

**CPA2008-20
FUTURE LAND USE MAP UPDATE TO
REFLECT CHANGES WITHIN
INCORPORATED LEE COUNTY
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
(239) 533-8585**

November 6, 2009

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2008-20**



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

PREPARATION DATE: April 16, 2009

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Evaluate the Lee Plan's Future Land Use Map (FLUM) in light of City annexations and incorporations.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 1, The Future Land Use Map, the Bonita Planning Community Vision Statement, and Policies 1.1.1, 1.1.2, 1.1.3, and 1.1.4 of the Lee Plan Future Land Use Element. The recommended action removes the Lee Plan designations from the incorporated areas in Lee County (see attachment 1 page 1). This recommendation also proposes to remove references to municipalities from the Lee Plan category descriptions from the language in the Lee Plan Future Land Use Element.

3. Bonita - This Community is located in south Lee County and includes all land incorporated in the City of Bonita Springs as of 2009. The City of Bonita Springs will continue to evolve into a diverse city

~~with continual redevelopment efforts within the Business 41 corridor and new developments along Bonita Beach Boulevard. The city will remain attractive to seasonal residents as well as year round residents. The city's commercial base will continue to expand to meet the needs of residents and visitors. 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 2030. The Bonita Community will also remain an attractive seasonal homeowner destination.~~

~~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. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)~~

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 2030. 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, Sanibel, Bonita Springs and Town of Fort Myers Beach 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(a). (Amended by Ordinance No. 94-29, 98-09, 07-12, 07-13)

POLICY 1.1.2: The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers, and South Fort Myers, ~~and Cape Coral~~. By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are appropriate in these locations. As Lee County moves toward becoming a metropolitan complex of a half-million people, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from seven dwelling units per acre (7 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). (Amended by Ordinance No. 94-30)

POLICY 1.1.3: The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of ~~portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close in areas near these cities;~~ and also the central portions of the city of Bonita Springs, South Fort Myers, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the

Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30, 02-02)

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)

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee County Future Land Use Map is unique in the State of Florida in depicting Future Land Uses within incorporated areas.
- The Lee Plan Future Land Use Map (Map 1 Page 1 of 6) is an illustrative representation of the municipalities' future land use maps and does not regulate the allowable uses within the incorporated areas of the county.
- The Lee Plan Future Land Use Map (Map 1 Page 1 of 6) has not been amended to reflect the adopted Future Land Use Map of the City of Bonita Springs.
- The Lee Plan Future Land Use Map (Map 1 Page 1 of 6) has not been amended to reflect annexations and subsequent future land use map (FLUM) amendments by the Cities of Fort Myers and Cape Coral.
- The Lee Plan Future Land Use Map has been amended creating new designations that in some instances will more closely reflect the designations of the municipalities.
- The City of Cape Coral's and the City of Fort Myers' Comprehensive Plans have been amended over time changing designations on the respective FLUM.
- The City of Cape Coral's and the City of Fort Myers' Comprehensive Plans have been amended to create new FLUM designations.

C. BACKGROUND INFORMATION

In 1989 the Lee County BoCC initiated an amendment that was included with amendments stipulated by the 1989 Settlement Agreement between the Department of Community Affairs (DCA), Lee County and interveners. This particular amendment updated future land use map designations within the cities of Fort Myers and Cape Coral to more closely correspond with the adopted future land use maps of the cities. The Lee Plan 1989 FLUM had previously been amended to reflected designations of the City of Sanibel's FLUM categories. PAM 89-10 was adopted along with the amendments required to implement the settlement agreement.

The Town of Fort Myers Beach became an incorporated town on December 31, 1995 and on January 1, 1999 a new Future Land Use Map for the Town of Fort Myers Beach became effective. On September 19, 2000 the Board of County Commissioners initiated an amendment to the Lee Plan to more accurately represent the Future Land Use Designations on the Town of Fort Myers Beach Future Land Use Map. This amendment was adopted on January 10, 2002 and became effective on March 27, 2002. The City of Bonita Springs was incorporated on December 31, 1999. The city adopted its comprehensive plan, including a future land use map, on December 25, 2002. No changes to the Lee Plan Future Land Use Map have been made to reflect the new designations adopted by the City of Bonita Springs.

Since the initial amendment was completed in 1990, approximately 13,000 acres have been annexed into the City of Fort Myers and more than 3,000 acres of land have been annexed into the City of Cape. A review of the city's FLUM designation for the annexed areas has not been initiated in previous amendment cycles to determine if the most representative Lee Plan Future Land Use designation has been applied to the property. Also, new Future Land Use Designations have been added to the Lee Plan and the most closely matching designation may not be depicted on the Lee Plan FLUM for the actual municipal FLUM designation.

On September 30, 2008, the Lee County Board of County Commissioners initiated the 2008/2009 cycle of Lee Plan Amendments giving staff direction to evaluate the Lee Plan Future Land Use Map with respect to the adopted municipal plans.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Lee Plan Map 1 (page 1 of 6) the Future Land Use Map (FLUM) encompasses the entire land area of Lee County (Attachment 1 page 3). This map regulates property within the unincorporated areas of the county. Within the incorporated areas the intent of this map is to reflect the adopted municipal land use plans as closely as possible using Lee Plan designations. Staff's review of 54 of the 67 Florida County Future Land Use Maps revealed that Lee County's map is unique in the depiction of county designations within municipalities. Other "countywide" FLUMs have been created where city/county planning agencies are in place. Most counties in Florida show no land use designations within the municipal boundaries. Since local governments continually update the adopted FLUM, it is difficult for the Lee Plan FLUM to maintain consistency with the municipal FLUMs.

The Lee Plan FLUM was first adopted in 1984 when there were 3 cities in Lee County and the map included 18 categories. There are now 4 cities and 1 town in Lee County and the Lee Plan FLUM has 29 categories (the 2 newest categories have not been reflected on the adopted FLUM). Over time, the number of municipal FLUM categories has also increased. This situation has made it impractical for Lee County to maintain an accurate reflection of the adopted municipal FLUMs on the Lee Plan FLUM. Staff is therefore recommending that the Lee Plan FLUM be amended to not depict county designations on municipally regulated lands.

An alternative to the staff recommendation is to continue depicting Lee Plan FLUM designations within the municipal boundaries. If this alternative is selected, an update to the Lee Plan FLUM within the municipal limits is appropriate to reflect changes as described above. Staff has reviewed the adopted Future Land Use Maps of the 5 municipalities and created conversion tables for the appropriate updates. The recommended conversions reflect the recently adopted City of Bonita Springs future land use map as well as changes to the FLUMs of the Cities of Cape Coral, Fort Myers, Sanibel, and the Town of Fort Myers Beach. Additionally, "Conservation Land" (uplands and wetlands), "Public Facilities", and "Wetlands" will be addressed as follows. Attachment 1 page 2- shows the Lee Plan Map 1 (page 1 of 6) the Future Land Use Map with the proposed conversion between the municipal future land use map categories and the Lee Plan categories.

Conservation Lands

In 1998 the county adopted a new "Conservation Lands" category into the Lee Plan. This designation is placed on lands used for long range conservation purposes differentiating between upland and wetland areas. The Lee Plan FLUM has been amended over the years to include additional conservation acquisitions. The Lee Plan Future Land Use Map Conservation Lands Category depicts these efforts apart from the jurisdictional control over land use. Since the county staff has reviewed properties currently designated as Conservation Lands to determine consistency with the intent of the Conservation Land designation, no properties will be removed or added to this category through this amendment. Also, the designation of lands within the cities/town that are subject parcels of CPA2008-00022, an amendment included in the current annual cycle of amendments addressing the Conservation Lands designations, will be determined by the outcome of that amendment.

Public Facilities

Similar to the process established to track conservation lands, the County FLUM depicts public facilities within the county. The Lee Plan policy is to depict all publically owned lands used for or intended for such uses as public schools, parks, airports, and other governmental facilities. The currently mapped Public Facilities designations within the municipalities have been included on the FLUM after thorough staff analysis. Periodically, the BoCC initiates amendments for the review of Public Facilities. Another such amendment (CPA2008-00023) is being processed in the 2008/2009 amendment cycle. This amendment to review municipal FLUMs is not intended to reverse the final action CPA2008-00023. Municipalities are also required to map public facilities and any additional public facilities depicted on those maps will be included on the Lee Plan FLUM through this amendment.

Wetlands

Staff has reviewed the municipal maps and found that there are inconsistencies between the wetlands on those FLUMs and the Lee Plan FLUM. With only a few exceptions, the Lee Plan FLUM depicts more wetlands than the municipal FLUMs. Keeping with the methodology described for the Public Facilities category, the proposed Lee Plan FLUM will retain the current wetland designations within the municipalities. In the few instances where the municipalities do depict additional wetlands, the Lee Plan FLUM will include those areas in addition to the current wetland designations. The exception to this policy is the Town of Fort Myers Beach. There are relatively few differences between the town's wetland designations and the Lee Plan FLUM; however, a review of these discrepancies reveals that the town's wetland designations have been mapped more accurately than those on the Lee Plan FLUM.

Mapping Procedures for all Municipalities

The Lee Plan Future Land Use Map uses the coast line digitized from electronic 1998 aerial photography as the counties land boundary. The coastline of the county has shifted due to natural forces; however, this is the most accurate line work available. The proposed map changes have been made using electronic digital maps of the currently adopted FLUMs (excluding Sanibel). Previously, the city future land use map lines were input by Lee County Planning Staff from paper maps. This was still the method staff was required to use for The City of Sanibel maps. The policies of the incorporated areas vary in techniques used in mapping the coastline. To maintain consistency between the Lee Plan FLUM and other Lee Plan maps, the coastal boundary created from the 1998 aerial maps will be used. In some areas, the municipal maps have been edited to exclude canals or they have placed private rights of way and lakes into a special category. This is not the technique used for the Lee Plan Map and these differences will be addressed by assigning the adjacent FLUM designation to the road, canal, or lake using "centerlines" as the boundary if different categories are assigned to the opposite sides of the feature.

City of Bonita Springs

The City of Bonita Springs incorporated after creation of the Lee Plan Future Land Use Map and the Lee Plan FLUM still reflects the County direction and not the direction of the City of Bonita Springs. If it is desired to continue to show county FLUM designations with the municipalities, the proposed conversion between the City of Bonita Springs Future Land Use Map - 2012 and the Lee Plan FLUM designations is shown in Table B-1.

Table B-1

Bonita Springs Plan/ Lee Plan Future Land Use Map Designation Conversion	
City of Bonita Springs	Lee Plan
Estate Residential	Rural
Low Density Residential	Sub-Outlying Suburban
Suburban Density Residential	Outlying Suburban
Moderate Density Residential	Suburban
Medium Density Residential	Central Urban
Medium Density Multi-Family Residential	Urban Community
High Density Residential	Central Urban
Moderate Density Mixed-Use Planned Development	Urban Community
Urban Fringe Community District	Outlying Suburban
High Density Mixed-Use/Village	Central Urban
Neighborhood Convenience Node	Commercial
General Commercial	Central Urban
Interchange Commercial	Central Urban
Industrial	Central Urban
Recreation	Public Facilities
Public and Semi-Public	Public Facilities
Conservation	Conservation Lands
Resource Protection	Wetlands
Density Reduction / Groundwater Resource (DRGR)	Density Reduction/Groundwater Resource

A full description of the City of Bonita Springs Future Land Use Map Designations is included in Appendix 1 section B-1.

City of Cape Coral

If the desired policy is to continue to depict the county FLUM designations within the City of Cape Coral, staff proposes the conversion table shown in table C-1 be used. The final action on PAM89-10 changed the City of Cape Coral portion of the county map in September 1990. Since that time, both the county and the city have created new Future Lands Use categories and adopted amendments to their future land use maps. The City of Cape Coral has also annexed more than 3,000 acres of land. When the city designations were converted to county designations for the 1990 map, a distinction was made between “Infill”, “Transition”, and “Reserve” areas on the Cape Coral map. Staff no longer believes it is necessary to distinguish between these areas.

Table C-1 Cape Coral Comprehensive Plan/ Lee Plan Future Land Use Map Designation Conversion	
City of Cape Coral	Lee Plan
Single Family Residential	Suburban
Single Family/Multi Family Residential	Suburban
Multi Family Residential	Intensive Development
Low Density Residential I	Sub-Outlying Suburban
Low Density Residential II	Sub-Outlying Suburban
Mixed Use	Intensive Development
Mixed Use Preserve	Intensive Development
Downtown Mixed	Intensive Development
Commercial Activity Center	Intensive Development
Flexible Development Overlay District	Intensive Development
Pine Island Road District	Intensive Development
Commercial/Professional	Commercial
Highway Commercial	Commercial
Industrial	Industrial Development
Public Facilities	Public Facilities
Park and Recreation Facilities	Public Facilities
Natural Resources/Preserve	Wetlands
Private Lake/Private Road	None – see Mapping Procedures

The properties annexed into the City of Cape Coral east of Burnt Store Road and West of US 41, also referred to as the “Zemmel Property” have not been designated with a city future land use map category and still retain the Lee Plan designation. These areas will continue to be designated “Open Lands” or “Wetlands” until the city adopts changes to those designations. A full description of the City of Cape Coral Future Land Use Map Designations is included in Appendix 1 section C-1.

City of Fort Myers

If the desired action is to continue depicting county designations within the City of Fort Myers, staff proposes the conversions shown in Table F-1 be used. The final action on PAM89-10 changed the City of Fort Myers portion of the map in September 1990. Since that time, both the county and the city have created new Future Lands Use categories and adopted amendments to their future land use maps. The City of Fort Myers has also annexed approximately 13,000 acres of land since 1990.

Table F-1	
Fort Myers Comprehensive Plan/ Lee Plan	
Future Land Use Map Designation Conversion	
City of Fort Myers	Lee Plan
Low Density Single Family (Max Density 1.36 du/ac)	Sub-Outlying Suburban
Low Density Single Family (Max Density 5.45 du/ac)	Suburban
Low Density Single Family (Max Density 6.22 du/ac)	Suburban
Medium-Density Single-Family	Central Urban
Medium-Density Single-Family/Duplex	Central Urban
Heritage Lakes Single Family District	Rural
Light Industrial	Industrial
Heavy Industrial	Industrial
Medium-Density Multi-Family	Central Urban
High-Density Multi-Family	Intensive Development
Professional Office	Intensive Development
General Commercial	Intensive Development
Intensive Commercial	Intensive Development
Special Development Areas	Intensive Development
Mixed Use	Intensive Development
Eastwood Village Mixed Use	Suburban
Recreation	Public Facilities
Conservation Lands	Wetlands
Mixed Use Residential	Outlying Suburban
Master Development Plan	Outlying Suburban
Urban Core	Intensive Development
Urban Center	Intensive Development
Urban General	Central Urban
Civic	Public Facilities
Civic Recreation	Public Facilities
Neighborhood Redevelopment Area	Suburban

The properties included in the Pelican Preserve annexation were originally part of the Gateway development and have not been designated with a city future land use map category and still retain the Lee Plan designation. This area will retain the “New Community” or “Wetlands” designation until such time that the city adopts a city designation for the property. A full description of the City of Fort Myers Future Land Use Map Designations is included in Appendix 1 section F-1.

City of Sanibel

If the desired action is to continue to depict county FLUM designations within the City of Sanibel, staff’s proposed conversion between the Sanibel Plan Future Land Use Plan map series and the Lee Plan FLUM designations is shown in Table S.1. Since the changes made for the 1989 FLUM,

new Lee Plan designations have been created which more closely reflect the city FLUM. Lee County staff consulted with the City of Sanibel Planning Department staff to create a better representation of the city FLUM. Lee County has continually tracked and mapped lands in the Conservation Lands Categories and the Public Facilities Categories. Staff also mapped wetlands for the 1989 plan. Except for areas that are clearly mapped in error, staff does not propose to alter the Wetlands, Conservation Lands, or Public Facilities designations within the City of Sanibel through this amendment.

Table S-1	
Sanibel Plan Future Land Use Plan/ Lee Plan	
Future Land Use Map Designation Conversion	
City of Sanibel	Lee Plan
Commercial District	Commercial
Interior Wetlands Conservation District	Wetlands or Conservation Lands
Special District (city ordinance 01-04)	Public Facilities
Density Map 3 du/ac or less	Outlying Suburban
Density Map greater than 3 du/ac	Suburban

A full description of the City of Sanibel Future Land Use Map Series is included in Appendix 1 section S-1.

Town of Fort Myers Beach

If the desired action is to continue to depict Lee County FLUM designations within the Town of Fort Myers Beach, staff recommends continuing to use the conversion adopted in CPA2000-00008 as listed in Table FB-1. Staff has identified minimal changes to the Lee Plan FLUM be made for the Town of Fort Myers Beach. This portion of the map was amended in 2002 to reflect the Town of Fort Myers Beach’s adopted future land use map. The changes proposed for this area are merely adjustments to align the boundaries to the town’s map with two exceptions. Since CPA2000-00008 was adopted, Lee County adopted the “Commercial” category which is a more appropriate match for the “Marina” category. Also, the “Platted Overlay”, which is not a separate category on the Town of Fort Myers Beach Future Land Use Map, is applied to three of the other categories and indicates where higher densities are allowed. Any changes adopted by Lee County to place properties in the Public Facilities, Conservation Lands Upland, and Conservation Lands Wetland will not be changed to match the town’s map. Staff has concluded that the town’s wetland mapping is more accurate than those currently on the Lee Plan FLUM and recommends that, in this instance, the wetlands be updated to reflect this data.

Table FB-1	
Town of Fort Myers Beach Comprehensive Plan/Lee Plan	
Future Land Use Map Designation Conversion	
Town of Fort Myers Beach	Lee Plan
Low Density	Outlying Suburban
Mixed Residential	Suburban
Boulevard	Urban Community
Pedestrian Commercial	Central Urban
Platted Overlay	Central Urban

Marina	Commercial
Recreation	Public Facilities
Wetlands	Wetlands
Tidal Water	None – see Mapping Procedures

A full description of the Town of Fort Myers Beach Future Land Use Map Designations is included in Appendix 1 section FB-1.

B. CONCLUSIONS

The existing Lee Plan Future Land Use Map does not illustrate the future land use maps of The City of Bonita Springs, The City of Cape Coral, The City of Fort Myers, the Town of Fort Myers Beach, and the City of Sanibel and closely as possible. A conversion between the City of Bonita Springs FLUM and the Lee Plan FLUM has never been completed since the city map was adopted. The Lee Plan Future Land Use Map has not been revised to depict the results of the recent Evaluation and Appraisal Reports (EAR) and the following EAR amendments. New land use designations have been adopted into the comprehensive plans of the municipalities and the county that make some of the previous conversions outdated. Sizable areas have been annexed into the cities of Fort Myers and Cape Coral and most of these areas were re-designated with a city FLUM category. Progress is being made by the cities to adopt FLUM amendments for the remaining areas. For these reasons, a comparison of the Lee Plan FLUM with the municipal FLUMs was warranted.

C. STAFF RECOMMENDATION:

Planning Staff recommends the Board of County Commissioners transmit the proposed amendments to the Lee Plan “A Vision for 2030”, the Future Land Use Map, Lee Plan Map 1 Page 1 of 6, and the Future Land Use Element Policies 1.1.1, 1.1.2, 1.1.3, and 1.1.4. The recommended action will create a Future Land Use Map that has no county categories depicted within the municipal boundaries of the Cities of Bonita Springs, Cape Coral, Fort Myers, and Sanibel, and the Town of Fort Myers Beach (see attachment 1); updates the Lee Plan Vision Statement as follows :

3. ***Bonita** - This Community is located in south Lee County and includes all land incorporated in the City of Bonita Springs as of 2009. The City of Bonita Springs will continue to evolve into a diverse city with continual redevelopment efforts within the Business 41 corridor and new developments along Bonita Beach Boulevard. The city will remain attractive to seasonal residents as well as year round residents. The city’s commercial base will continue to expand to meet the needs of residents and visitors. 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 2030. The Bonita Community will also remain an attractive seasonal homeowner destination.

~~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. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)~~

and will remove references to municipalities from Lee Plan Policies 1.1.1, 1.1.2, 1.1.3, and 1.1.4 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. 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 2030. 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, Sanibel, Bonita Springs and Town of Fort Myers Beach 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(a). (Amended by Ordinance No. 94-29, 98-09, 07-12, 07-13)*

POLICY 1.1.2: *The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers, and South Fort Myers. ~~and Cape Coral.~~ By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are appropriate in these locations. As Lee County moves toward becoming a metropolitan complex of a half-million people, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from seven dwelling units per acre (7 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). (Amended by Ordinance No. 94-30)*

POLICY 1.1.3: *The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of ~~portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close in areas near these cities; and also the central portions of the city of Bonita Springs,~~ South Fort Myers, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

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)

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING. April 27, 2009

A. LOCAL PLANNING AGENCY REVIEW

Planning staff presented the amendment to the LPA describing the recommended approach for depicting the municipalities on the Lee Plan Future Land Use Map. Staff stated the recommended approach is to use uniform shading over the municipalities as is done on the majority of county future land use maps throughout the state of Florida. Staff noted that conversions from municipal map categories to Lee Plan Future Land Use Map categories have been created if that approach is preferred. Staff stated the only substantive comment received from one of the 5 municipalities was from the Town of Fort Myers Beach regarding the beach still being mentioned in Policy 1.1.4. An LPA discussion followed. One LPA member was concerned the description for “Intensive Development” did not specify that the designation in the east Fort Myers area was west of I-75. Another comment on the “Intensive Development” description was that the policy states “As Lee County moves toward becoming a metropolitan complex of a half-million people...” and the county population has exceeded that number. Other issues with Future Land Use Map descriptions were mentioned including that fact that the “Public Facilities” designation does not include the term Public Transportation. A final comment from the LPA was that Note 1 on the Future Land Use Map should be removed or updated. A motion was made to recommend transmittal of CPA2008-00020 to the Department of Community Affairs as recommended by staff with the following changes:

- Clarify Policy 1.1.2 by including “west of I-75”,
- Update the sentence stating the population is approaching a half a million people,
- Add public transportation to the “Public Facilities” description, and
- Update or remove note 1.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION: The LPA recommends that the Board of County Commissioners transmit the proposed amendment with the following additions

- Clarify Policy 1.1.2 by including “west of I-75”,
- Update the sentence stating the population is approaching a half a million people,
- Add public transportation to the “Public Facilities” description, and
- Revise note 1 from the Lee Plan Future Land Use Map (Map 1 page 1 of 6).

***POLICY 1.1.2:** The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. ~~and Cape Coral.~~ By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are appropriate in these locations. As Lee County ~~moves toward becoming~~ develops as a metropolitan complex ~~of a half million people~~, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density*

range is from seven dwelling units per acre (7 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). (Amended by Ordinance No. 94-30)

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, Iona/McGregor, ~~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)*

POLICY 1.1.8: *The Public Facilities areas include the publicly owned lands within the county such as public schools, parks, airports, public transportation and other governmental facilities. The allowable uses within these areas are determined by the entity owning each such parcel and the local government having zoning and permitting jurisdiction.*

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The LPA advances the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	Aye
CINDY BUTLER	_____ Aye
CARRIE CALL	_____ Aye
JIM GREEN	_____ Aye
MITCH HUTCHCRAFT	_____ Aye
RONALD INGE	_____ Aye
CARLA JOHNSON	_____ Aye

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

DATE OF TRANSMITTAL HEARING: September 23, 2009

A. BOARD REVIEW: The proposed amendment was heard as part of the consent agenda. The Board of Commissioners provided no comment on the amendment. No member of the public spoke on the amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board voted to transmit the proposed amendment as part of the consent agenda.

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The Board of County Commissioners accepted the findings of fact as advanced by staff and the Local Planning Agency.

C. VOTE:

BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	ABSENT
RAY JUDAH	AYE
FRANK MANN	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:

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANK MANN
