* Other Alternatives

POLICY 18.3.6:
Lee County shall implement the following interim improvements to help alleviate traffic congestion in the plan area:

1. Accelerate the widening of San Carlos Boulevard to 5 lanes from the Pine Ridge Road area to Main Street, possibly by using county funds, with reimbursement by the FDOT at a later date.

2. Work with FDOT to have right turn deceleration lanes and tapers constructed on San Carlos Boulevard when San Carlos Boulevard is widened to 5 lanes.

3. When San Carlos Boulevard is widened, retain and signalize through access between San Carlos Drive and San Carlos Boulevard.

4. Limit vacations of rights-of-way and easements to preserve future access and to provide future areas for water retention and storm water filtration necessary for road widening.

5. Provide automated information and directional signs alerting motorists of "traffic congestion ahead."

6. Removing encroachments and hazards on the public rights of way.

POLICY 18.3.7:
Under no circumstances shall the four laning of Estero Boulevard be considered as a desirable means of improving traffic circulation on Estero Island.

OBJECTIVE 18.4: COMMUNITY FACILITIES.
County programs shall continue to support Florida Cities Water Company and Lee County Utilities in improving utility services to the Fort Myers Beach plan area.

POLICY 18.4.1:
By 1992, the county shall extend the wastewater collection system throughout the Fort Myers Beach Fire Control District, eliminating the use of septic systems, private package treatment plants, and any other forms of private wastewater treatment facilities.

POLICY 18.4.2:

By 1992, the county shall seek to improve the system of potable water delivery, in order that sufficient distribution capacity exists to deliver water at a pressure of forty (40) pounds per square inch at every meter, and at a sufficient rate of flow for commercial projects that fire flow test mandated by all health, safety and welfare codes, policies and regulations.

POLICY 18.4.3:
Within 24 months, the county shall commence a study leading to a dual water system for the Fort Myers Beach plan area.

OBJECTIVE 18.5: RECREATION AND BEAUTIFICATION.
County regulations, policies and discretionary actions shall preserve and enhance the scenic, historic, and recreational values existing with the Fort Myers Beach plan area.

POLICY 18.5.1:
By 1991, the county shall develop and implement a plan for the identification and acquisition of remaining vacant or otherwise available beachfront properties for public use.

POLICY 18.5.2:
The county shall establish and fund a continuous program for the removal of trash and debris from the beachfront and bay accesses within the Fort Myers Beach plan area.

POLICY 18.5.3:
The county shall continue its ambitious program of surveying and reconstructing beach access points on Estero Island.

POLICY 18.5.4:
The county shall work with the Florida Department of Natural Resources to insure that the development of Black Island/Lovers Key State Park will preserve its natural setting to the fullest extent possible by maintaining the passive nature of existing and planned park facilities in keeping with neighboring Carl Johnson Park. The county shall provide mass transit to these parks.

POLICY 18.5.5:
The county shall strive to improve the appearance of Fort Myers Beach by landscaping public property and rights-of-way with native vegetation and by encouraging private participation through technical assistance and matching grants.

POLICY 18.5.6:
~~The county shall, by 1991, propose acceptable alternatives to~~ asphalt/concrete paving for public/private driveway and parking lot areas and landscaped areas, to provide better percolation and less run-off of stormwater.

POLICY 18.5.7:
The county shall, as part of its Historic Preservation program, inventory historic resources and designate those historic resources pursuant to Lee County's Historic Preservation Ordinance.

POLICY 18.5.8:
By January 1991, the county shall establish, by ordinance, boating speed restrictions in Estero Bay and along the beachfront with the objective of protecting manatees and other aquatic animals and for public safety.

POLICY 18.5.9:
By 1991, designate scenic waterways under the county's Scenic Waterways Program in Estero Bay and the Gulf of Mexico with specific restrictions and regulations.

POLICY 18.5.10:
Park planning shall match less-intensive recreational and open space uses to environmentally sensitive and pristine resources; and match user-based facilities to less sensitive or more urbanized land.

POLICY 18.5.11:
Maximum conservation of native vegetation, land forms, wetlands, native habitats, bay water quality, marine grass beds, shellfish beds, and mangroves shall be a priority in providing access to these resources and in the development of parks or recreation facilities.

POLICY 18.5.12:
Recreation areas shall have a minimum of impervious surfaces.

POLICY 18.5.13:
Innovation in the design and use of materials is encouraged to create facilities with a minimum impact that is removable or reversible.

POLICY 18.5.14:
Sidewalks, bike paths and mass transit routes shall be designed to provide convenient and safe access to all recreational facilities in the area.

POLICY 18.5.15:
The county shall consider the creation of the position of Fort Myers Beach Code Enforcement Coordinator, whose responsibility shall be the prompt enforcement of all applicable building and zoning codes, life and safety codes, and all other applicable ordinances, policies, and codes necessary for the protection of the public health, safety and welfare.

OBJECTIVE 18.6: INTERGOVERNMENTAL COORDINATION AND CITIZEN PARTICIPATION.

For the purposes of gathering information regarding Fort Myers Beach and making policy recommendations to the County Commission, Lee County shall maintain the active participation of a Fort Myers Beach advisory committee.

LANGUAGE ADDED BY PAT/M 90-22, JULY 9, 1991

GOAL 19: To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. Goal 19, including the following Objectives and Policies and the designations on the Future Land Use Map, shall not be amended until the 1994 five-year evaluation and update required under Chapter 163.3191, Florida Statutes. For the purposes of this plan, the precise boundaries of Buckingham are indicated on the Future Land Use Map.

OBJECTIVE 19.1: LAND USE.
The primary land use designation for the Buckingham area is "Rural Community Preserve." Public Facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham shall be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners.

POLICY 19.1.1:
The Board of County Commissioners recognized in 1991 decision that rural land uses are the ultimate land uses in Buckingham, and that a transition to urban land uses shall not be permitted unless a finding of overriding public necessity is determined in accordance with Objective 19.1.

POLICY 19.1.2:
No property within Buckingham shall be rezoned to RVPD.

POLICY 19.1.3:
The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road shall be designated as the commercial for the Buckingham area. No commercial activities shall be located outside of this commercial node. There shall be no more than 10,000 square feet of retail space and no more than 20,000 square feet of commercial space in total. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard.

POLICY 19.1.4:

Any lot created in the Rural Community Preserve land use category after the adoption of this amendment must have a minimum area of 43,560 square feet. Any residential planned development zoning granted in the Rural Community Preserve land use category shall require a minimum size of one acre (43,560 square feet) for every residential lot.

OBJECTIVE 19.2: TRANSPORTATION.
To protect the rural character of the Buckingham area, the following amendments to the Official Trafficways Map and the Desirable Traffic Circulation Plan Map (2010 Needs Plan) shall be researched and adopted in 1991, if appropriate:

a. The alignment for the proposed extension of Luckett Road east of Buckingham Road will be diverted as far south as possible in order to skirt the Buckingham area.

b. Delete the proposed extension of SR 31 South of the Orange River.

c. Delete the proposed extension of Orange River Boulevard east of Buckingham Road.

d. Delete the proposed east/west collector within the study area.

e. Delete the proposed extension of Ellis Road.

f. Delete the extension of Staley Road to SR 82.

g. Restore the extension of Buckingham Road to SR 82.

h. All future rights-of-way in Buckingham shall be no greater than 100 feet (except for Buckingham Road and Luckett Road extensions).

OBJECTIVE 19.3: CONSERVATION.
During 1991, the county shall designate a wildlife corridor from Buckingham Road north through the Buckingham area to the Orange River, pursuant to Objectives 77.11 and Policies 77.3.2, 77.11.5, 77.11.6 and 77.11.7 of the Lee Plan. This corridor may be integrated with on both sides of the FP&L power line easement, and all adjacent vegetation shall be included in the review of the likely corridor configurations. All regulations shall include incentives provided in the Protected Species Ordinance (No. 89-34). If necessary, a certain percentage of regional park impact fees will be earmarked for acquiring property and/or easements in this corridor. Other funding sources shall also be investigated.

POLICY 19.3.1:

After adoption of this plan amendment, the agricultural and single-family exemptions to the Tree Ordinance shall not apply within 25 feet of the Orange River.

OBJECTIVE 19.4: SEWER AND WATER.

In order to discourage unwanted urban development, central sewer and water lines shall not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Maps 6 and 7 as Future Water and Sanitary Sewer Service Areas and to the site of the proposed resource recovery facility.

FUTURE LAND USE MAP SERIES

The following maps are adopted additions or changes to the Future Land Use Map and map series:

Amendment to Map 1, Future Land Use Map
PAT/M 90-21
PAT/M 90-22
PAM 89-06
PAM 90-32

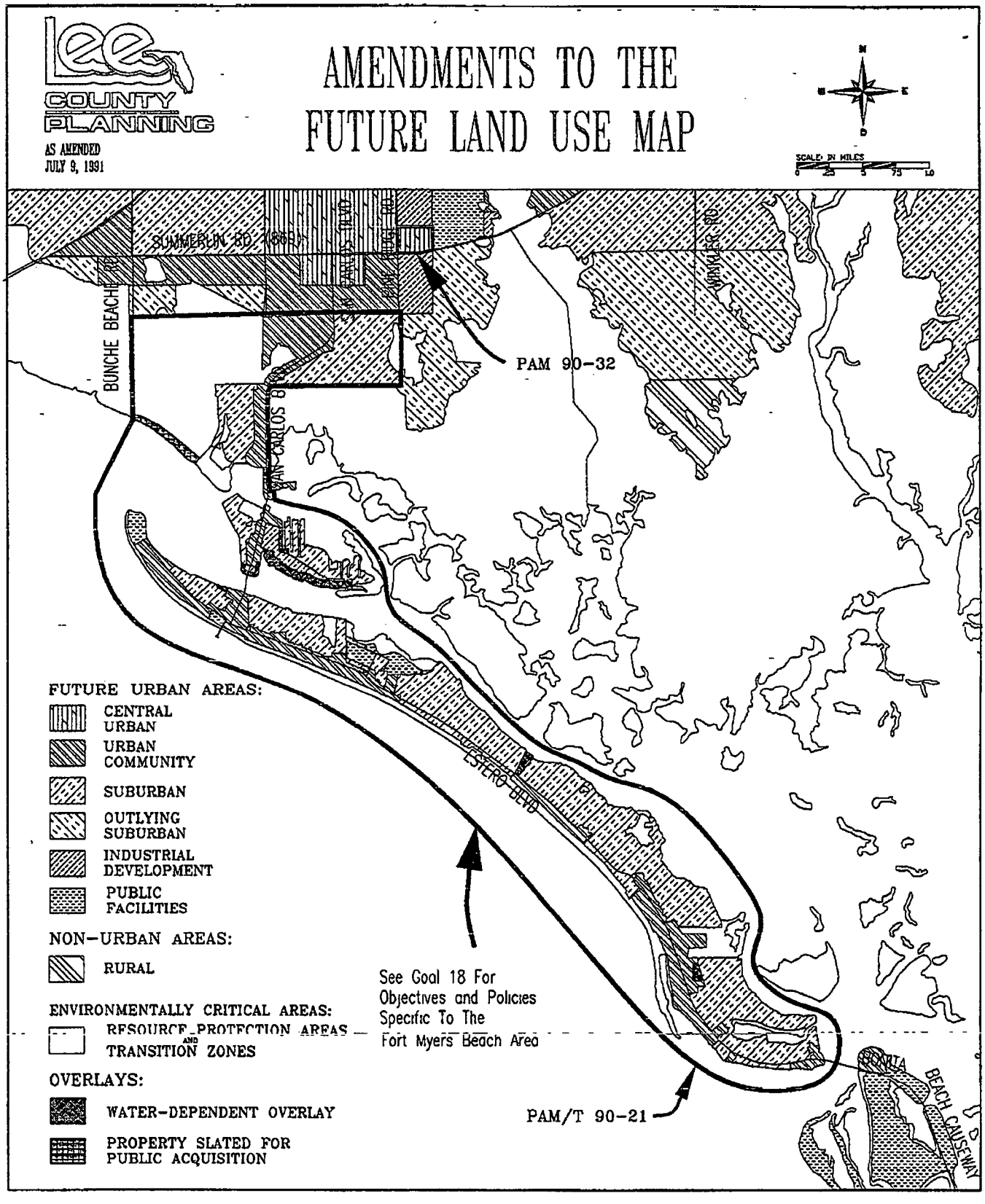
Amendment to Map 1, Special Treatment Overlay Zone
PAM 89-17

Amendment to Map 1, Urban Reserve Overlay Zone
PAM 90-19

Amendment to Map 9, Defined 100-Year Floodplains
PAT/M 90-25

Amendment to Map 12, Water Dependent Overlay Zone
PAM 89-04
PAM 90-20

Amendment to Map 17, Year 2010 Overlay
PAT/M 90-21


Lee COUNTY PLANNING
AS AMENDED JULY 9, 1991
AMENDMENTS TO THE FUTURE LAND USE MAP
SCALE IN MILES
SUMMERLIN RD
BUNCHE BEACH RD
SAN CARLOS BLVD
SAN CARLOS BLVD
WINKLER RD
PAM 90-32
ESTERO BLVD
FUTURE URBAN AREAS:
CENTRAL URBAN
URBAN COMMUNITY
SUBURBAN
OUTLYING SUBURBAN
INDUSTRIAL DEVELOPMENT
PUBLIC FACILITIES
NON-URBAN AREAS:
RURAL
ENVIRONMENTALLY CRITICAL AREAS:
RESOURCE PROTECTION AREAS AND TRANSITION ZONES
OVERLAYS:
WATER-DEPENDENT OVERLAY
PROPERTY SLATED FOR PUBLIC ACQUISITION
See Goal 18 For Objectives and Policies Specific To The Fort Myers Beach Area
PAM/T 90-21
BEACH CAUSEWAY

AMENDMENTS TO THE FUTURE LAND USE MAP

Lee COUNTY PLANNING

AS ADOPTED
JULY 9, 1991

FUTURE URBAN AREAS:

- INTENSIVE DEVELOPMENT
- CENTRAL URBAN
- URBAN COMMUNITY
- SUBURBAN
- OUTLYING SUBURBAN
- INDUSTRIAL DEVELOPMENT
- PUBLIC FACILITIES

INTERCHANGE AREAS

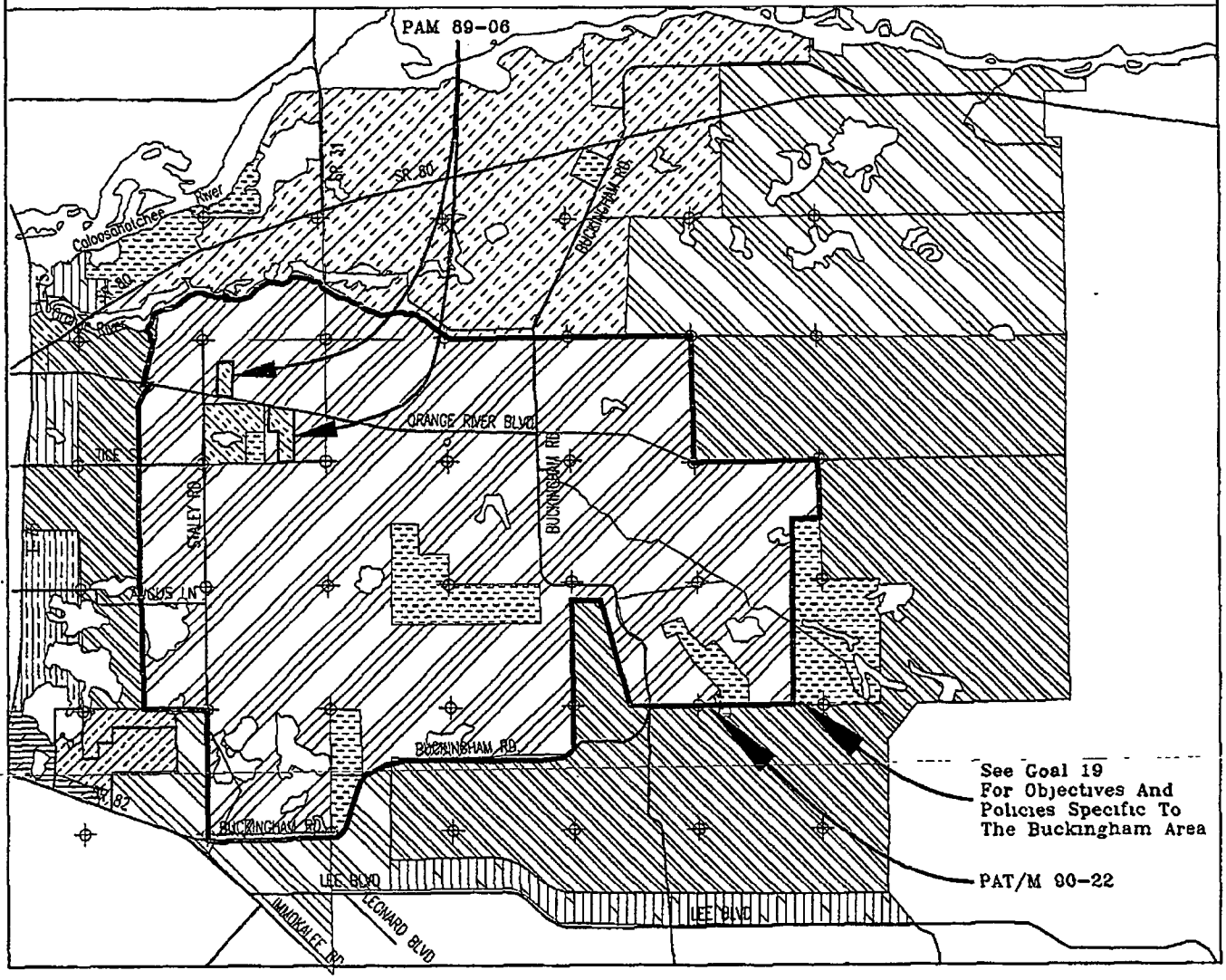
- INDUSTRIAL
- GENERAL COMMERCIAL

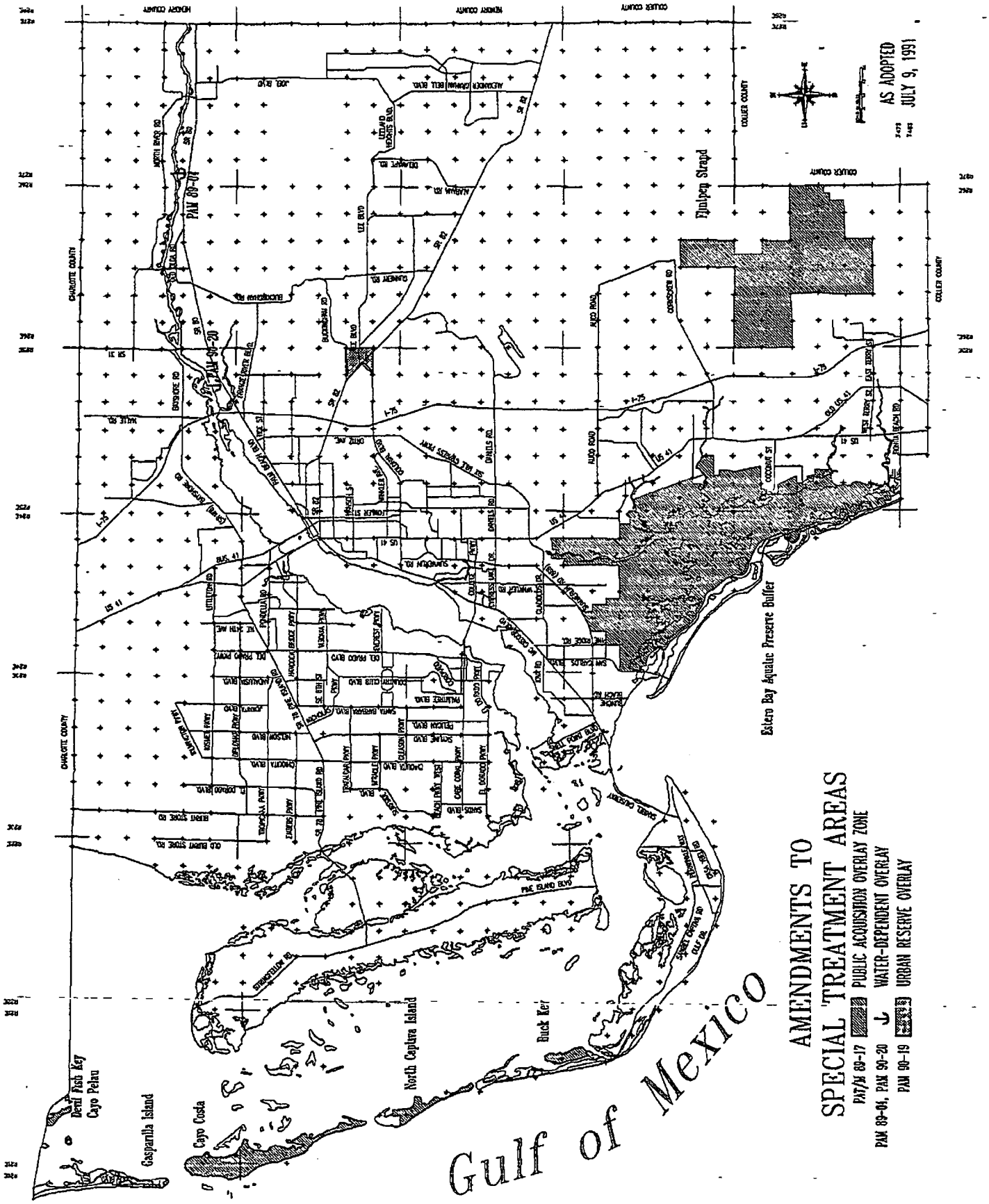
NON-URBAN AREAS:

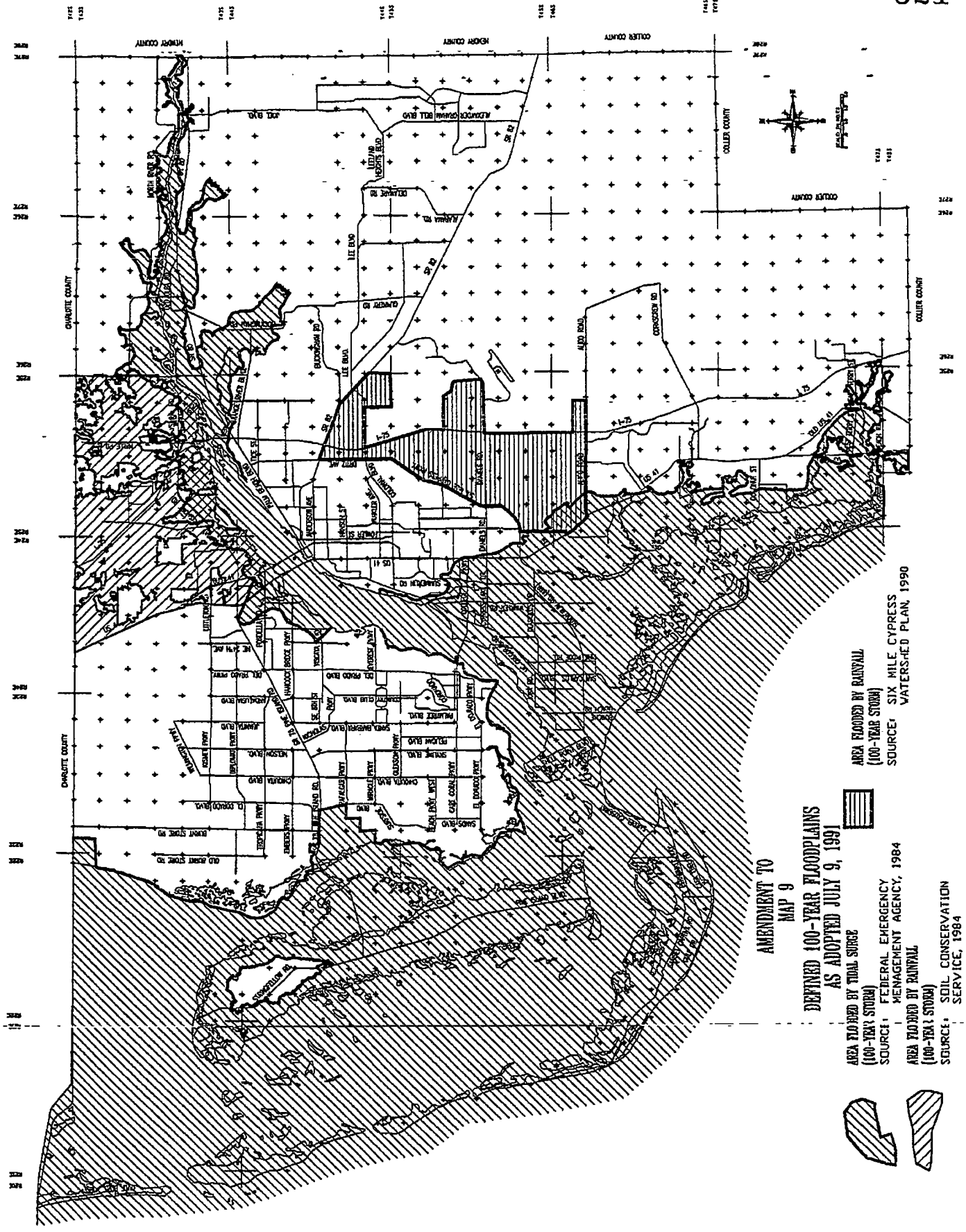
- RURAL
- RURAL COMMUNITY PRESERVE

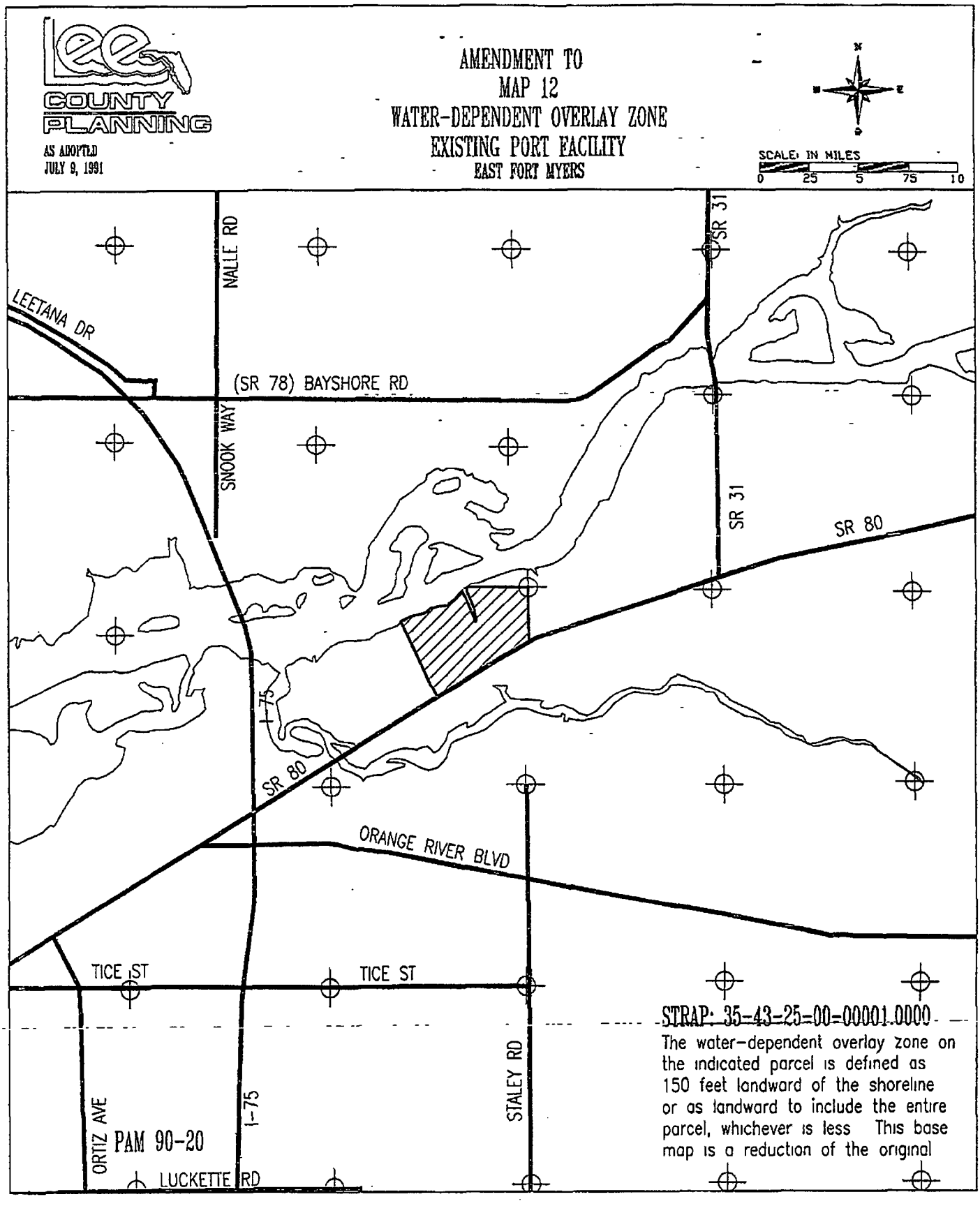
ENVIRONMENTALLY CRITICAL AREAS:

- RESOURCE PROTECTION AREAS AND TRANSITION ZONES




AS ADOPTED
JULY 9, 1991
PAM 89-01
PAM 89-20
Flamingo Strand
Estero Bay Aquatic Preserve Buffer
Gulf of Mexico
Gasparilla Island
Cayo Costa
North Captiva Island
Buck Key
Demi Fish Key
Cayo Pelau
AMENDMENTS TO
SPECIAL TREATMENT AREAS
PAT/M 89-17 PUBLIC ACQUISITION OVERLAY ZONE
PAM 89-01, PAM 90-20 WATER-DEPENDENT OVERLAY
PAM 90-19 URBAN RESERVE OVERLAY

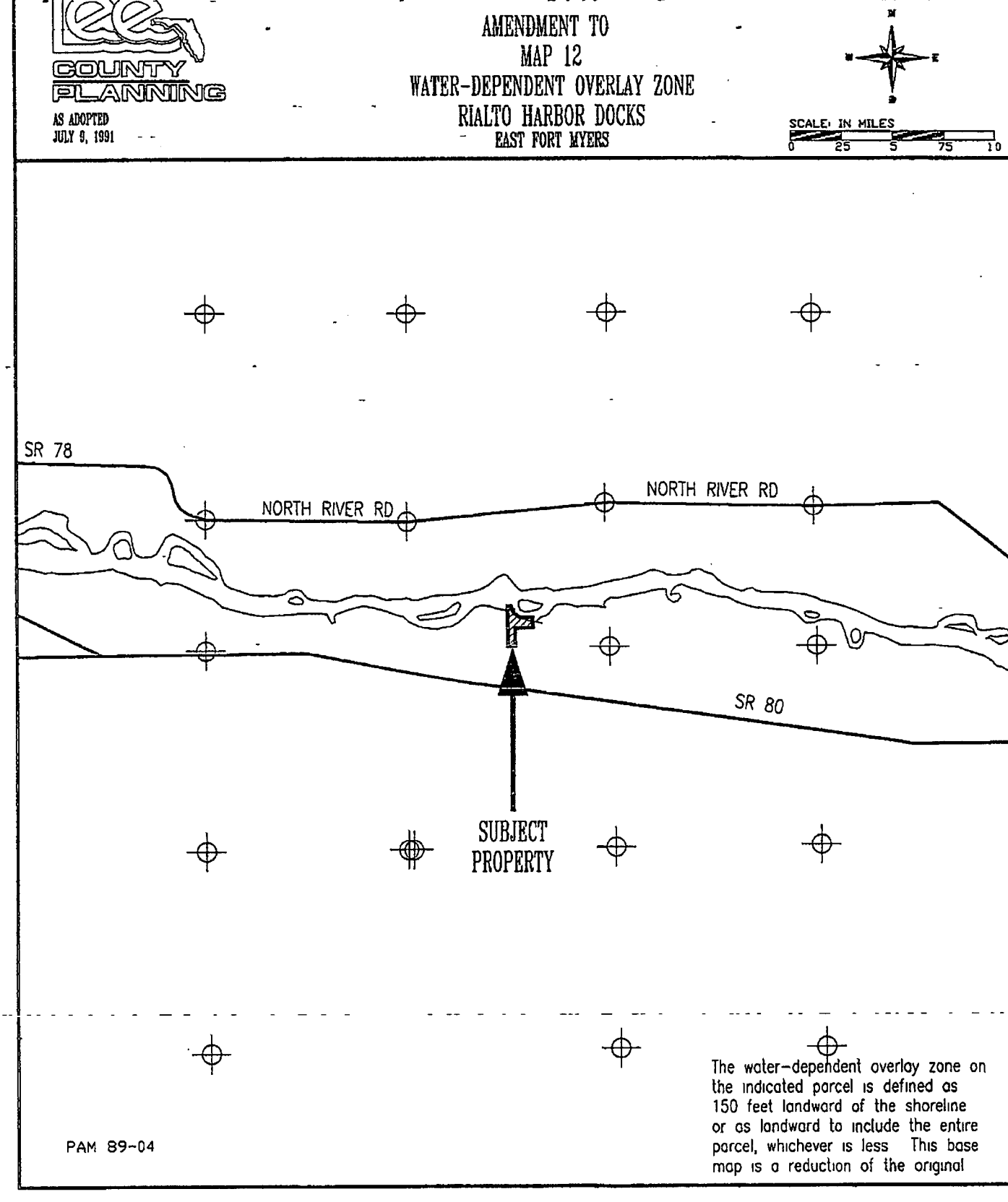

AMENDMENT TO
MAP 9
DEFINED 100-YEAR FLOODPLAINS
AS ADOPTED JULY 9, 1991
AREA FLOODED BY TIDAL SURGE
(100-YEAR STORM)
SOURCE: FEDERAL EMERGENCY
MENAGEMENT AGENCY, 1984
AREA FLOODED BY RAINFALL
(100-YEAR STORM)
SOURCE: SOIL CONSERVATION
SERVICE, 1984
AREA FLOODED BY RAINFALL
(100-YEAR STORM)
SOURCE: SIX MILE CYPRESS
WATERSHED PLAN, 1990


Lee COUNTY PLANNING
AS ADOPTED JULY 9, 1991
AMENDMENT TO
MAP 12
WATER-DEPENDENT OVERLAY ZONE
EXISTING PORT FACILITY
EAST FORT MYERS
SCALE IN MILES
0 25 5 75 10
NALLE RD
SR 31
LEETANA DR
(SR 78) BAYSHORE RD
SNOOK WAY
SR 31
SR 80
I-75
SR 80
ORANGE RIVER BLVD
TICE ST
TICE ST
STRAP: 35-43-25-00-00001.0000
The water-dependent overlay zone on the indicated parcel is defined as 150 feet landward of the shoreline or as landward to include the entire parcel, whichever is less This base map is a reduction of the original
ORTIZ AVE
PAM 90-20
I-75
STALEY RD
LUCKETTE RD

Lee COUNTY PLANNING

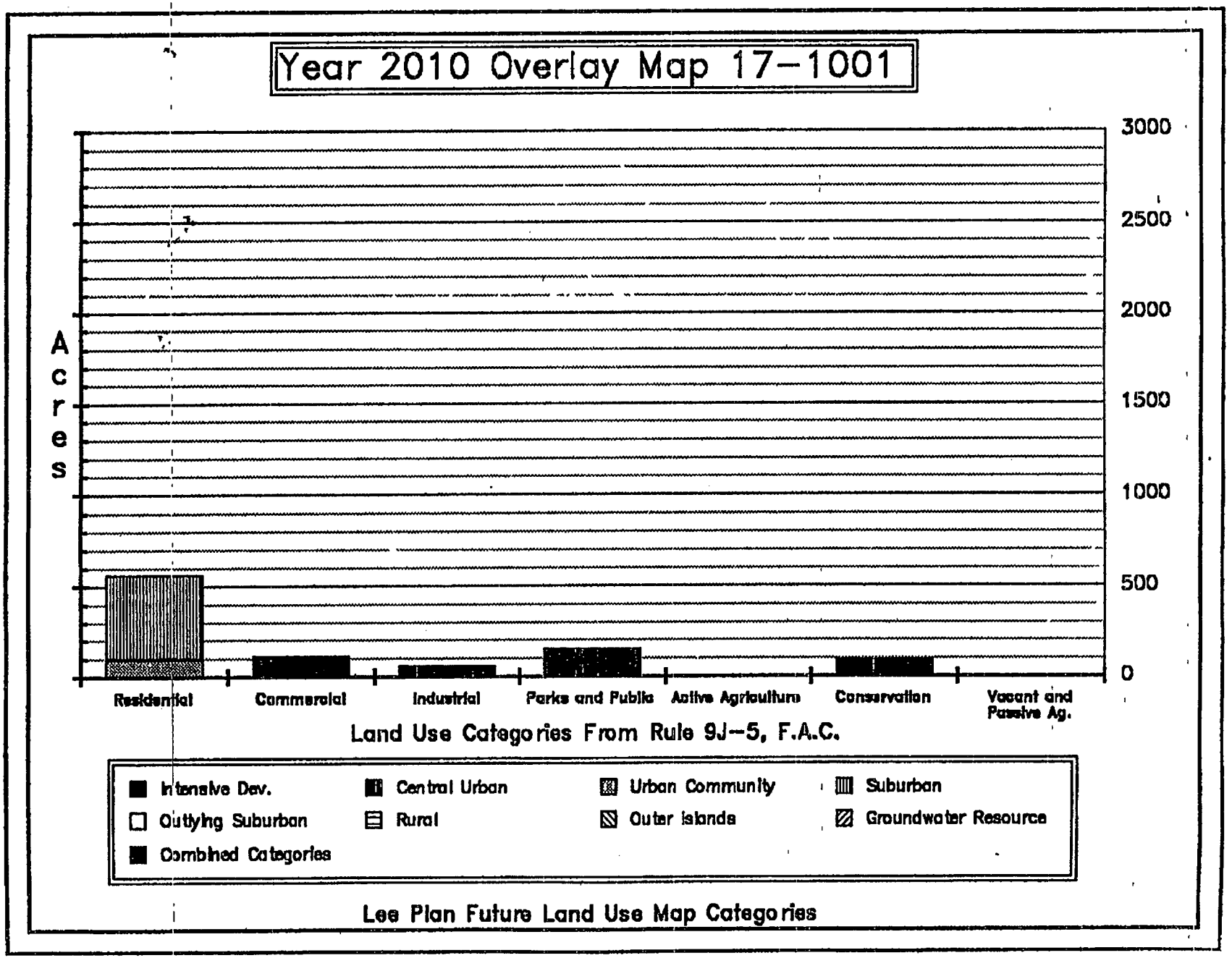
AS ADOPTED
JULY 9, 1991

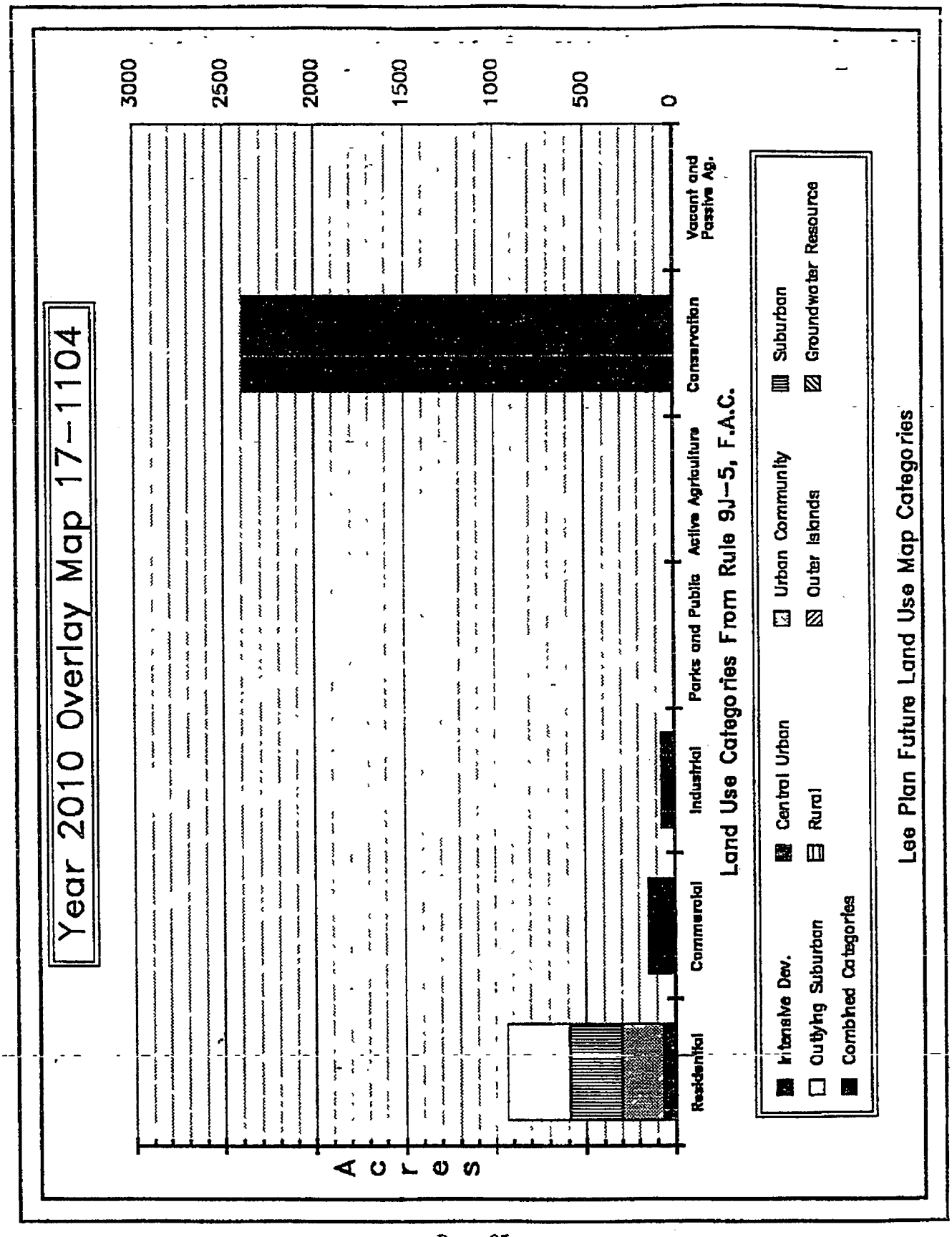
AMENDMENT TO MAP 12
WATER-DEPENDENT OVERLAY ZONE
RIALTO HARBOR DOCKS
EAST FORT MYERS



PAM 89-04

The water-dependent overlay zone on the indicated parcel is defined as 150 feet landward of the shoreline or as landward to include the entire parcel, whichever is less. This base map is a reduction of the original


Year 2010 Overlay Map 17-1001
Acres
3000
2500
2000
1500
1000
500
0
Residential
Commercial
Industrial
Parks and Public
Active Agriculture
Conservation
Vacant and Passive Ag.
Land Use Categories From Rule 9J-5, F.A.C.
Intensive Dev.
Central Urban
Urban Community
Suburban
Outlying Suburban
Rural
Outer Islands
Groundwater Resource
Combined Categories
Lee Plan Future Land Use Map Categories


Year 2010 Overlay Map 17-1104
Acres
3000
2500
2000
1500
1000
500
0
Residential
Commercial
Industrial
Parks and Public
Active Agriculture
Conservation
Vacant and Passive Ag.
Land Use Categories From Rule 9J-5, F.A.C.
Intensive Dev.
Central Urban
Urban Community
Suburban
Outlying Suburban
Rural
Outer Islands
Groundwater Resource
Combined Categories
Lee Plan Future Land Use Map Categories

TRAFFIC CIRCULATION ELEMENT

LANGUAGE ADDED OR AMENDED BY PAT 90-30, JULY 9, 1991

POLICY 21.1.2:
The MPO 2010 Needs Plan (Map 4 as adopted by the MPO on January 21, 1988) is hereby adopted as the desirable Traffic Circulation Plan Map, with the following exceptions (in addition to those found in Objective 15.1):

- The four-laning of Stringfellow Boulevard is deleted.
- The existing portion of Summerlin Road indicated as an expressway will have no new access points and may have existing median cross-overs eliminated to improve traffic flow.
- Kelly Road shall be added as a two-lane collector roadway between McGregor Boulevard and U.S. 41, pending the outcome of the on-going Kelly Road Alignment Study or the Thoroughfare Alignment Project.
- The Caloosahatchee River crossing between south Cape Coral and the Iona/McGregor area does not indicate a particular alignment; the actual alignment will be selected through the Thoroughfare Alignment Project.
- Likewise, the Caloosahatchee River crossing east of Old U.S. 41 does not indicate a particular alignment.
- The collector road running from Bass to Pine Ridge just north of Gladiolus is replaced with an extension of another collector in Section 28, Twp. 45S, Rge. 24E, running westward from A&W Bulb Road to McGregor Boulevard.

COMMUNITY FACILITIES AND SERVICES ELEMENT
POTABLE WATER SUB-ELEMENT

LANGUAGE ADDED OR AMENDED BY PAT 89-24, JULY 9, 1991

POLICY 32.1.6:
Development regulations shall continue to require that any development shall pay the appropriate fees and connect to a re-use water system if such system is near or adjacent to the development and has sufficient surplus to supply the development. Development regulations shall be amended further as follows:

- Where a significant modification is proposed to a major development subject to the Development Standards Ordinance, wastewater reuse systems shall be required in the same manner as for new developments.

- The county shall require by ordinance the connection of specified existing development to a utility wastewater distribution system when one is available near or adjacent to the property.

Policy 32.1.10:
The county shall implement an effluent reuse program to reduce the amount of sewage effluent being discharged into surface waters.

COMMUNITY FACILITIES AND SERVICES ELEMENT
SURFACE WATER MANAGEMENT SUB-ELEMENT

LANGUAGE ADDED OR AMENDED BY PAT 90-12, JULY 9, 1991

Policy 37.1.4:
Continue to develop adequate technical information, with the assistance of the Soil Conservation Service and other agencies, to determine the flooding risk from anticipated severe rainfall in areas of the county not examined in the 1984 Flood Plain Management Study; and subsequently incorporate this technical data into the county's flood plain management regulations. The priority basins for this program shall be: the Estero Bay area including Imperial River, Spring Creek, Halfway Creek, Estero River, and Mullock Creek; Hancock and Yellow Fever Creeks; unstudied Caloosahatchee tributaries including Trout Creek, Cypress Creek, and Spanish Creek; and the Orange River and its tributaries. Study of those basins shall begin immediately and be completed by 1993.

LANGUAGE ADDED OR AMENDED BY PAT/M 90-25, JULY 9, 1991

POLICY 38.1.5:
Additional public hearings on Lee Plan amendments will be held by the end of 1991 to incorporate the next phase of the Surface Water Management Master Plan. These amendments will specifically address:

(a) incorporating the additions to the database into the Lee Plan;

(b) modifying the interim level-of-service standards; and

(c) modifying the Future Land Use, Community Facilities and Services, and Capital Improvements elements as necessary to incorporate the study's initial findings.

POLICY 38.3.1:
The following surface water management standards are adopted as minimum acceptable levels of service for unincorporated Lee County (see Policy 70.1.3):

A. Existing Infrastructure/Interim Standard

The existing surface water management system in the unincorporated areas of the county shall be sufficient to prevent the flooding of designated evacuation routes (see Map 15) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.

B. Six Mile Cypress Watershed

The level-of-service standard for the Six Mile Cypress Watershed shall be that public infrastructure remains adequate such that floor

slabs for all new private and public structures which are constructed a minimum of one (1) foot above the 100-year, 3-day storm event flood plain level for Six Mile Cypress Watershed shall be safe from flooding from a 100-year, 3-day storm event (rainfall). The 100-year level and watershed boundaries are as established in Volume IV of the Six Mile Cypress Watershed Plan.

The following additional standards are hereby established as desired future level-of-service standards, to be achieved by September 30, 1994:

1. The Six Mile Cypress Slough and its major tributaries as identified in the Six Mile Cypress Watershed Plan (February 1990) shall accommodate the associated discharge from the 25 year - 3 day storm event (rainfall). (Ref: Six Mile Cypress Watershed Plan (February 1990) - Volume II, page 10-5).

2. Water quality shall be improved in accordance with EPA's NPDES and Rule 17-40 F.A.C. criteria for stormwater discharges.

C. Regulation of Private and Public Development

Surface water management systems in new private and public developments (excluding widening of existing roads) shall be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm event [rainfall]). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 17-3, 17-40, and 17-302, and Rule 40E-4, F.A.C. New developments shall be designed to avoid increased flooding of surrounding areas. These standards are designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to minimize change to the historic hydroperiod of receiving waters, to maintain the quality of receiving waters, and to eliminate the disruption of wetlands and flow-ways, whose preservation is deemed in the public interest.

LANGUAGE ADDED BY PAT 90-18, JULY 9, 1991

POLICY 39.2.6:
By 1992, the county shall develop and implement reclamation standards for future excavation which mimic natural systems and ~~provide the techniques which will improve water quality, wildlife~~ utilization, and enhance groundwater recharge.

COMMUNITY FACILITIES AND SERVICES ELEMENT
EDUCATION SUB-ELEMENT

LANGUAGE ADDED BY PAT 90-07, JULY 9, 1991

POLICY 44.1.5:
Lee County shall coordinate with the State Board of Regents and private initiatives in investigating the feasibility of, and possible locations for, a new four-year state university in Lee County.

PARKS, RECREATION AND OPEN SPACE

LANGUAGE ADDED BY PAT 90-17, JULY 9, 1991

POLICY 66.4.6:
The county shall encourage the establishment of and provide assistance to community-based land trusts, whose purpose is the preservation and protection of Lee County's natural resources.

CAPITAL IMPROVEMENTS ELEMENT

LANGUAGE ADDED OR AMENDED BY PAT/M 90-25, JULY 9, 1991

POLICY 70.1.3: MINIMUM ACCEPTABLE LEVEL-OF-SERVICE STANDARDS. Level-of-service (LOS) standards shall be the basis for planning the provision of required public facilities within Lee County. Some of these standards shall be the basis for determining the adequacy of public facilities for the purposes of permitting new development. The "Minimum Acceptable Level of Service" shall be the basis for facility design, for setting impact fees, and (where applicable) for the operation of the Concurrency Management System (CMS).

Two classes of standards are established. "Regulatory" standards are those which apply to facilities identified in state law as being essential to support development. These consist of facilities for the provision of potable water, sanitary sewer, disposal of solid waste, stormwater management, community and regional parks, and transportation. (It is the intent of this element that these standards shall be the same as those established in the various relevant plan elements. If there are discrepancies between standards contained in the elements and standards as set forth herein, the standards as set forth herein shall govern.) The second class, "non-regulatory" standards, are those which apply to other facilities for which the county desires to set standards for its own use; compliance with these standards shall not be a requirement for continued development permitting.

REGULATORY STANDARDS

1. Potable Water Facilities:

Minimum Acceptable Level of Service:
Within certificated, franchised, or designated service areas only: supply and treatment capacity of 250 gallons per day per Equivalent Residential Connection (ERC) for the peak month, and sufficient distribution system capacity to deliver water at a pressure of 20 pounds per square inch (static) at the meter anywhere on the individual system (excluding fire flow conditions). Where a private water utility has provided an alternate standard for application within its certificated or franchised area, and that standard has been adopted into this comprehensive plan, that will be the standard to be used for concurrency management in the respective certificated or franchised area.

2. Sanitary Sewer Facilities:

Minimum Acceptable Level of Service:
Within certificated, franchised, or designated service areas only: average treatment and disposal capacity of 200 gallons per day per Equivalent Residential Connection (ERC) for the peak month and sufficient collection system to carry effluent

from point(s) of origin to treatment plants. Where a private sewer utility has provided an alternate standard for application within its certificated or franchised area, and that standard has been adopted into this comprehensive plan, that will be the standard to be used for concurrency management in the respective certificated or franchised area.

3. Facilities for Disposal of Solid Waste:

Minimum Acceptable Level of Service:
Disposal facility capacity for 7 pounds of waste (or equivalent volume) per day per capita

4. Stormwater Management Facilities:

Minimum Acceptable Level of Service: INTERIM

A. Existing Infrastructure/Interim Standard

The existing surface water management system in the unincorporated areas of the county shall be sufficient to prevent the flooding of designated evacuation routes (see Map 15) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.

B. Six Mile Cypress Watershed

The level-of-service standard for the Six Mile Cypress Watershed shall be that public infrastructure remains adequate such that floor slabs for all new private and public structures which are constructed a minimum of one (1) foot above the 100-year, 3-day storm event flood plain level for Six Mile Cypress Watershed shall be safe from flooding from a 100-year, 3-day storm event (rainfall). The 100-year level and watershed boundaries are as established in Volume IV of the Six Mile Cypress Watershed Plan.

C. Regulation of Private and Public Development

Surface water management systems in new private and public developments (excluding widening of existing roads) shall be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm event [rainfall]). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 17-3, 17-40, and 17-302, and Rule 40E-4, F.A.C. New developments shall be designed to avoid increased flooding of surrounding areas. These standards are designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to minimize change to the historic hydroperiod of receiving waters, to maintain the quality of receiving waters, and to eliminate the

disruption of wetlands and flow-ways, whose preservation is deemed in the public interest.

(no other changes to Policy 70.1.3)

POLICY 70.1.4: DESIRED FUTURE LEVEL-OF-SERVICE.
[Add the following language at the end of subsection 3]:
The following additional standards are hereby established for the Six Mile Cypress Watershed:

1. The Six Mile Cypress Slough and its major tributaries as identified in the Six Mile Cypress Watershed Plan (February 1990) shall accommodate the associated discharge from the 25 year - 3 day storm event (rainfall). (Ref: Six Mile Cypress Watershed Plan (February 1990) - Volume II, page 10-5).

2. Water quality shall be improved in accordance with EPA's NPDES and Rule 17-40 F.A.C. criteria for stormwater discharges.

CONSERVATION AND COASTAL MANAGEMENT ELEMENT

LANGUAGE ADDED BY PAT 90-16, JULY 9, 1991

POLICY 77.1.1.12:
Lee County shall commit a minimum of $2,000,000 annually toward the purchase of sensitive lands as identified. The funding may purchase land or may be used to match acquisition funding of public, private and non-profit agencies. The total amount may include the sum of the millage assessment, water conservation utility sensitive lands funding, capital improvements program, and other funding mechanisms as they become available.

LANGUAGE ADDED OR AMENDED BY PAT 90-14, JULY 9, 1991

POLICY 77.2.5:
Amend regulations to better control the clearing of natural vegetation, by discouraging the clearing of understory prior to the development of property or its conversion to agricultural uses. This will be accomplished by protecting indigenous vegetation through the Tree Protection Ordinance and by clarifying current indigenous vegetation protection requirements in the Development Standards Ordinance.

LANGUAGE ADDED OR AMENDED BY PAT 90-13, JULY 9, 1991

POLICY 77.2.13:
By the end of 1991, the county shall re-evaluate, and amend as necessary, the Mangrove Protection Ordinance to incorporate recent mangrove biology research. The amendments will afford greater mangrove protection and will provide for appropriate restoration standards. This re-evaluation process shall take place at least every two to five years.

LANGUAGE ADDED BY PAT 90-09, JULY 9, 1991

POLICY 84.3.4:
The County shall require annual monitoring reports for wetland mitigation projects for a period of no less than 5 years after project completion.

HOUSING ELEMENT

LANGUAGE ADDED OR AMENDED BY PAT 90-26 AND PAT/M 90-29, JULY 9, 1991

GOAL 100: MEETING HOUSING NEEDS. To provide decent, safe, and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents of the county.

OBJECTIVE 100.1: HOUSING AVAILABILITY.
Work with private and public housing providers to ensure that the approximately 30,600 new dwellings needed by 1992 and the 87,500 new dwellings needed by the year 2000 are provided in types, costs, and locations to meet the needs of the Lee County population.

POLICY 100.1.1:
Provide information, technical assistance, and incentives to the private sector to maintain a housing production capacity sufficient to meet the required production. This shall be accomplished through the housing density bonus program and HUD Rental Rehabilitation and Section 8 programs, and other programs related to the Lee County Community Redevelopment Agency and Lee County Department of Human Services.

POLICY 100.1.2:
The county shall continue efforts to form public-private partnerships to produce affordable housing for low- and moderate-income households with local private non-profit housing agencies, local for profit developers, local lenders, the Lee County Housing Authority, the Lee County Housing Finance Authority.

POLICY 100.1.3:
Review by 1991 ordinances, codes, regulations, and the permitting process for the purpose of eliminating excessive requirements, and amending or adding other requirements in order to increase private sector participation in meeting housing needs, while continuing to insure the health, welfare, and safety of the residents.

POLICY 100.1.4:
Amend the substance, procedures, and programs of the Housing Density Bonus Ordinance to increase its effectiveness in providing low- and moderate-income housing.

POLICY 100.1.5:
Allocate funds for paying impact fees, purchase tax certificates for building lots, and site preparation for projects providing low- and moderate-income housing, or housing for special needs. ~~There shall~~ be consideration of mitigation of impact and permit fees, and assistance with infrastructure and site work.

POLICY 100.1.6:

Explore the feasibility of a publicly owned land bank with the purpose of providing land for affordable housing for low- and moderate-income households in conjunction with local private non-profit housing agencies.

POLICY 100.1.7:
Provide fast-track processing and consider other incentives for proposed housing developments intended for persons with special housing needs, including the elderly, the handicapped, large families, rural and farmworker families, and the homeless.

POLICY 100.1.8:
Amend county ordinances by 1990 to include site selection criteria for the location of housing for the elderly, transitional housing for the homeless, and institutional housing which shall consider accessibility, convenience, and infrastructure availability.

POLICY 100.1.9:
The county shall provide through the rezoning process for the location of adequate sites for low- and moderate-income residential development including mobile homes, migrant worker housing, and transitional housing for the homeless.

POLICY 100.1.10:
The county shall ensure a mix of residential types and designs on a county-wide basis by providing for the widest variety of allowable housing densities and types through the "planned development" process and a sufficiently flexible Future Land Use Map.

POLICY 100.1.11:
The county shall cooperate with other public agencies in the enforcement of anti-discrimination laws through the Office of Equal Opportunity and the Community Housing Resource Board.

POLICY 100.1.12:
The county shall not knowingly approve any development which discriminates against housing availability or opportunities on the basis of race of other legally prohibited distinctions.

POLICY 100.1.13:
The county shall coordinate its activities and cooperate with other relevant public and private interests to ensure effective participation in the housing planning process regarding local and regional housing-related issues and developments, primarily through the Affordable Housing Task Force.

POLICY 100.1.14:
The county shall continually update local regulations affecting residential development, as needed, to reflect changing household preferences, community needs, and housing industry economics.

POLICY 100.1.15:

The county shall seek a coordinated redevelopment effort through interlocal agreements allowing for joint plans, programs, and funding applications by Lee County and its three municipalities.

POLICY 100.1.16:
The county shall foster meaningful participation in the housing planning process by both the consumers and producers of housing in the county to better provide and encourage housing construction suited to the needs and affordability of residents, primarily through the Affordable Housing Task Force.

POLICY 100.1.17:
The county shall provide adequate staff support for the Department of Human Service's existing Homeless Hotline and for a new service, an affordable housing hotline.

POLICY 100.1.18:
The County shall continue to seek the approval of the Florida Legislation to levy a surtax on documentary stamps. The proceeds will be used for the provision of affordable housing for low- and moderate-households, including the homeless.

OBJECTIVE 100.2: SEASONAL AND MIGRATORY HOUSING NEEDS.
Suitable and affordable farm-labor housing for migrant farm worker needs will be available by 1992 by increasing the stock of standard affordable housing and the removal of substandard conditions.

POLICY 100.2.1:
Assist private agricultural businesses to develop and manage housing for migrant farmworkers through information, technical assistance, and financial incentives programs.

POLICY 100.2.2:
Assist non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and other non-housing support services for farmworkers and their families through the Lee County Housing Authority.

Policy 100.2.3:
Seasonal and migratory housing, as defined by ss 381.422 Florida Statutes, may be permitted in the Rural 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 shall be limited to 50 occupants per acre of actual camp area and shall be reviewed on a case-by-case basis during the planned development or Special Permit zoning process. The applicant must demonstrate that impacts of the ~~seasonal or migratory housing shall be mitigated.~~

OBJECTIVE 100.3: REHABILITATION, CONSERVATION, AND IMPROVEMENT.

By 1992, begin reducing substandard housing by five percent annually.

POLICY 100.3.1:
The county shall increase code enforcement activities in neighborhoods where code violations are more prevalent and concentrate code enforcement activities where warranted.

POLICY 100.3.2:
The County Community Outreach Division shall identify homes eligible for the Division's various housing rehabilitation programs.

POLICY 100.3.3:
Conservation of existing residential areas shall be supported by enforcement of existing codes, public improvements, and the provision of information on the availability of housing programs to promote rehabilitation and improvements.

POLICY 100.3.4:
The county shall vigorously enforce its housing code to assure that housing shall remain habitable.

POLICY 100.3.5:
The county shall continue to enforce minimum standards of housing and sanitation and require prompt action in the identification of abandoned or dilapidated property which may need demolition, including mobile homes and farmworker housing.

POLICY 100.3.6:
Seek federal and state funding, or otherwise provide local public funds, for the demolition or rehabilitation of substandard housing.

POLICY 100.3.7:
Assist neighborhood upgrading projects by providing code enforcement assistance, removing blighting influences, and concentrating capital and/or operating budget improvements in such neighborhoods.

POLICY 100.3.8:
Permit, on a demonstration basis, mixed-use and other innovative reuses of the existing housing stock which will result in the removal of substandard housing units.

POLICY 100.3.9:
Continue to operate the Urban Homesteading program.

POLICY 100.3.10:
~~Weatherization programs provided by state and federal agencies shall~~ be incorporated into the county's comprehensive housing effort as a means of encouraging housing maintenance and preservation by both the public and private sectors.

OBJECTIVE 100.4: AFFORDABLE HOUSING.
Additional locations for housing for low- and moderate-income persons will be available to meet their housing needs by 1991. Low income housing needs shall be a priority.

POLICY 100.4.1:
Support the efforts of the Lee County Housing Finance Authority, Florida Housing Finance Agency, Lee County Housing Authority, the Lee County Department of Human Services, the Lee County Community Redevelopment Agency, and local private for profit and private non-profit agencies, and assist in their efforts to determine and develop sites and programs for housing for low- and moderate-income persons, including the homeless, through referrals and staff support.

POLICY 100.4.2:
Distribute publicly assisted housing throughout the county to provide for a variety of neighborhood settings for low- and moderate-income persons and to avoid undue concentration in any one neighborhood or geographic area of the county.

POLICY 100.4.3:
The county, recognizing that financing represents the greatest percentage of housing costs, shall improve government procedures to assist in the lowering of costs for residential development and the provision of more affordable housing. Initially the county shall revise its Housing Density Bonus Ordinance to make it more usable by the private sector.

POLICY 100.4.4:
The county shall provide for the location of low- and moderate-income residential development on a project-specific basis through density incentives and county ordinances in those planning districts experiencing high growth rates and/or increasing employment.

POLICY 100.4.5:
Pursue federal sources of funding earmarked for housing that will be affordable for low- and moderate-income housing. Allocate a minimum of 40% of Lee County's HUD CDBG Entitlement Funds for affordable housing related activities to include housing rehabilitation, land acquisition for construction of affordable low- and moderate-income housing, provision of infrastructure for affordable low- and moderate-income housing, housing for the homeless, etc.

POLICY 100.4.6:
The county shall provide workable density bonuses to those developments which commit to the construction of a percentage of their total units or make a contribution to Lee County's low- and moderate-income housing fund.

POLICY 100.4.7:
Support the Lee County Department of Human Services, the Lee County Coalition of Emergency Assistance Providers, and the District 8 Coalition for the Homeless in assisting low- and moderate-income persons, including the homeless, to find adequate housing.

POLICY 100.4.8:
Seek to stimulate the production of affordable housing through other than fiscal means including mixed use incentives, flexible zoning measures, and other regulatory measures.

POLICY 100.4.9:
The county shall use available rental subsidies and Community Development Block Grant funds for programs designed to provide sound, safe, and healthful housing and related community services and facilities for low- and moderate-income residents and the homeless.

POLICY 100.4.10:
The County Department of Human Services shall provide counseling services to low- and moderate-income participants in any of the Department's housing programs, including the homeless. The counseling may include financial guidance, housing maintenance information, and consumer advice to assist households seeking affordable, standard housing.

POLICY 100.4.11:
The county shall improve its Housing Density Bonus Ordinance to reduce delays and provide additional incentives.

POLICY 100.4.12:
Self-help housing programs shall be utilized as a means of reducing housing costs for low- and moderate-income households.

POLICY 100.4.13:
The county shall maintain an ongoing research and information effort on housing and related issues, including state and federal legislation affecting housing, county-wide housing needs, and the provision of advice regarding assistance programs.

POLICY 100.4.14:
The county shall participate in state and federal housing assistance programs to aid the elderly, migrant, and other low and moderate-income households to secure suitable, affordable housing, including Housing and Community Development programs, rental assistance, and new construction home ownership programs.

POLICY 100.4.15:
Give priority to the homeless and low-income housing problems in recognition of the even greater problems faced by the private sector in providing this needed type of housing.

POLICY 100.4.16:
Seek to stimulate the production of housing affordable for low-and moderate-income households through the creation of an affordable housing trust fund, an independent private non-profit local housing development corporation, land banking and land acquisition.

OBJECTIVE 100.5: MOBILE HOMES.
There will be adequate locations and standards for an estimated 4,100 mobile homes in mobile home parks or mobile home subdivisions by 1992, and for an additional 7,700 mobile home units between 1992 and 2000. Mobile homes are fully defined in the Lee County Zoning Ordinance.

POLICY 100.5.1:
The Zoning Ordinance shall continue to designate zoning categories for mobile home parks and subdivisions sufficient to meet the future land requirements for mobile homes.

POLICY 100.5.2:
Continue to monitor existing codes for restrictive subdivision regulations which prohibit the siting of code-approved mobile homes and industrialized housing.

POLICY 100.5.3:
Provide supporting infrastructure to mobile home subdivisions and parks, consistent with this plan.

OBJECTIVE 100.6: SPECIAL NEEDS.
Locations for group homes or homeless shelters or transitional housing for the homeless will be available at suitable sites to ensure that the needs of persons requiring such housing are met.

POLICY 100.6.1:
The county shall continue to enforce non-discriminatory standards and criteria addressing the location of group homes and foster care facilities.

POLICY 100.6.2:
In order to serve persons with special needs, disabilities, or handicaps, the county shall provide for the location of adequate sites for group homes and foster care facilities through the approval of appropriate zoning districts dispersed among the residential neighborhoods of Lee County.

POLICY 100.6.3:
~~Other community-based residential care facilities needed to serve~~ group homes and the clients of other programs shall be provided at convenient, adequate, and non-isolated sites within the residential areas of the county.

POLICY 100.6.4:
Supporting infrastructure and public facilities necessary for the support and encouragement of independent living for the clients of relevant programs shall be provided.

POLICY 100.6.5:
The County shall monitor the development and distribution of group homes and residential care facilities to insure that adequate sites and infrastructure are provided and that over-concentration in any residential area is avoided.

POLICY 100.6.6:
The county shall institute local programs providing assistance to private and non-profit sponsors to insure that adequate group homes, transitional homeless housing, and foster care facilities are developed.

POLICY 100.6.7:
The county shall cooperate with appropriate agencies in order to provide adequate sites for congregate living facilities, including group and foster care homes and homeless shelters and transitional housing, to meet the requirements of persons with special needs, disabilities, and handicaps for a community residential environment and de-institutionalization.

OBJECTIVE 100.7: DISPLACEMENT.
Uniform and equitable treatment for persons and businesses displaced by state and local government programs will be provided through the Equal Opportunity Office.

POLICY 100.7.1:
Ensure that reasonably located standard housing at affordable costs is available to persons displaced through public action prior to their displacement through the county's Voluntary Relocation Program.

POLICY 100.7.2:
The county shall support the efforts of local private non-profit agencies to provide standard, affordable housing for Lee County's homeless through staff support, referrals, and financial assistance where applicable.

OBJECTIVE 100.8: HISTORIC HOUSING.
Historically significant housing will be preserved and protected for residential uses, consistent with the Historic Preservation element.

POLICY 100.8.1:
~~Assist the rehabilitation and adaptive reuse of historically~~ significant housing through technical assistance and economic assistance programs such as property tax relief, transfer of development rights, and below-market interest rate loans, consistent with the Historic Preservation element.

POLICY 100.8.2:
The county shall assist property owners of historically significant housing in applying for and utilizing state and federal assistance programs.

POLICY 100.8.3:
Promote the designation of significant Lee County historic resources through the development and adoption of an historic preservation ordinance which includes criteria for designating properties; standards and guidelines for controlling demolitions, alterations and relocation; and procedures for administration and enforcement, consistent with the Historic Preservation element.

POLICY 100.8.4:
Assist the Historic Preservation Commission in its efforts to provide public information, education, and technical assistance relating to historic preservation programs.

OBJECTIVE 100.9: NEIGHBORHOOD AND HOUSING CONSERVATION.
Lee County shall use its public planning, spending, and regulatory powers to conserve existing housing and to improve neighborhood quality, through a coordinated neighborhood and housing conservation program to initiated by 1990.

POLICY 100.9.1:
Review and amend where necessary the county's housing and health codes and standards relating to the care and maintenance of residential and neighborhood environments and facilities.

POLICY 100.9.2:
Designate appropriate areas of the county as CDBG Target areas and Neighborhood Strategy Areas, and carry out program activities in a timely and efficient manner.

POLICY 100.9.3:
Schedule and concentrate public infrastructure and supporting facilities and services to upgrade the quality of existing neighborhoods.

POLICY 100.9.5:
New development adjacent to areas of established residential neighborhoods shall be compatible with or improve the area's existing character.

POLICY 100.9.6:
Lee County shall administer the planning, zoning, and development review process in such a manner that proposed land uses acceptably minimize adverse drainage, environmental, spatial, traffic, noise, and glare impacts, as specified in county development regulations, upon adjacent residential properties, while maximizing aesthetic qualities.

POLICY 100.9.7:
The county shall coordinate residential development within urban areas to coincide with existing or planned and programmed services and facilities so as to avoid premature or non-contiguous urbanization and the use of septic tanks and private wells for potable water within developed urban areas.

POLICY 100.9.8:
County land development regulations shall implement standards to protect aesthetic qualities and the physical natural environment, while providing incentives for residential development designs which emphasize energy-efficient construction, appropriate solar exposure, air circulation, and the use of natural shading.

GOAL 101 [RESERVED]

PAT 98-14
BoCC SPONSORED AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

Lee County Planning Division
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November 22, 1999

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
PAT 98-14

This Document Contains the Following Reviews:	
✓	**Staff Review**
✓	**Local Planning Agency Review and Recommendation**
✓	**Board of County Commissioners Hearing for Transmittal**
✓	**Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report**
✓	**Board of County Commissioners Hearing for Adoption**

ORIGINAL STAFF REPORT PREPARATION DATE: February 18, 1999

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. **APPLICANT:**
   LEE COUNTY BOARD OF COUNTY COMMISSIONERS
   REPRESENTED BY THE LEE COUNTY DIVISION OF PLANNING

2. **REQUEST:**
   Amend the Vision Statement, Chapter I of the Lee Plan, to reflect the new Planning Communities Concept and their sub-communities. Staff's recommended language modifications are provided in Part II, Section C of this report.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Planning staff recommends that the Local Planning Agency recommend that the Board of County Commissioners transmit this proposed amendment to the Vision Statement, Chapter I, of the Lee Plan.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:**
   - The communities described in the current vision statement are not consistent with the adopted Planning Communities.
   - All areas that have a unique identity are not addressed in the current vision statement.
   - The Lee Plan Vision Statement has no regulatory consequences and modifications to it have no impact on development potential in Lee County.

C. BACKGROUND INFORMATION

The Vision statement was first adopted into the Lee Plan in 1994 as part of the early Evaluation and Appraisal Report (EAR). Chapter 163 (163.3167(11)) of the Florida Statutes had recently been amended to encourages each local government to articulate a vision of the future for its community. A list of communities was established and a vision of each was included in the Lee Plan Vision statement.

Following the EAR, the EAR Addendum proposed dividing the County into 20 distinct Planning Communities. Some of the smaller areas originally identified in the Vision Statement were not deemed appropriate for designation as one of the 20 Planning Community. As a result, many of the 20 Planning Communities included one or more of these smaller areas. These smaller areas still have a place in the in the Lee Plan Vision Statement as identifiable areas of the County.

Planning staff, in meetings with some concerned San Carlos Island citizens, initially discussed a proposal to specifically identify San Carlos Island as a distinct community in the Vision Statement. These meetings followed the staff recommendation in the EAR Addendum to eliminate most of the Fort Myers Beach Goal, following the Beach incorporation. Upon further consideration, it was decided that all of the recently adopted Planning Communities should be included in the vision statement. In an effort to create a consistent look throughout the Lee Plan these revisions to this vision statement are being proposed to address the recently adopted Planning Communities, the Board of County Commissioners on September 15, 1998 initiated this amendment.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Lee Plan Vision Statement gives readers a quick generalized overview of how Lee County is projected to develop during the time frame of the Plan. The allocations of developable acreage by land use included in Table 1B of the Lee Plan give a more specific view of what can be developed during the time frame of the Lee Plan. Since these two areas of the plan are providing the reader similar insights into Lee County, it only makes sense that the areas they refer to should be the same. It would seem appropriate that the vision statement should also address these smaller areas that have unique identities even though they were not large enough to be designated as a stand alone Planning Community. The Lee Plan Vision Statement has no regulatory consequences and modifications to it have no impact on development potential in Lee County.

B. CONCLUSIONS

The Lee Plan Vision Statement should be re-written to reference the 20 Lee Plan Planning Communities adopted as part of the ERA Addendum, including their sub-communities.

C. STAFF RECOMMENDATION

Planning staff recommends that the Local Planning Agency recommend that the Board of County Commissioners transmit this proposed amendment to the Vision Statement, Chapter I, of the Lee Plan. This recommendation is based upon previously discussed issues and conclusions of this report. Planning staff recommends that the Vision Statement be revised as follows:

Lee County - A Vision for 2020

All units of local government in the State of Florida are required to adopt comprehensive plans pursuant to Chapter 163 of the Florida Statutes. These plans essentially serve three broad purposes. First of all, certain day-to-day public and private activities within each jurisdiction must be consistent with the goals, objectives, and policies in the adopted plan. Second, the plan is a source of authority for the local government's land development regulations and for a wide range of official discretionary actions, including, but not limited to, the capital improvement program. Finally, the plan represents the community's vision of what it will or should look like by the end of the planning horizon. This last function was emphasized in the 1993 ELMS III Bill, which encouraged local governments to use their plans to develop and implement a vision for the future.

~~The 1994 Lee Plan~~ The Lee Plan 1998 Codification is designed to depict Lee County as it will appear in the year 2020. Given the projected increase in population (to ~~787,288~~ 602,000 permanent and ~~940,800~~ 764,171 seasonal residents) and the probable rate of technological change between the present date and 2020, it is impossible to describe the future face of the county with any degree of certainty or precision. However, t~~T~~he following~~, however, is a~~ list of themes ~~that~~ will ~~undoubtedly~~ be of great importance as Lee County approaches the planning horizon:

~~1. The growth patterns of the county will continue to be dictated by a Future Land Use map that will not change dramatically during the time frame of this plan. With the exception of Cape Coral and Lehigh Acres, the county's urban areas will be essentially built out by 2020 (pending, in some cases, redevelopment). The county will attempt to maintain the clear distinction between urban and rural areas that characterizes this plan. Its success will depend on two things: the continuing viability of agricultural uses and the amount of publicly owned land in outlying areas.~~

- ~~2.~~ The county will protect its natural resource base in order to maintain a high quality of life for its residents and visitors. This will be accomplished through an aggressive public land acquisition program (this presupposes, of course, the ability and the willingness to fund such a program) and by maintaining and enforcing cost-effective land use and environmental regulations that supplement, where necessary, federal, state, and regional regulatory programs.

- ~~3.~~ The county's traditional economic base will be diversified in order to increase the percentage of high-paying jobs, reduce tax burdens on residents, and enhance the stability of the community. Traditional industries, such as agriculture, commercial fishing, tourism, and construction, will continue to play a significant role in the county's economy, but will become less important in relation to new business opportunities afforded by the expanded international airport and the new university.

- ~~4.~~ Cultural, educational and recreational opportunities will expand dramatically as the result of the county's increased urbanization.

- ~~5.~~ Increased urbanization will require a commensurate investment in the county's physical and social infrastructure. Public facilities will be maintained at adequate levels of service, partly by the construction of new facilities and partly by the use of new methods to conserve the capacity of

existing facilities. Social problems, including, but not limited to, crime and illegal drug use, will be addressed primarily by early intervention and programs designed to eliminate their root causes.

- ~~6. The various discrete communities within the county will evolve as follows:~~ The Lee Plan's land use accommodation is based on an aggregation of allocations for 20 Planning Communities. These communities have been designed to capture the unique character of each of these areas of the county. Within each community, smaller neighborhood communities may exist; however, due to their geographic size, a planning community could not be created based on its boundaries. These communities and their anticipated evolutions are as follows:

  ~~a. The Greater Fort Myers area will remain the administrative, financial, and cultural center of Lee County.~~

  ~~b. Cape Coral will have a functional population of approximately 225,000 people by 2020 and will be, by far, the county's largest city. Development in the Cape will be stimulated by the expansion of the airport, the construction of the new university, and the availability of reasonably priced lots with public water and sewer. The imbalance between the city's population and its relatively small commercial and industrial sectors will continue to present a challenge in spite of the city's success in promoting the S.R. 78 corridor as an employment center.~~

  ~~c. Sanibel will look much as it does today, except that a new emphasis on public transportation will reduce gridlock during the tourist season.~~

  ~~d. The Town of Fort Myers Beach will develop and adopt its own comprehensive plan. It is anticipated the Town of Fort Myers Beach will look much as it does today in the absence of a major hurricane or other natural disaster. (Added by Ordinance No. 98-09)~~

  ~~e. Lehigh Acres will have a functional population of approximately 95,000 people by 2020 and will be incorporated. The new city's primary problems will revolve around its lack of commercial and industrial centers and the adequacy of its arterial and collector road network.~~

  ~~f. Bonita Springs will also incorporate during the time frame of the plan. The founders of the new city will cooperate closely with Lee and Collier Counties to create a viable network of north-south arterials linking the rapidly growing areas of north Collier County and south Lee County.~~

  ~~g. Estero will become an urban area, but will derive its unique character from its historic resources.~~

  ~~h. San Carlos Park will be built out in 2020. Many of the employees of the university and the commercial center around the international airport will live in this area.~~

  ~~i. Captiva will look much as it does today in the absence of a major hurricane or other natural disaster. (Amended by Ordinance No. 98-09)~~

~~j. The Iona McGregor area will be built out. Substantial redevelopment will take place in areas that were developed prior to 1990. All of the former Estuaries property will be purchased by the state.~~

~~k. The Gateway New Community will be a thriving, built out, mixed use community in 2020. Gateway, along with the business parks surrounding the airport, will be an employment center for the residents of Lehigh Acres. The new community will either become a city in its own right or will be annexed by the City of Fort Myers.~~

~~l. Buckingham will remain rural in character in spite of concentrated attempts by developers to increase its densities.~~

~~m. Greater Pine Island will approach buildout by 2020. Incorporation will be viewed as a serious option by those who wish to decrease the island's population accommodation capacity, particularly in light of its vulnerability to hurricanes. Periodic battles will be fought over the desirability of maintaining the island's largely rural character.~~

~~n. North Fort Myers will be substantially redeveloped by 2020 and will become increasingly affluent as the advantages of its location close to the financial center of Fort Myers become more obvious.~~

~~o. Alva will retain its character as an historic, rural village.~~

1. **Alva** - This Community is located in the northeast corner of the county and is focused around the rural community of Alva. This community roughly includes lands in Township 43 South/Range 27 East, lands north of the Caloosahatchee River in Township 43 South/Range 26 East, and, lands north of the Caloosahatchee River in Sections 1,2, 11-14, and 23-27 of Township 43 South/Range 26 East. The majority of this area is designated as Rural, Open Lands, or Density Reduction/Groundwater Resource. The lands surrounding the Alva "Center", which lie north and south of the Caloosahatchee River at the intersections of the Broadway (the bridge at Alva) and SR 78 and SR 80, are designated as Urban Community. There are some lands designated as Outlying Suburban within the Alva Planning Community, most of which are located south of Bayshore Road west of SR 31. The Bayshore area has characteristics of both the Alva and the North Fort Myers Community. The division between these communities was drawn to reflect census geography. If this geography is altered, this community boundary should also be reviewed. This area currently has a rural character similar to the rest of the Alva Planning Community; however, its location/accessibility to I-75 may, in the future, render it more closely related to the North Fort Myers Community.

   While the Alva community does offer some commercial opportunities, residents satisfy most of their commercial needs outside of this community in the more urbanized communities to the west and south. For the most part, these conditions are expected to remain through the life of this plan. The population of Alva is projected to grow from an estimated 4,260 in 1996 to 4,818 in 2020. Commercially, Alva will double its available square footage to nearly 150,000sf. In the year 2020, the Alva community will remain largely rural/agricultural in nature with over half of its total acreage being used for this purpose. The Alva Community will also strive to protect its historic resources.

There are no distinct sub-communities within the Alva Community.

2 **Boca Grande** – This community includes the portions of Gasparilla Island within Lee County and the surrounding smaller islands. The smaller islands in this community have minimal if any development. The core of this community is the unincorporated town of Boca Grande. This community is unique in that it has no direct road access to the rest of Lee County. All access to Boca Grande is via Charlotte County or by boat. The Boca Community is designated as Urban Community, Outer Islands, and Public Facilities; however, the Urban Community category is restricted to 3 units per acre within this community. The population of Boca Grande is expected to increase from 888 people in 1996 to 1,201 in 2020. The seasonal influx will remain high in this community with an expected seasonal population in 2020 of 2,834. Currently, less than 15% of Boca Grande is vacant. By the year 2020, this community is expected to build out. The community of Boca Grande is dedicated to preserving its historic character and the community will look largely the same in 2020 as it does today.

There are no sub-communities within the Boca Grande Community.

3. **Bonita** - This Community is located in south Lee County from the Estero River and the northern boundary of the Brooks of Bonita development south to the Collier County line. It is generally west of I-75 except south of Bonita Beach Road where it extends to the east county line. The Community contains all the islands south of the Town of Fort Myers Beach including those in the area of Mound Key. This community has a wide variety of Future Land Use designations from Rural to Central Urban. It includes Industrial Development areas and a General Interchange area. The General Interchange, Outlying Suburban, and Rural lands east of I-75 are included because they do not have the same characteristics as the other lands within the Southeast Lee County community described below which is almost entirely Density Reduction/Groundwater Resource.

   Bonita Springs is one of the fastest growing communities in Lee County and is expected to nearly double in population between 1996 and 2020 with an expected 2020 permanent population of approximately 37,000. The Bonita Community will also remain an attractive seasonal homeowner destination and has an anticipated Seasonal Population of 61,000 in the year 2020. This community will have only 20% of its total land area remaining vacant or in agricultural use in the year 2020.

   The pressure to incorporate Bonita Springs will continue and will likely succeed during the life of this plan. If the boundaries of the new city are different than this community's, the Bonita Planning Community should be amended to reflect the corporate limits of Bonita Springs.

4. **Fort Myers Shores** -This Community is located south of the Caloosahatchee River, east of Hickey Creek, and north of the Orange River; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This community contains four areas: Fort Myers Shores, Morse Shores, Tice and Olga. The Fort Myers Shores, Morse Shores, and Tice areas are similar in character and will have similar development patterns for the next 20 years. The Olga area has a more rural/historic character and is anticipated to grow slightly slower that the other areas of this community. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Rural, or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial Interchange Area, and General Interchange.

The population of the Fort Myers Shores community is also expected to grow from a 1996 population of 12,000 to approximately 14,000. However, the amount of commercial building is expected to nearly double by 2020 and the amount of industrial land is expected to increase by 10 fold. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva and Buckingham. There are two major shopping areas in this community to satisfy resident's primary commercial needs. The residents of this community still utilize commercial establishments in the more urbanized areas for much of their commercial needs. During the life of this plan this community will develop as a commercial/employment center for the adjacent communities which will retain their rural character.

5. **Burnt Store** - This Community is located in the northwest corner of the mainland of unincorporated Lee County. The property east of Burnt Store Road is designated Open Lands and the land west of Burnt Store Road is designated as Rural (also known as Burnt Store Marina) with the exception of 10 acres designated as Outlying Suburban. Most of The Burnt Store Marina development was approved prior to the adoption of the 1984 Lee Plan and is "vested" for densities higher than allowed by the current plan. This development is primarily residential with a high percentage of seasonal residents. There are some commercial and marine oriented amenities within the Burnt Store Marina development primarily serving residents of that development. This area is expected to double its dwelling units during the life of this plan from 917 in 1996 to over 2000 in 2020. Today, most of the community's commercial needs are served outside of the community in Cape Coral, North Fort Myers and Fort Myers, or in Charlotte County. This development pattern is expected to remain through 2020.

6. **Cape Coral** - The Cape Coral Community includes all the unincorporated enclaves with the exception of the few enclaves located on Pine Island Road West of Chiquita Boulevard. These enclaves may annex into the city and it may be advantageous at that time to amend the Community Map and the corresponding allocation tables to reflect such annexations. While commercial and industrial opportunities of all varieties exist in the City of Cape Coral, many of the residents still satisfy these needs outside of the city. Likewise, many residents of less intense areas of the county will utilize Cape Coral's commercial and industrial opportunities for their needs. Cape Coral will have a functional population of approximately 225,000 people by 2020 and will be, by far, the county's largest city. Development in the Cape will be stimulated by the expansion of the airport, the construction of the new university, and the availability of reasonably-priced lots with public water and sewer. The imbalance between the city's population and its relatively small commercial and industrial sectors will continue to present a challenge in spite of the city's success in promoting the S.R. 78 corridor as an employment center.

7. **Captiva** – This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Casta Island, Usseppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by 2020. Furthermore, the area will look much as it does today in the absence of a major hurricane or other natural disaster.

8. **Fort Myers*** - The Fort Myers Community includes all land within the City of Fort Myers along with most areas included in the repealed Fort Myers Urban Reserve and the portions of Gateway which are in the process of annexing or expected to annex into the City of Fort Myers. The City of Fort Myers is annexing land in an aggressive manner, especially in the vicinity of Gateway. An urban reserve overlay for the City of Fort Myers is no longer in effect. Due to cessation of the inter-local with the City of Fort Myers, this planning tool was deleted from the Lee Plan in the 1992/1993 amendment cycle. The Morse Shores/Tice area is unlikely to annex into the City of Fort Myers and is not included in this community even though it was previously in the Fort Myers Urban Reserve. While the emphasis of new commercial and industrial activity in Lee County has been moving south along US 41, The community of Fort Myers remains an administrative, financial, and cultural center for the rest of Lee County. This situation is not expected to change during the life of this plan. The population of the Fort Myers community will also grow from the current 57,000 permanent residents in 1996 to over 86,000 permanent residents in 2020. The seasonal influx of residents in the Fort Myers community is not as great as in other areas of the county. In 2020 the Fort Myers community will have a functional population of approximately 94,000.

9. **Fort Myers Beach*** – This community includes all land incorporated in the Town of Fort Myers Beach as of this date. The town of Fort Myers beach will continue to have a strong retail base for tourist needs and the daily needs of the residents. However, major consumer needs will remain to be met outside of this community. Fort Myers Beach does a boating and marina industry on the island which fosters the employment base of the community. The development of its own comprehensive plan ensures that the Town of Fort Myers Beach will look much as it does today in the absence of a major hurricane or other natural disaster. The population of this community is very influenced by seasonal factors. This community is nearly built out today and will not have a substantial increase in permanent population by the year 2020.

10. **Gateway/Airport**** - This Community is located South of SR 82, generally east of I-75, and north of Alico Road including those portions of the Gateway development which have not been or not anticipated to be annexed into the City of Fort Myers, the Southwest International Airport and the properties it is expected the airport will use for its expansion, the lands designated as Airport Commerce, and the land designated as Industrial Development west of I-75 north of Alico Road. In addition to these two land use designations, properties in this community are designated New Community (the Gateway development), Airport, Density Reduction/Groundwater Resource (primarily the anticipated airport expansion areas), Rural, and General Interchange. The road network in this community is planned to change dramatically over time creating access to and from this community to the north, south, and east without relying on I-75.

    There are three distinct areas within this community. The Gateway portion of this community is the area where residential uses will occur. Gateway will be a thriving, nearly built-out, mixed-use community in 2020. The population of this community is anticipated to grow from 1,500 permanent residents in 1996 to approximately 8,000 in 2020 and is expected to have fewer than 1,000 units remaining to be built in the year 2020. The Gateway/Airport community will remain to have an average seasonal resident influx for the Lee County area with an expected 2020 functional population of 10,000.

The second area in this community is the Southwest International Airport. The airport will be greatly expanded by 2020. The expanded airport will have a second parallel runway and a new terminal building which will more than double the existing capacity of the airport.

The airport expansion and the completion of Florida Gulf Coast University are expected to energize the remaining area in this community, the commercial and industrial component of this community. This portion of the community is to the south and west of Gateway and the airport and extends west of I-75 along Alico Road. While this segment of the community is not expected to build out during the timeframe of this plan, the area will be much more urbanized with hi-tech/clean industry businesses.

11. **Daniels Parkway** - This Community is located between I-75 and the Six Mile Cypress Slough, south of the City of Fort Myers and north of the Alico Road industrial area. The community contains lands designated Rural, Outlying Suburban, and a small area of General Interchange. This community is considered one of the primary gateways to Lee County. This community has some rural characteristics which will remain in existence through the year 2020. Much of the existing vacant land will be developed into low density gated communities. While there is a potential to redevelopment the large lot home sites north of Daniels Parkway into the smaller lots allowed by the Outlying Suburban category, this development pattern not anticipated by 2020. This community will grow from 6,000 to 7,500 permanent residents and over 10,000 total residents by 2020.

12. **Iona/McGregor** - This Community is located primarily south of Gladiolus Drive west of Hendry Creek and contains all of the islands not included in the Town of Fort Myers Beach. This community primarily has lands designated as Central Urban, Urban Community, Suburban, and Outlying Suburban. There is also an industrial area located west of Pine Ridge road north and south of Summerlin Road. This community, due to its proximity to the area beaches, will continue to be a popular area for seasonal residents. This community has three discernible sub-areas: McGregor Boulevard/San Carlos Boulevard, Summerlin Road, and San Carlos Island.

    The McGregor Blvd./San Carlos Blvd area will be approaching build out by 2020 and some of the older (pre 1980) developments will begin to redevelop to take advantage of a higher end market seeking a combination of quick beach access and closeness to urban services. This area will remain primarily residential with retail uses located at the major intersections.

    The Summerlin Road Corridor will develop a new look by 2020 and will emerge as one of the county's primary medical service areas. This portion of the community will also continue to develop as a strong residential area with an influx of new gated communities.

    The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature.

    Residents of this community will address current planning concerns in a comprehensive review of this area and future amendments to this plan will be made to address these concerns. This area is anticipated to grow from a current permanent population of 24,000 to 32,000 by 2020. The Iona/McGregor area is also expected to be home to an additional 14,000 seasonal residents by 2020.

13. **San Carlos/Estero** - This Community is located in the southern portion of Lee County, east of Hendry Creek and, for the most part, south of Alico Road. It is north of the Estero River on the west side of US 41 then north of the new Brooks of Bonita development east of US41. The

community does extend east of I-75 to include the approved developments along Corkscrew Road and all lands designated University Community. The majority of the land in this community is designated as Suburban and then Urban Community (both having a maximum standard density of 6 units per acre) with the remaining areas designated as Rural, Outlying Suburban, and Industrial Development. There are four distinct areas within this community: San Carlos Park, Island Park, Estero, and the new university area. All of these areas will be experiencing tremendous development pressures as this community explodes into the next century.

This community will be challenged with addressing the needs of the Lee County community that contains the newest major state university, a new semi-professional ice-hockey arena, and immediate access to the Southwest Florida International Airport. Most of the vacant property in this community (nearly 70%) has some type of development approval most of which were granted prior to the advent of many of these new development engines. The San Carlos/Estero will struggle with these conflict throughout the life of this plan but will emerge a vibrant urban core for Lee County's high-tech research and development employment base.

The historic Estero area will struggle to maintain its historic character through the year 2020 and will feel many development pressures which will threaten this character.

Overall, this community, which has been a fast growing area of Lee County since 1980, will add more than 15,000 new permanent residents and accommodate a total functional population of nearly 50,000 people by the year 2020.

14. **Sanibel*** – This community includes all land incorporated in the City of Sanibel as of this date. Sanibel does have a strong retail base for tourist needs and the daily needs of the residents. However, for more major needs residents do utilize businesses outside of this community. Conversely, Sanibel will remain a destination for residents and tourist looking for novelty tourist items. The community as a whole will look much as it does today, except that a new emphasis on public transportation will reduce gridlock during the tourist season. Nominal population growth is expected in Sanibel as the community is nearly built out today.

15. **South Fort Myers** - This Community is located in the center of Lee County. South of the City of Fort Myers, east of the Caloosahatchee River, west of the Six Mile Cypress Slough, and north of Gladiolus Drive. This community primarily has the higher intensity land use categories such as Intensive Development, Central Urban, Urban Community, Industrial Development, and Suburban. This community contains one of the county's major hospitals, a baseball spring training facility, and the local community college. This community will be nearly built out by the year 2020 The South Fort Myers Community will continue to be a core area of the county providing office area for professional services in areas such as financial and medical. There will also be an increased amount of commercial activity along the US 41 corridor and light industrial uses will continue to expand along the Metro Avenue corridor north of Daniels Parkway. The amounts of commercial and industrial uses in this community are expected to double and most of the suitable land for these uses will be developed by 2020.

The residential areas of this community will also continue to develop through the year 2020 however the popularity of the residential opportunities to the south in the San Carlos/Estero and Bonita communities will continue to dominate this segment of the market. This community will grow from a 1996 permanent population of 46,000 to approximately 52,000 in 2020. In 2020, this community will still be 4,000 permanent residents from its build out population. While this community is not as heavily influenced by the seasonal population as the

communities to the south, in season, South Fort Myers is expected to have a population of over 60,000 in the year 2020.

16. **Pine Island** – This community includes the major islands of Pine Island, Little Pine Island, and Matlacha, the surrounding smaller islands, and the previously mentioned enclaves in the City of Cape Coral. This community has an overall identity of Pine Island; however, there are four sub community centers within the overall community. The four areas within the Pine Island Community are: Bokeelia at the northern tip, St James City at the southern tip of the island, and Matlacha which is a small island between the mainland and Pine Island. The Pine Island community is similar to the other island communities in that the residents leave the islands to satisfy many of their commercial needs. However, unlike the other island communities, Pine Island does not have a substantial amount of tourist oriented commercial. Since the Pine Island community does not contain the gulf front beaches the other island communities have, this is not expected to change during the life of the plan. This community will add a small amount of new commercial by 2020 to meet the daily needs of residents; however, Pine Island community residents will still satisfy most of their commercial needs outside of their community. The population of this community will also grow from 8,400 permanent residents in 1996 to approximately 9,700 residents in 2020 and a total seasonal population of nearly 15,000. Pine Island is also different from the other island communities in that it has a much higher percentage of non-seasonal residents.

17. **Lehigh Acres** - This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows.

18. **Southeast Lee County** - As the name implies, this Community is located in the southeast area of Lee County. South of SR 82, north of Bonita Beach Road, east of I-75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities) and west of the county line. With the exception of a few Public Facilities, the entire community is designated as Density Reduction/Groundwater Resource, Conservation Lands (both upland and wetlands), and Wetlands on the Future Land Use Map. This "community" consists of mining operation, agricultural uses, and very large lot residential home sites. The one exception is the Citrus Park Community. This community will not change in character by the year 2020 and will continue to have a population of approximately 2000 residents.

19. **North Fort Myers** - This Community is located north of the Caloosahatchee River between the Alva Planning Community and the City of Cape Coral. This community includes a wide mix

of Future Land Use designations from Intensive Development to Density Reduction/Groundwater Resource. The area between the two US 41 routes near the river will remain the core of this community. The old US 41 corridor will be redeveloped with new commercial uses and waterfront development taking advantage of this areas close proximity to downtown Fort Myers and its riverfront location. The US 41 corridor from Pondella Road north will continue to attract new commercial development that will serve the North Fort Myers community and other surrounding communities. Total commercial, service, and industrial uses will have doubled from the amount existing in 1996. These areas are surrounded by residential uses. Most of the North Fort Myers community will develop at residential densities less than what is allowed by the Lee Plan Future Land Use Map. Furthermore, much of this community is designated for low density development of less than one unit per acre. This community will not be one of the fastest growing areas, residentially, in Lee County. This area will add fewer than 3,000 new residents by the year 2020. However, with a total permanent population of over 50,000 residents and nearly 65,000 residents in season, the North Fort Myers community will be the fourth largest community, in population, in the year 2020. As stated in the Alva community, the Bayshore area does have characteristics differing from both the Alva and North Fort Myers community. The split in the Bayshore area between Alva and North Fort Myers was done to include properties which were most closely related to those respective communities.

20. **Buckingham-** This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan.

Implementation of the Plan

This plan will be fully meaningful only if promptly and properly implemented. Some provisions of the plan are self-implementing; in other words, they are to guide county actions on a day-to-day basis without the need for further implementing legislation. Other provisions indicate that detailed regulations must be developed to implement a general policy statement contained in the plan. When such a policy makes reference to a specific year of completion, the county's intent is to have such regulations in place by the end of that year. Finally, numerous objectives and policies direct the county to complete programs or plans by a specific date. All such objectives and policies should be construed to require completion of the task by the end of the designated year in the absence of a reference to a particular date.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: February 22, 1999

A. LOCAL PLANNING AGENCY REVIEW

This item was originally heard at the February 22nd hearing but was continued until the March 22nd hearing to allow more time for review of this item. At the March 22nd hearing, the LPA discussed the merits of the proposed staff language versus the existing language. One member of the LPA felt that the proposed language was too technical and not visionary in nature. The consensus of the LPA was that the best approach for the Vision Statement is to formulate it from citizen input from each of the communities in Lee County. It was agreed that this would be a very time intensive exercise and that staff's time could be spent more wisely on other issues. There were additional comments on the consistency between the Vision Statement and the adopted Planning Communities Map. The thought discussed by the LPA was that the Vision Statement should include the 20 Planning Communities but not include the numbers in the proposed language. There was also a consensus on retaining existing paragraph one of the current Vision Statement. A motion was made to recommend transmittal of the proposed language but to also include paragraph one from the existing language. This motion had no second. A second motion was made to retain the current language with the addition of a statement on San Carlos Island and any of the Planning Communities not currently mentioned. This motion was approved 3 to 2.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the existing Lee Plan Vision Statement with the addition of a statement about San Carlos Island and include a brief paragraph for any of the adopted Planning Communities that are currently not mentioned.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA made the following findings of fact:
   - The Vision Statement should be a brief non-technical statement of the community.
   - The current Vision Statement may not include all of the communities adopted as Planning Communities.
   - A Vision Statement for each community based on citizen input would be very time intensive and is not an efficient use of staff time.

C. VOTE:

BARBARA BARNES-BUCHANAN	AYE
WILLIAM HICKOK	ABSENT
MITCH HUTCHCRAFT	AYE
RONALD INGE	ABSENT
BILL SPIKOWSKI	NAY
GREG STUART	NAY
MATT UHLE	AYE

D. REVISED RECOMMENDED LANGUAGE

Planning staff has revised the recommended language to include the LPA suggestion that paragraph 1 from the original language be retained. Planning staff believes the proposed language is consistent with the Planning Communities approach used in the Lee Plan and the figures in the text give the reader a general idea of the amount of growth anticipated in each community through the year 2020. Staff recommends the following changes to the Lee Plan Vision Statement:

Lee County - A Vision for 2020

All units of local government in the State of Florida are required to adopt comprehensive plans pursuant to Chapter 163 of the Florida Statutes. These plans essentially serve three broad purposes. First of all, certain day-to-day public and private activities within each jurisdiction must be consistent with the goals, objectives, and policies in the adopted plan. Second, the plan is a source of authority for the local government's land development regulations and for a wide range of official discretionary actions, including, but not limited to, the capital improvement program. Finally, the plan represents the community's vision of what it will or should look like by the end of the planning horizon. This last function was emphasized in the 1993 ELMS III Bill, which encouraged local governments to use their plans to develop and implement a vision for the future.

The ~~1994~~ Lee Plan is designed to depict Lee County as it will appear in the year 2020. Given the projected increase in population (to ~~787,288~~ 602,000 permanent and ~~940,800~~ 764,171 seasonal residents) and the probable rate of technological change between the present date and 2020, it is impossible to describe the future face of the county with any degree of certainty or precision. However, t~~T~~he following~~, however, is a~~ list of themes ~~that~~ will ~~undoubtedly~~ be of great importance as Lee County approaches the planning horizon:

- ~~1.~~ The growth patterns of the county will continue to be dictated by a Future Land Use map that will not change dramatically during the time frame of this plan. With the exception of Cape Coral and Lehigh Acres, the county's urban areas will be essentially built out by 2020 (pending, in some cases, redevelopment). The county will attempt to maintain the clear distinction between urban and rural areas that characterizes this plan. Its success will depend on two things: the continuing viability of agricultural uses and the amount of publicly-owned land in outlying areas.

- ~~2.~~ The county will protect its natural resource base in order to maintain a high quality of life for its residents and visitors. This will be accomplished through an aggressive public land acquisition program (this presupposes, of course, the ability and the willingness to fund such a program) and by maintaining and enforcing cost-effective land use and environmental regulations that supplement, where necessary, federal, state, and regional regulatory programs.

- ~~3.~~ The county's traditional economic base will be diversified in order to increase the percentage of high-paying jobs, reduce tax burdens on residents, and enhance the stability of the community. Traditional industries, such as agriculture, commercial fishing, tourism, and construction, will continue to play a significant role in the county's economy, but will become less important in relation to new business opportunities afforded by the expanded international airport and the new university.

- ~~4.~~ Cultural, educational and recreational opportunities will expand dramatically as the result of the county's increased urbanization.

- ~~5.~~ Increased urbanization will require a commensurate investment in the county's physical and social infrastructure. Public facilities will be maintained at adequate levels of service, partly by the construction of new facilities and partly by the use of new methods to conserve the capacity of existing facilities. Social problems, including, but not limited to, crime and illegal drug use, will be addressed primarily by early intervention and programs designed to eliminate their root causes.

- ~~6. The various discrete communities within the county will evolve as follows:~~ The Lee Plan's land use accommodation is based on an aggregation of allocations for 20 Planning Communities. These communities have been designed to capture the unique character of each of these areas of the county. Within each community, smaller neighborhood communities may exist; however, due to their geographic size, a planning community could not be created based on its boundaries. These communities and their anticipated evolutions are as follows:

  ~~a. The Greater Fort Myers area will remain the administrative, financial, and cultural center of Lee County.~~

  ~~b. Cape Coral will have a functional population of approximately 225,000 people by 2020 and will be, by far, the county's largest city. Development in the Cape will be stimulated by the expansion of the airport, the construction of the new university, and the availability of reasonably priced lots with public water and sewer. The imbalance between the city's population and its relatively small commercial and industrial sectors will continue to present a challenge in spite of the city's success in promoting the S.R. 78 corridor as an employment center.~~

  ~~c. Sanibel will look much as it does today, except that a new emphasis on public transportation will reduce gridlock during the tourist season.~~

  ~~d. The Town of Fort Myers Beach will develop and adopt its own comprehensive plan. It is anticipated the Town of Fort Myers Beach will look much as it does today in the absence of a major hurricane or other natural disaster. (Added by Ordinance No. 98-09)~~

~~e. Lehigh Acres will have a functional population of approximately 95,000 people by 2020 and will be incorporated. The new city's primary problems will revolve around its lack of commercial and industrial centers and the adequacy of its arterial and collector road network.~~

~~f. Bonita Springs will also incorporate during the time frame of the plan. The founders of the new city will cooperate closely with Lee and Collier Counties to create a viable network of north-south arterials linking the rapidly growing areas of north Collier County and south Lee County.~~

~~g. Estero will become an urban area, but will derive its unique character from its historic resources.~~

~~h. San Carlos Park will be built out in 2020. Many of the employees of the university and the commercial center around the international airport will live in this area.~~

~~i. Captiva will look much as it does today in the absence of a major hurricane or other natural disaster. (Amended by Ordinance No. 98-09)~~

~~j. The Iona McGregor area will be built out. Substantial redevelopment will take place in areas that were developed prior to 1990. All of the former Estuaries property will be purchased by the state.~~

~~k. The Gateway New Community will be a thriving, built-out, mixed-use community in 2020. Gateway, along with the business parks surrounding the airport, will be an employment center for the residents of Lehigh Acres. The new community will either become a city in its own right or will be annexed by the City of Fort Myers.~~

~~l. Buckingham will remain rural in character in spite of concentrated attempts by developers to increase its densities.~~

~~m. Greater Pine Island will approach buildout by 2020. Incorporation will be viewed as a serious option by those who wish to decrease the island's population accommodation capacity, particularly in light of its vulnerability to hurricanes. Periodic battles will be fought over the desirability of maintaining the island's largely rural character.~~

~~n. North Fort Myers will be substantially redeveloped by 2020 and will become increasingly affluent as the advantages of its location close to the financial center of Fort Myers become more obvious.~~

~~o. Alva will retain its character as an historic, rural village.~~

1. **Alva** - This Community is located in the northeast corner of the county and is focused around the rural community of Alva. This community roughly includes lands in Township 43 South/Range 27 East, lands north of the Caloosahatchee River in Township 43 South/Range 26 East, and, lands north of the Caloosahatchee River in Sections 1,2, 11-14, and 23-27 of

Township 43 South/Range 26 East. The majority of this area is designated as Rural, Open Lands, or Density Reduction/Groundwater Resource. The lands surrounding the Alva "Center", which lie north and south of the Caloosahatchee River at the intersections of the Broadway (the bridge at Alva) and SR 78 and SR 80, are designated as Urban Community. There are some lands designated as Outlying Suburban within the Alva Planning Community, most of which are located south of Bayshore Road west of SR 31. The Bayshore area has characteristics of both the Alva and the North Fort Myers Community. The division between these communities was drawn to reflect census geography. If this geography is altered, this community boundary should also be reviewed. This area currently has a rural character similar to the rest of the Alva Planning Community; however, its location/accessibility to I-75 may, in the future, render it more closely related to the North Fort Myers Community.

While the Alva community does offer some commercial opportunities, residents satisfy most of their commercial needs outside of this community in the more urbanized communities to the west and south. For the most part, these conditions are expected to remain through the life of this plan. The population of Alva is projected to grow from an estimated 4,260 in 1996 to 4,818 in 2020. Commercially, Alva will double its available square footage to nearly 150,000sf. In the year 2020, the Alva community will remain largely rural/agricultural in nature with over half of its total acreage being used for this purpose. The Alva Community will also strive to protect its historic resources.

There are no distinct sub-communities within the Alva Community.

2 **Boca Grande** – This community includes the portions of Gasparilla Island within Lee County and the surrounding smaller islands. The smaller islands in this community have minimal if any development. The core of this community is the unincorporated town of Boca Grande. This community is unique in that it has no direct road access to the rest of Lee County. All access to Boca Grande is via Charlotte County or by boat. The Boca Community is designated as Urban Community, Outer Islands, and Public Facilities; however, the Urban Community category is restricted to 3 units per acre within this community. The population of Boca Grande is expected to increase from 888 people in 1996 to 1,201 in 2020. The seasonal influx will remain high in this community with an expected seasonal population in 2020 of 2,834. Currently, less than 15% of Boca Grande is vacant. By the year 2020, this community is expected to build out. The community of Boca Grande is dedicated to preserving its historic character and the community will look largely the same in 2020 as it does today.

There are no sub-communities within the Boca Grande Community.

3. **Bonita** - This Community is located in south Lee County from the Estero River and the northern boundary of the Brooks of Bonita development south to the Collier County line. It is generally west of I-75 except south of Bonita Beach Road where it extends to the east county line. The Community contains all the islands south of the Town of Fort Myers Beach including those in the area of Mound Key. This community has a wide variety of Future Land Use designations from Rural to Central Urban. It includes Industrial Development areas and a General Interchange area. The General Interchange, Outlying Suburban, and Rural lands east of I-75 are included because they do not have the same characteristics as the other lands within the Southeast Lee County community described below which is almost entirely Density Reduction/Groundwater Resource.

Bonita Springs is one of the fastest growing communities in Lee County and is expected to nearly double in population between 1996 and 2020 with an expected 2020 permanent population of approximately 37,000. The Bonita Community will also remain an attractive seasonal homeowner destination and has an anticipated Seasonal Population of 61,000 in the year 2020. This community will have only 20% of its total land area remaining vacant or in agricultural use in the year 2020.

The pressure to incorporate Bonita Springs will continue and will likely succeed during the life of this plan. If the boundaries of the new city are different than this community's, the Bonita Planning Community should be amended to reflect the corporate limits of Bonita Springs.

4. **Fort Myers Shores** -This Community is located south of the Caloosahatchee River, east of Hickey Creek, and north of the Orange River; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This community contains four areas: Fort Myers Shores, Morse Shores, Tice and Olga. The Fort Myers Shores, Morse Shores, and Tice areas are similar in character and will have similar development patterns for the next 20 years. The Olga area has a more rural/historic character and is anticipated to grow slightly slower that the other areas of this community. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Rural, or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial Interchange Area, and General Interchange.

   The population of the Fort Myers Shores community is also expected to grow from a 1996 population of 12,000 to approximately 14,000. However, the amount of commercial building is expected to nearly double by 2020 and the amount of industrial land is expected to increase by 10 fold. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva and Buckingham. There are two major shopping areas in this community to satisfy resident's primary commercial needs. The residents of this community still utilize commercial establishments in the more urbanized areas for much of their commercial needs. During the life of this plan this community will develop as a commercial/employment center for the adjacent communities which will retain their rural character.

5. **Burnt Store** - This Community is located in the northwest corner of the mainland of unincorporated Lee County. The property east of Burnt Store Road is designated Open Lands and the land west of Burnt Store Road is designated as Rural (also known as Burnt Store Marina) with the exception of 10 acres designated as Outlying Suburban. Most of The Burnt Store Marina development was approved prior to the adoption of the 1984 Lee Plan and is "vested" for densities higher than allowed by the current plan. This development is primarily residential with a high percentage of seasonal residents. There are some commercial and marine oriented amenities within the Burnt Store Marina development primarily serving residents of that development. This area is expected to double its dwelling units during the life of this plan from 917 in 1996 to over 2000 in 2020. Today, most of the community's commercial needs are served outside of the community in Cape Coral, North Fort Myers and Fort Myers, or in Charlotte County. This development pattern is expected to remain through 2020.

6. **Cape Coral** - The Cape Coral Community includes all the unincorporated enclaves with the exception of the few enclaves located on Pine Island Road West of Chiquita Boulevard. These enclaves may annex into the city and it may be advantageous at that time to amend the

Community Map and the corresponding allocation tables to reflect such annexations. While commercial and industrial opportunities of all varieties exist in the City of Cape Coral, many of the residents still satisfy these needs outside of the city. Likewise, many residents of less intense areas of the county will utilize Cape Coral's commercial and industrial opportunities for their needs. Cape Coral will have a functional population of approximately 225,000 people by 2020 and will be, by far, the county's largest city. Development in the Cape will be stimulated by the expansion of the airport, the construction of the new university, and the availability of reasonably-priced lots with public water and sewer. The imbalance between the city's population and its relatively small commercial and industrial sectors will continue to present a challenge in spite of the city's success in promoting the S.R. 78 corridor as an employment center.

7. **Captiva** – This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Casta Island, Usseppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by 2020. Furthermore, the area will look much as it does today in the absence of a major hurricane or other natural disaster.

8. **Fort Myers*** - The Fort Myers Community includes all land within the City of Fort Myers along with most areas included in the repealed Fort Myers Urban Reserve and the portions of Gateway which are in the process of annexing or expected to annex into the City of Fort Myers. The City of Fort Myers is annexing land in an aggressive manner, especially in the vicinity of Gateway. An urban reserve overlay for the City of Fort Myers is no longer in effect. Due to cessation of the inter-local with the City of Fort Myers, this planning tool was deleted from the Lee Plan in the 1992/1993 amendment cycle. The Morse Shores/Tice area is unlikely to annex into the City of Fort Myers and is not included in this community even though it was previously in the Fort Myers Urban Reserve. While the emphasis of new commercial and industrial activity in Lee County has been moving south along US 41, The community of Fort Myers remains an administrative, financial, and cultural center for the rest of Lee County. This situation is not expected to change during the life of this plan. The population of the Fort Myers community will also grow from the current 57,000 permanent residents in 1996 to over 86,000 permanent residents in 2020. The seasonal influx of residents in the Fort Myers community is not as great as in other areas of the county. In 2020 the Fort Myers community will have a functional population of approximately 94,000.

9. **Fort Myers Beach*** – This community includes all land incorporated in the Town of Fort Myers Beach as of this date. The town of Fort Myers beach will continue to have a strong retail base for tourist needs and the daily needs of the residents. However, major consumer needs will remain to be met outside of this community. Fort Myers Beach does a boating and marina industry on the island which fosters the employment base of the community. The development of its own comprehensive plan ensures that the Town of Fort Myers Beach will look much as it does today in the absence of a major hurricane or other natural disaster. The population of this community is very influenced by seasonal factors. This community is nearly built out today and will not have a substantial increase in permanent population by the year 2020.

10. **Gateway/Airport**** - This Community is located South of SR 82, generally east of I-75, and north of Alico Road including those portions of the Gateway development which have not been or not anticipated to be annexed into the City of Fort Myers, the Southwest International Airport and the properties it is expected the airport will use for its expansion, the lands designated as Airport Commerce, and the land designated as Industrial Development west of I-75 north of Alico Road. In addition to these two land use designations, properties in this community are designated New Community (the Gateway development), Airport, Density Reduction/Groundwater Resource (primarily the anticipated airport expansion areas), Rural, and General Interchange. The road network in this community is planned to change dramatically over time creating access to and from this community to the north, south, and east without relying on I-75.

    There are three distinct areas within this community. The Gateway portion of this community is the area where residential uses will occur. Gateway will be a thriving, nearly built-out, mixed-use community in 2020. The population of this community is anticipated to grow from 1,500 permanent residents in 1996 to approximately 8,000 in 2020 and is expected to have fewer than 1,000 units remaining to be built in the year 2020. The Gateway/Airport community will remain to have an average seasonal resident influx for the Lee County area with an expected 2020 functional population of 10,000.

    The second area in this community is the Southwest International Airport. The airport will be greatly expanded by 2020. The expanded airport will have a second parallel runway and a new terminal building which will more than double the existing capacity of the airport.

    The airport expansion and the completion of Florida Gulf Coast University are expected to energize the remaining area in this community, the commercial and industrial component of this community. This portion of the community is to the south and west of Gateway and the airport and extends west of I-75 along Alico Road. While this segment of the community is not expected to build out during the timeframe of this plan, the area will be much more urbanized with hi-tech/clean industry businesses.

11. **Daniels Parkway** - This Community is located between I-75 and the Six Mile Cypress Slough, south of the City of Fort Myers and north of the Alico Road industrial area. The community contains lands designated Rural, Outlying Suburban, and a small area of General Interchange. This community is considered one of the primary gateways to Lee County. This community has some rural characteristics which will remain in existence through the year 2020. Much of the existing vacant land will be developed into low density gated communities. While there is a potential to redevelopment the large lot home sites north of Daniels Parkway into the smaller lots allowed by the Outlying Suburban category, this development pattern not anticipated by 2020. This community will grow from 6,000 to 7,500 permanent residents and over 10,000 total residents by 2020.

12. **Iona/McGregor** - This Community is located primarily south of Gladiolus Drive west of Hendry Creek and contains all of the islands not included in the Town of Fort Myers Beach. This community primarily has lands designated as Central Urban, Urban Community, Suburban, and Outlying Suburban. There is also an industrial area located west of Pine Ridge road north and south of Summerlin Road. This community, due to its proximity to the area beaches, will continue to be a popular area for seasonal residents. This community has three discernible sub-areas: McGregor Boulevard/San Carlos Boulevard, Summerlin Road, and San Carlos Island.

The McGregor Blvd./San Carlos Blvd area will be approaching build out by 2020 and some of the older (pre 1980) developments will begin to redevelop to take advantage of a higher end market seeking a combination of quick beach access and closeness to urban services. This area will remain primarily residential with retail uses located at the major intersections.

The Summerlin Road Corridor will develop a new look by 2020 and will emerge as one of the county's primary medical service areas. This portion of the community will also continue to develop as a strong residential area with an influx of new gated communities.

The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature.

Residents of this community will address current planning concerns in a comprehensive review of this area and future amendments to this plan will be made to address these concerns. This area is anticipated to grow from a current permanent population of 24,000 to 32,000 by 2020. The Iona/McGregor area is also expected to be home to an additional 14,000 seasonal residents by 2020.

13. **San Carlos/Estero** - This Community is located in the southern portion of Lee County, east of Hendry Creek and, for the most part, south of Alico Road. It is north of the Estero River on the west side of US 41 then north of the new Brooks of Bonita development east of US41. The community does extend east of I-75 to include the approved developments along Corkscrew Road and all lands designated University Community. The majority of the land in this community is designated as Suburban and then Urban Community (both having a maximum standard density of 6 units per acre) with the remaining areas designated as Rural, Outlying Suburban, and Industrial Development. There are four distinct areas within this community: San Carlos Park, Island Park, Estero, and the new university area. All of these areas will be experiencing tremendous development pressures as this community explodes into the next century.

    This community will be challenged with addressing the needs of the Lee County community that contains the newest major state university, a new semi-professional ice-hockey arena, and immediate access to the Southwest Florida International Airport. Most of the vacant property in this community (nearly 70%) has some type of development approval most of which were granted prior to the advent of many of these new development engines. The San Carlos/Estero will struggle with these conflict throughout the life of this plan but will emerge a vibrant urban core for Lee County's high-tech research and development employment base.

    The historic Estero area will struggle to maintain its historic character through the year 2020 and will feel many development pressures which will threaten this character.

    Overall, this community, which has been a fast growing area of Lee County since 1980, will add more than 15,000 new permanent residents and accommodate a total functional population of nearly 50,000 people by the year 2020.

14. **Sanibel*** – This community includes all land incorporated in the City of Sanibel as of this date. Sanibel does have a strong retail base for tourist needs and the daily needs of the residents. However, for more major needs residents do utilize businesses outside of this community. Conversely, Sanibel will remain a destination for residents and tourist looking for novelty tourist items. The community as a whole will look much as it does today, except that a new emphasis on public transportation will reduce gridlock during the tourist season. Nominal population growth is expected in Sanibel as the community is nearly built out today.

15. **South Fort Myers** - This Community is located in the center of Lee County. South of the City of Fort Myers, east of the Caloosahatchee River, west of the Six Mile Cypress Slough, and north of Gladiolus Drive. This community primarily has the higher intensity land use categories such as Intensive Development, Central Urban, Urban Community, Industrial Development, and Suburban. This community contains one of the county's major hospitals, a baseball spring training facility, and the local community college. This community will be nearly built out by the year 2020 The South Fort Myers Community will continue to be a core area of the county providing office area for professional services in areas such as financial and medical. There will also be an increased amount of commercial activity along the US 41 corridor and light industrial uses will continue to expand along the Metro Avenue corridor north of Daniels Parkway. The amounts of commercial and industrial uses in this community are expected to double and most of the suitable land for these uses will be developed by 2020.

    The residential areas of this community will also continue to develop through the year 2020 however the popularity of the residential opportunities to the south in the San Carlos/Estero and Bonita communities will continue to dominate this segment of the market. This community will grow from a 1996 permanent population of 46,000 to approximately 52,000 in 2020. In 2020, this community will still be 4,000 permanent residents from its build out population. While this community is not as heavily influenced by the seasonal population as the communities to the south, in season, South Fort Myers is expected to have a population of over 60,000 in the year 2020.

16. **Pine Island** – This community includes the major islands of Pine Island, Little Pine Island, and Matlacha, the surrounding smaller islands, and the previously mentioned enclaves in the City of Cape Coral. This community has an overall identity of Pine Island; however, there are four sub community centers within the overall community. The four areas within the Pine Island Community are: Bokeelia at the northern tip, St James City at the southern tip of the island, and Matlacha which is a small island between the mainland and Pine Island. The Pine Island community is similar to the other island communities in that the residents leave the islands to satisfy many of their commercial needs. However, unlike the other island communities, Pine Island does not have a substantial amount of tourist oriented commercial. Since the Pine Island community does not contain the gulf front beaches the other island communities have, this is not expected to change during the life of the plan. This community will add a small amount of new commercial by 2020 to meet the daily needs of residents; however, Pine Island community residents will still satisfy most of their commercial needs outside of their community. The population of this community will also grow from 8,400 permanent residents in 1996 to approximately 9,700 residents in 2020 and a total seasonal population of nearly 15,000. Pine Island is also different from the other island communities in that it has a much higher percentage of non-seasonal residents.

17. **Lehigh Acres** - This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population.

Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows.

18. **Southeast Lee County** - As the name implies, this Community is located in the southeast area of Lee County. South of SR 82, north of Bonita Beach Road, east of I-75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities) and west of the county line. With the exception of a few Public Facilities, the entire community is designated as Density Reduction/Groundwater Resource, Conservation Lands (both upland and wetlands), and Wetlands on the Future Land Use Map. This "community" consists of mining operation, agricultural uses, and very large lot residential home sites. The one exception is the Citrus Park Community. This community will not change in character by the year 2020 and will continue to have a population of approximately 2000 residents.

19. **North Fort Myers** - This Community is located north of the Caloosahatchee River between the Alva Planning Community and the City of Cape Coral. This community includes a wide mix of Future Land Use designations from Intensive Development to Density Reduction/Groundwater Resource. The area between the two US 41 routes near the river will remain the core of this community. The old US 41 corridor will be redeveloped with new commercial uses and waterfront development taking advantage of this areas close proximity to downtown Fort Myers and its riverfront location. The US 41 corridor from Pondella Road north will continue to attract new commercial development that will serve the North Fort Myers community and other surrounding communities. Total commercial, service, and industrial uses will have doubled from the amount existing in 1996. These areas are surrounded by residential uses. Most of the North Fort Myers community will develop at residential densities less than what is allowed by the Lee Plan Future Land Use Map. Furthermore, much of this community is designated for low density development of less than one unit per acre. This community will not be one of the fastest growing areas, residentially, in Lee County. This area will add fewer than 3,000 new residents by the year 2020. However, with a total permanent population of over 50,000 residents and nearly 65,000 residents in season, the North Fort Myers community will be the fourth largest community, in population, in the year 2020. As stated in the Alva community, the Bayshore area does have characteristics differing from both the Alva and North Fort Myers community. The split in the Bayshore area between Alva and North Fort Myers was done to include properties which were most closely related to those respective communities.

20. **Buckingham**- This Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, Rural, and Outlying Suburban. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects

which increase the volume of traffic through their community. The population of Buckingham will not change substantially during the life of this plan.

Implementation of the Plan

This plan will be fully meaningful only if promptly and properly implemented. Some provisions of the plan are self-implementing; in other words, they are to guide county actions on a day-to-day basis without the need for further implementing legislation. Other provisions indicate that detailed regulations must be developed to implement a general policy statement contained in the plan. When such a policy makes reference to a specific year of completion, the county's intent is to have such regulations in place by the end of that year. Finally, numerous objectives and policies direct the county to complete programs or plans by a specific date. All such objectives and policies should be construed to require completion of the task by the end of the designated year in the absence of a reference to a particular date.

PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: June 4, 1999

A. BOARD REVIEW: Staff reviewed the proposed plan amendment. One Board member commented on item #2 of the Vision Statement. He suggested that the phrase encompassed within the parenthesis, "(this presupposes, of course, the ability and the willingness to fund such a program)", be eliminated because of the Conservation 2020 Program, which has established this fund. The Board and staff concurred.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners voted to transmit the proposed plan amendment, with the elimination of the phrase, "(this presupposes, of course, the ability and the willingness to fund such a program)" from the Vision Statement, Item #2.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact advanced by staff and the LPA.

C. VOTE:

JOHN ALBION	**AYE**
ANDREW COY	**ABSENT**
RAY JUDAH	**AYE**
JOHN MANNING	**AYE**
DOUG ST. CERNY	**AYE**

PART V – DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT: September 22, 1999

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The DCA had no objections, recommendations, or comments concerning this amendment.

B. STAFF RECOMMENDATION

Adopt the amendment as transmitted.

PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING: November 22, 1999

A. BOARD REVIEW: The Board provided no discussion on this amendment. This item was approved on the consent agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted to adopt this amendment.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	**AYE**
ANDREW COY	**AYE**
RAY JUDAH	**AYE**
JOHN MANNING	**AYE**
DOUG ST. CERNY	**AYE**