

November 25, 2013

John E. Manning District One

Cecil L Pendergrass District Two

Larry Kiker District Three

Brian Hamman

District Four

Frank Mann District Five

Roger Desjarlais County Manager

Richard Wm. Wesch County Attorney

Donna Marie Collins Hearing Examiner Ray Eubanks, Plan Processing Administrator

State Land Planning Agency

Caldwell Building

107 East Madison – MSC 160 Tallahassee, FL. 32399-0800

Re: Amendment to the Lee Plan

Transmittal Submission Package

Publicly Sponsored Amendments, CPA2013-03 and CPA2013-05

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Publicly Sponsored Comprehensive Plan amendments, known locally as CPA2013-03 and CPA2013-05. The proposed amendments are being submitted through the expedited state review process as described in Chapter 163.3184. The amendments are as follows:

CPA2013-03 is to amend Lee Plan Map 3F, Airport Layout Plan, for the Southwest Florida International Airport (RSW), to reflect the revised Airport Layout Plan (ALP) approved by the Federal Aviation Administration.

CPA2013-05 is to amend Policy 18.1.5, Policy 18.1.16, and Policy 18.2.2 to make the Lee Plan consistent with State requirements that prohibit local governments from requiring Development of Regional Impact (DRI) review for projects that don't meet or exceed state established thresholds.

The Local Planning Agency held a public hearing for the plan amendments on October 28, 2013. The Board of County Commissioners transmittal hearing for the plan amendments was held on November 18, 2013. The Board of County Commissioners voted to transmit the attached Lee Plan amendment packages at the November 18, 2013 transmittal hearing. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendment is as follows:

Mr. Paul O'Connor, AICP Lee County Planning Division Director P.O. Box 398 Fort Myers, Florida 33902-0398

Fort Myers, Florida 33902-0398
P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address http://www.lee-county.com
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

(239) 533-8309 Fax (239) 485-8319

Email: oconnops@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendment and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,

DEPT. OF COMMUNITY DEVELOPMENT

Division of Planning

Paul O'Connor, AICP, Director

MatthamM/ For:

Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover in a CD ROM format, to:

Comprehensive Plan Review Department of Agriculture and Consumer Services

Tracy D. Suber Department of Education

Jim Quinn
Department of Environmental Protection

Susan Harp Florida Department of State

Scott Sanders Florida Fish and Wildlife Conservation Commission

Lawrence Massey FDOT District One

Margaret Wuerstle Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section South Florida Water Management District

THE NEWS-PRESS

Published every morning Daily and Sunday Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA COUNTY OF LEE

Before the undersigned authority, personally appeared Teri Halm who on oath says that he/she is the Legal **Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

Notice of Public Hearing

In the matter of: Monday, November 18th.

In the court was published in said newspaper in the issues of

November 8, 2013

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County; Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 8th day of November, 2013.

by Teri Halm

personally known to me or who has produced

as identification, and who did or did not take an

oath.

Notary Public

Print Name: Jessica Hanft

My commission Expires: February 12, 2017



NOTICE OF PROPOSED AMENDMENTS TO THE LEE COUNTY COMPREHENSIVE

LAND USE PLAN
(TRANSMITTAL
HEARING)
The Lee County
Board of County
Commissioners will
hold a public hearing
to consider proposed
amendments to the
Lee County Comprehensive Land Use
Plan (Lee Pian) on
Monday, November
18, 2013. The hearing
will commence at
9:30 a.m., or as soon
thereafter as can be
heard, in the Board
Chambers at 2120
Main Street in Downtown Fort Myers. At
the hearing, the
Board will consider
the proposed amendments for transmittal
to the Fiorida Department of Economic Opportunity:
A. CPA2013-00003
SW Revised Airport
Layout Plan - Map
3F
Amend Lee Plan

Layout Plan - Map 3F, the South-Map 3F, the Sout

meet or exceed state established thresholds.

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment.

A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing. Contact the Lee County Division of

Contact the Let County Division of Planning at 239-533-8585 for further information on obtaining a record.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. Contact Janet Miller at 239-533-8533 No. 1480208 No.1480208 November 8, 2013

CPA2013-03 SOUTHWEST FLORIDA INTERNATIONAL AIRPORT (RSW) AIRPORT LAYOUT PLAN UPDATE, MAP 3F COMPRENSIVE PLAN AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Lee County Board of County Commissioners Sponsored Amendment and Staff Analysis

DEO Transmittal Document

Lee County Planning Division 1500 Monroe Street P.O. Box 398 Fort Myers, FL 33902-0398 (239) 533-8585

November 18, 2013

LEE COUNTY DIVISION OF PLANNING STAFF REPORT FOR COMPREHENSIVE PLAN AMENDMENT CPA2013-03

	Text Amendment	1	Map Amendment
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	This Document Contains the Following Reviews
1	Staff Review
1	Local Planning Agency Review and Recommendation
1	Board of County Commissioners Hearing for Transmittal
	Staff Response to Review Agencies' Comments
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: October 17, 2013

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVES:

Lee County Board of County Commissioners/Lee County Port Authority staff and Division of Planning staff

2. REQUEST:

Amend Lee Plan Map 3F, Airport Layout Plan, for the Southwest Florida International Airport (RSW), to reflect the revised Airport Layout Plan (ALP) approved by the Federal Aviation Administration.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners *transmit* the proposed amendment to Map 3F of the Lee Plan.

Staff Report for November 18, 2013 CPA2013-03 Page 1 of 7

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee County Board of County Commissioners initiated the proposed amendment on August 27, 2013 through Blue Sheet No. 20130718.
- The proposed amendment does not affect the airport boundaries as contained on the Lee Plan Future Land Use Map.
- The Federal Aviation Administration (FAA) has conditionally approved the Airport Layout Plan on August 30, 2011.
- Florida Statutes 163.3177(6)(b)2d and (b)4 provide that airport development that is addressed by local comprehensive plans that integrate airport layout plans does not constitute a development of regional impact.
- The last amendment to the Airport Layout Plan was adopted on September 22, 2004 by Lee Plan Amendment CPA2003-02.
- The proposed amendment provides sound planning coordination between Lee County staff and Port Authority staff.
- The proposed ALP includes new proposed locations for additional crossfield taxiways, the airport fire department and control tower.
- The proposed ALP depicts facilities that have been constructed since the adoption of CPA2003-02.

C. BACKGROUND INFORMATION

1. EXISTING CONDITIONS

SIZE OF PROPERTY: Airport property is approximately 6,372 acres.

PROPERTY LOCATION: The airport property is generally located on the east side of I-75, south of Daniels Parkway and north of Alico Road.

EXISTING LAND USE: The airport property is developed as an operating commercial airport.

CURRENT ZONING: The airport property is zoned Airport Operations Planned Development (AOPD).

CURRENT FUTURE LAND USE CATEGORY: The airport property has two Future Land Use designations: Airport and Wetlands.

2. INFRASTRUCTURE AND SERVICES:

FIRE: Lee County Port Authority Aircraft Rescue and Fire.

EMS: Lee County EMS service area.

Staff Report for CPA2013-03

November 18, 2013

LAW ENFORCEMENT: Airport Police and Security.

SOLID WASTE: The subject site is located in solid waste Service Area 3 and is serviced by Waste Pro.

MASS TRANSIT: LeeTran Route 50 provides regular service to the Southwest Florida International Airport.

WATER AND SEWER: The subject site is located within the Lee County water and sewer Future Service Areas as identified on Maps 6 and 7 of the Lee Plan.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION INTRODUCTION

Lee County Port Authority staff, on May 7, 2013, provided to Division of Planning staff materials, including a revised ALP and a letter and report that describes changes that have been made to the ALP. The letter requests that the revised ALP be incorporated into the Lee Plan. The letter provides the following summary concerning the proposed change for the subject property:

The Lee County Port Authority has recently completed a multi-year planning and design analysis for the future parallel runway. As a result of the extensive alternatives analysis undertaken during this program a slight modification to the proposed runway layout and associated facilities as depicted on the 2004 ALP was determined to provide the most flexibility for future and ultimate airport development. These minor design changes were submitted to the FAA and subsequently approved on August 30, 2011.

Staff proposed to expedite the replacement of Map 3F with the updated and FAA approved ALP. The Lee County Board of County Commissioners initiated the proposed amendment on August 27, 2013 through Blue Sheet No. 20130718.

COMPREHENSIVE PLAN BACKGROUND

Lee Plan future land use designations for the airport property have changed over time as the Plan has been amended and the airport expanded. The current designation for RSW property is Airport and Wetlands

Recent changes include the ALP which was first adopted into the Lee Plan as Map 3F by Comprehensive Plan amendment CPA2003-02. It incorporated the results of the Airport

Staff Report for November 18, 2013 CPA2013-03 Page 3 of 7 Master Plan process that was ongoing at the time. Lee Plan Amendment CPA2005-10 amended the Airport Noise Zones. Lee Plan Amendments CPA2007-57 and CPA2010-08 amended policies relating to development within the airport boundaries.

SURROUNDING ZONING, LAND USES, & FUTURE LAND USE CATEGORIES

The surrounding future land use categories consist of New Community, Tradeport, DR/GR, Wetlands, and Conservation Lands. The New Community designated lands are located to the northeast, on the north side of Daniels Parkway. The Tradeport designated lands are located to the north, on the north side of Daniels Parkway, to the west of the subject site across Treeline Avenue, and along the western end of the south boundary of the airport property. Along the eastern end of the southern boundary of the airport are lands designated as DR/GR, Wetlands, and Conservation Lands.

The Southwest Florida International Airport is zoned Airport Operations Planned Development (AOPD). East of the subject property is vacant AG-2 zoned land. West of the subject site are partly developed properties in the Tradeport future land use category that are zoned IPD, CPD, MPD and AG-2. North of Daniels Parkway within the Tradeport future land use category are industrial, commercial and vacant properties zoned CPD, IPD, MPD, AG-2, CC, CT, and IL. This includes the site of the new Boston Red Sox stadium. Northeast of the subject site, north of Daniels Parkway in the New Community future land use category is the Gateway Community, with a mix of commercial, light industrial and residential development zoned MPD and PUD.

PROPOSED CHANGES TO THE ALP

The revised ALP contains five changes from what is currently depicted on Map 3F of the Lee Plan. The first change is the shift of the new parallel runway (6R/24L) eighty feet to the south from its proposed location on the previous ALP. Second, a third crossfield taxiway for commercial aircraft has been proposed for the new ALP. This additional taxiway will allow the airport to maintain unrestricted operations. Third and fourth, the location of the future fire department and control tower are shifted from the currently depicted Map 3F. This is to accommodate the additional third crossfield taxiway. The proposed new location of the control tower is intended to provide proper visibility of the airport after completion of the second runway. The proposed new location of the fire department will allow quick access to both the existing runway and the future parallel runway. Fifth, the proposed ALP now depicts existing facilities that have been constructed since the adoption of the 2004 ALP. This includes the midfield terminal and its apron and taxiway, long term and employee parking, detention areas and other facilities.

EFFECT OF THE PROPOSED CHANGES

The proposed shift of the 6R/24L runway will provide the airport with an unconstrained commercial aircraft runway and parallel taxiway. The eighty foot shift also creates more area for the future Concourse A terminal. Although the shift places the proposed runway closer to FPL power lines, an analysis performed during the design process showed no conflict. The relocation of the control tower and fire department will allow them to better

Staff Report for November 18, 2013 CPA2013-03 Page 4 of 7 operate within the airport. None of these internal operational changes cause an increase in the offsite impacts of the airport and therefore, no additional mitigation to public services is required.

B. STAFF RECOMMENDATION

County staff recommends that the Board of County Commissioners *transmit* the proposed amendment to Lee Plan Map 3F.

Staff Report for November 18, 2013 CPA2013-03 Page 5 of 7

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: October 28, 2013

A. LOCAL PLANNING AGENCY REVIEW

Staff gave a brief presentation regarding the proposed amendment. No members of the LPA had any comments concerning the amendment. No members of the public spoke, appeared, or addressed the proposed plan amendment.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:**

The LPA recommends that the Lee County Board of County Commissioners *transmit* the proposed Lee Plan amendment as recommended by staff.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the basis and recommended findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
STEVE BRODKIN	AYE
WAYNE DALTRY	AYE
JIM GREEN	AYE
MITCH HUTCHCRAFT	AYE
ANN PIERCE	AYE
ROGER STRELOW	AYE

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

DATE OF TRANSMITTAL HEARING: November 18, 2013

A. BOARD REVIEW:

Staff provided a brief overview of the proposed amendment. The Board of County Commissioners did not make any comments or have any questions concerning the proposed amendment. No members of the public addressed the Board of County Commissioners concerning the proposed amendment.

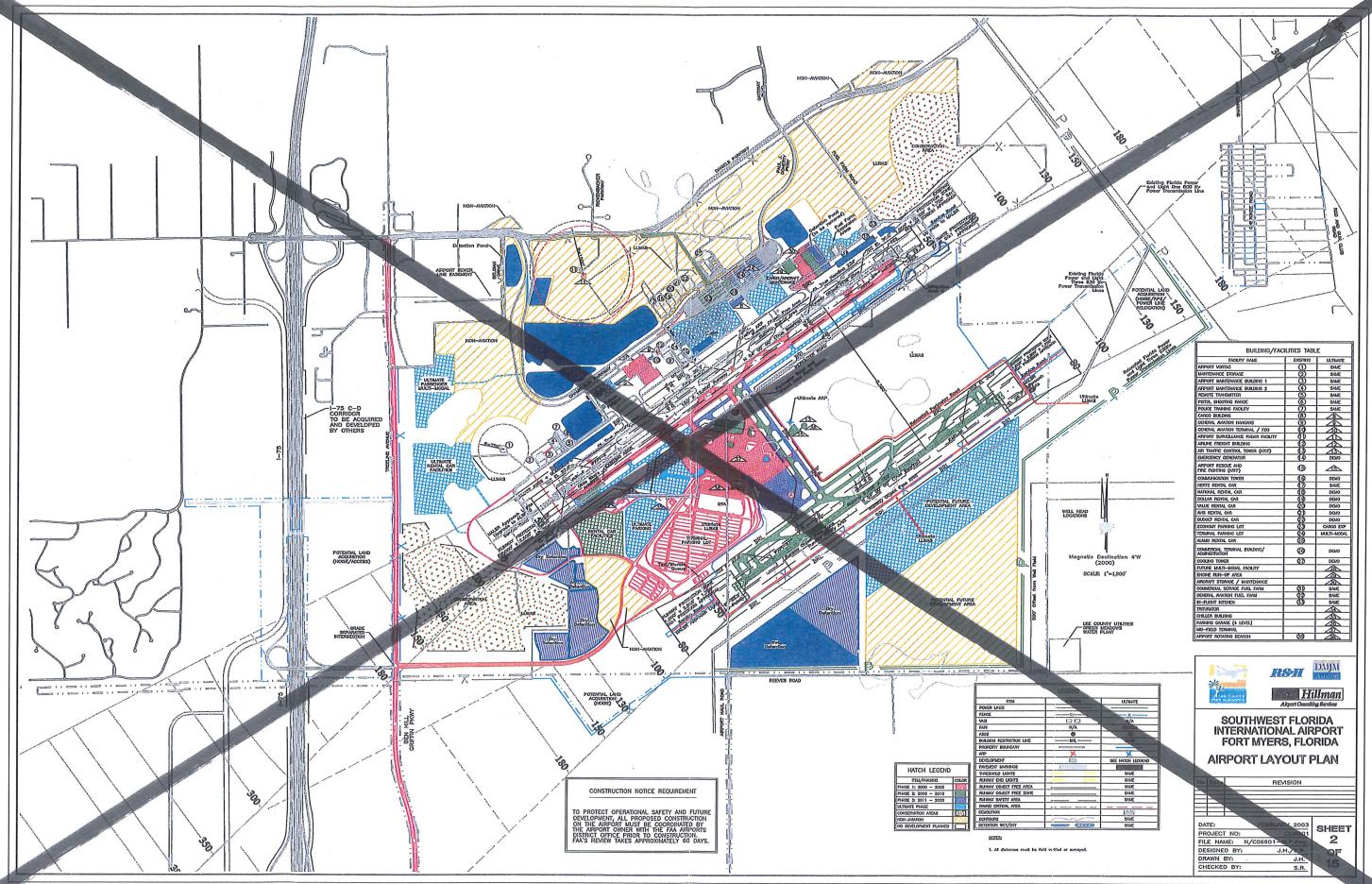
A motion was made to transmit the proposed amendment. The motion passed 5-0.

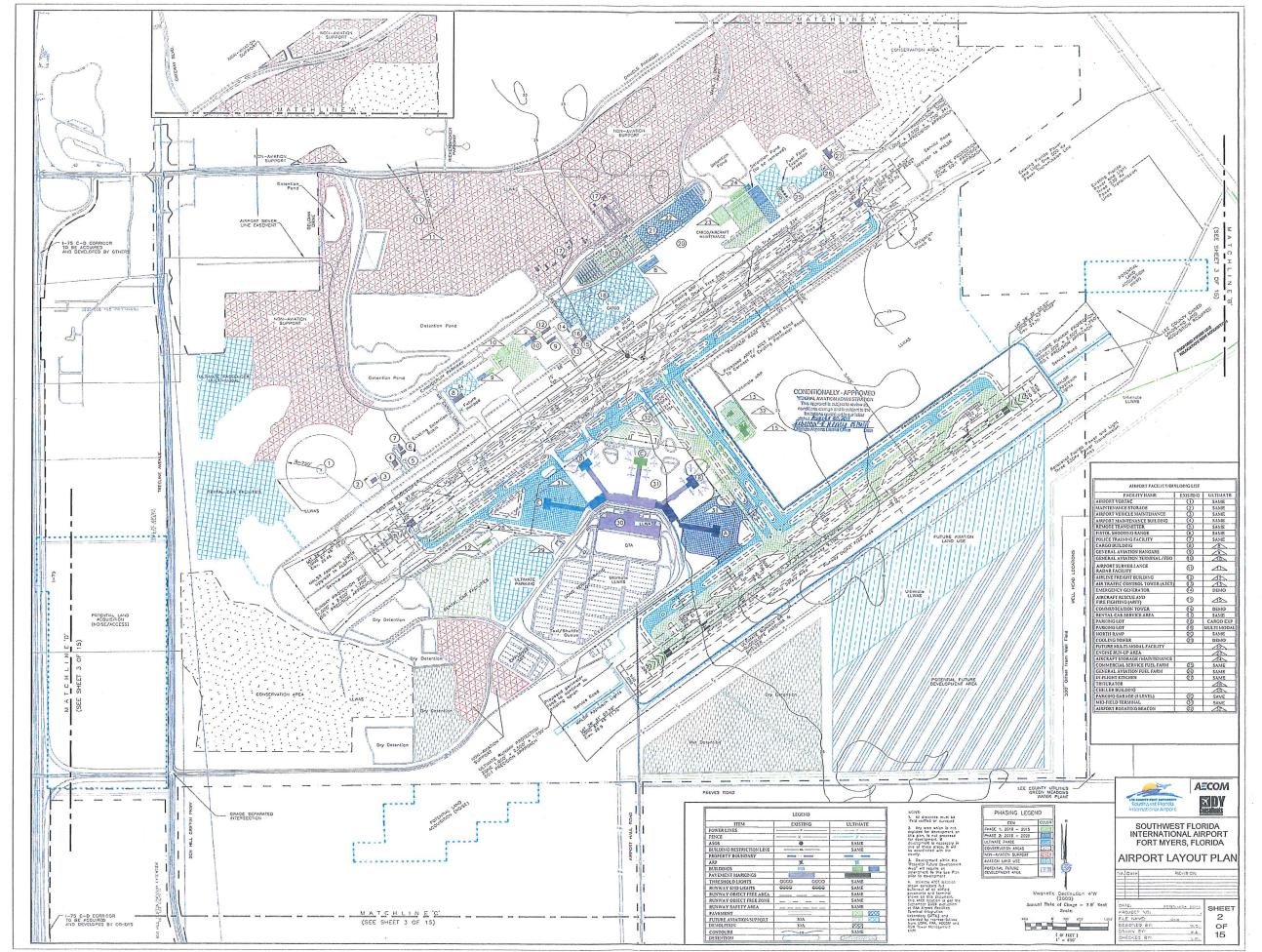
B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

- **1. BOARD ACTION:** The Board of County Commissioners transmitted the proposed amendment as recommended by staff.
- **2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board of County Commissioners accepted the findings of fact as advanced by staff and the LPA.

C. VOTE:

BRIAN HAMMAN	AYE
LARRY KIKER	AYE
FRANK MANN	AYE
JOHN MANNING	AYE
CECIL L PENDERGRASS	AYE





MAP 3F