

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
LEE COUNTY COMPREHENSIVE PLAN
And
ZONING HEARING AGENDA

Monday, November 18, 2013

9:30AM

CPA2013-00003

RSW REVISED AIRPORT LAYOUT PLAN – MAP 3F

CPA2013-00005

UNIVERSITY COMMUNITY DRI REQUIREMENT

DCI2012-00045
Z-13-025

CYPRESS VILLAGE

DCI2013-00006
Z-13-021

WAL-MART 70241 IONA FORT MYERS

**NOTICE OF PROPOSED AMENDMENT TO THE
LEE COUNTY COMPREHENSIVE PLAN
And
ZONING ACTION**

The Lee County Board of County Commissioners will hold four public hearings on Monday, November 18, 2013 in the Board Chambers at 2120 Main Street, Ft. Myers, FL. At 9:30am, the Board will consider proposed amendments to the Lee County Comprehensive Plan (Lee Plan) and zoning applications for the following cases.

Lee County Comprehensive Plan Amendments

Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. Contact Janet Miller of the Lee County Division of Planning at 239-533-8585 for further information on obtaining a record.

CPA2013-00003

RSW Revised Airport Layout Plan – Map 3F

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

CPA2013-00005

University Community DRI Requirement

Amend Policy 18.1.5, Policy 18.1.16, Policy 18.1.16.6 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.

Zoning Cases

DCI2012-00045

CYPRESS VILLAGE

Rezone 9.53 acres from Agriculture (AG-2) to Residential Planned Development (RPD) to allow 92 residential units consisting of 8 buildings, 40 feet in height, with a clubhouse and swimming pool.

Property located at 12031 & 12091 J V Parker Ln., S. Ft. Myers Planning Community, Lee County, FL.

DCI2013-00006

WAL-MART 70241 IONA FORT MYERS

Rezone 21.85 acres from C-1A, CC and CPD to CPD to allow development of up to 154,749 square feet of floor area and 3,086 square feet of outdoor garden center, with maximum building height of 45 feet.

Property located at 11320 and 11331 Summerlin Square Dr.; 17105 and 17175 San Carlos Blvd., Iona/McGregor Planning Community, Lee County, FL.

Copies of the Hearing Examiner's recommendation may be acquired at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Telephone 533-8585 for additional information.

If you did not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners.

Statements before the Board of County Commissioners regarding the zoning case will be strictly limited to the findings of fact or conclusions of law contained in the record, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the hearing before the Hearing Examiners and not otherwise disclosed in the record.

If a participant decides to appeal a decision made by the Board of County Commissioners with respect to any matter considered at these hearings, a verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

Pursuant to the Americans with Disabilities Act and § 286.26, F.S., reasonable accommodations will be made upon request. Contact Jamie Princing at 533-8585.

CPA2013-00003
SW FLORIDA
INTERNATIONAL
AIRPORT (RSW)
AIRPORT LAYOUT
PLAN UPDATE
MAP 3F

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

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Lee County Board of County Commissioners
Sponsored Amendment and Staff Analysis

**BOCC Public Hearing Document
For the
November 18th, 2013 Public Hearing**

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

October 28, 2013

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

☐

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 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.

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.

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

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

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.

**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	<u>AYE</u>
STEVE BRODKIN	<u>AYE</u>
WAYNE DALTRY	<u>AYE</u>
JIM GREEN	<u>AYE</u>
MITCH HUTCHCRAFT	<u>AYE</u>
ANN PIERCE	<u>AYE</u>
ROGER STRELOW	<u>AYE</u>

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

DATE OF TRANSMITTAL HEARING: November 18, 2013

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN HAMMAN

LARRY KIKER

FRANK MANN

JOHN MANNING

CECIL L PENDERGRASS



Direct Dial: (239) 590-4601
Fax: (239) 590-4688

May 7, 2013

ROBERT M. BALL, A.A.E.
EXECUTIVE DIRECTOR

BOARD OF
PORT COMMISSIONERS

TAMMY HALL

LARRY KIKER

FRANK MAJHI

JOHN E. MANNING

CECIL L. PENDERGRASS

Mr. Paul O'Connor
Director
Planning Department
Lee County Community Development
1500 Monroe Street, 2nd Floor
Fort Myers, FL 33901

Re: EAR RSW Airport Layout Plan Update

Dear Mr. O'Connor:

The Lee County Port Authority would like to include an update to the Airport Layout Plan (ALP) for Southwest Florida International Airport (RSW), adopted as Lee Plan Map 3(f), in the current Lee Plan amendment cycle as an EAR based amendment. The currently adopted Lee Plan map 3(f) is the approved RSW ALP which was completed as part of the 2004 Airport Master Plan.

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.

The Port Authority is requesting to incorporate the recently adopted ALP in the Lee Plan to replace the existing RSW ALP as Lee Plan Map 3(f). A copy of the Summary Report for the RSW ALP Update outlining the modifications that were made and justification for those changes is attached. A reduced copy of the August 30, 2011 FAA approved RSW ALP is also included.

After reviewing this request, please let me know if we could briefly meet to discuss the process for incorporating these changes into the current Lee Plan EAR based amendments.

Sincerely,

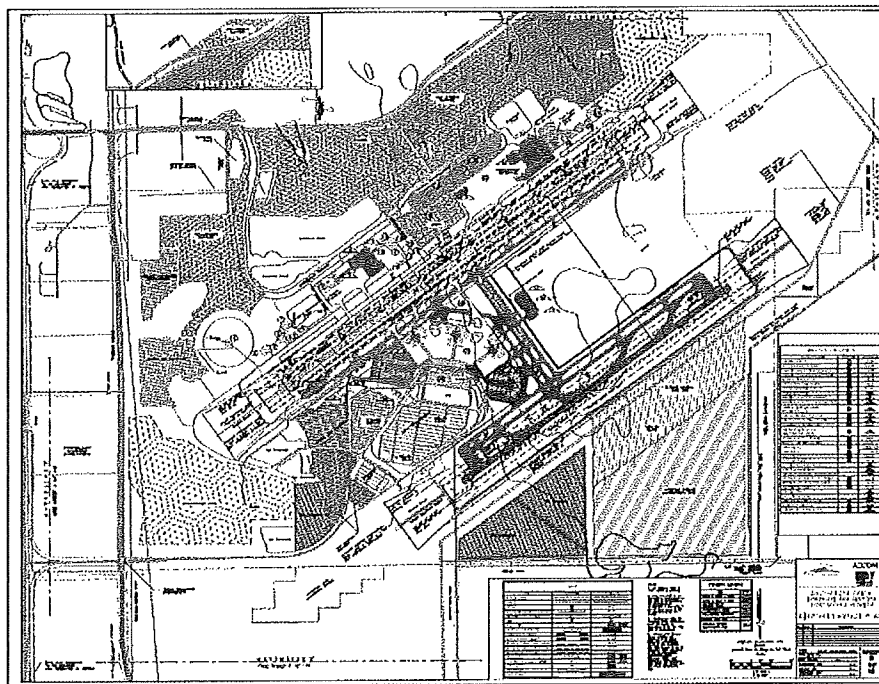
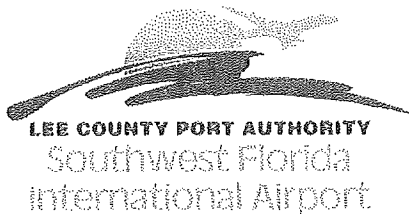
LEE COUNTY PORT AUTHORITY

Ellen Lindblad
Director, Planning & Environmental Compliance

cc: Emily Underhill
Mark Fisher

Attachments:
Southwest Florida International Airport Layout Plan Update Summary Report
FAA Approved RSW ALP dated August 30, 2011

Southwest Florida International Airport Airport Layout Plan Update



December 4, 2009

AECOM

DY
Consultants

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**AIRPORT LAYOUT PLAN UPDATE
SUMMARY REPORT
SOUTHWEST FLORIDA INTERNATIONAL AIRPORT (RSW)**

Executive Summary

The Lee County Port Authority (LCPA) has been preparing to implement proposed projects contained within the 2004 Master Plan Update and 2004 approved Airport Layout Plan (ALP) in order to meet the future demand/capacity and facility requirements that will be necessary at RSW. As part of that preparation, the LCPA initiated the New Runway 6R/24L Program in 2007 to enhance the capacity of the existing airfield and provide the necessary facilities to support the new runway. The LCPA has recently completed the multi-year planning and design analysis for New Runway 6R/24L. 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.

The purpose of this narrative and associated ALP drawings is to provide the FAA with an Updated ALP depicting the runway layout modifications and associated support facilities that differ from the previously approved 2004 documents. The New Runway 6R/24L, Midfield taxiways and apron, a new Air Traffic Control Tower (ATCT) and new Aircraft Rescue and Fire Fighting Facility (ARFF) are the focus of this ALP Update. This is not intended to be a full master plan update, evaluating demand, capacity, land uses, facility requirements, etc. At FAA's request, this effort is merely intended to more accurately reflect the current plans for these four items to maintain FAA grant eligibility.

1.0 ALP Changes

The proposed runway configuration, Midfield taxiways and apron, ATCT and ARFF will have no additional development or environmental impacts above those already identified, reviewed, approved and mitigated for on the 2004 ALP layout. It was found in the study process that some of the potential impacts associated with the 2004 ALP layout will be reduced with the revised configuration. In addition, the 1994 Finding of No Significant Impact (FONSI) and subsequent amendments for the Proposed Runway 6R/24L Environmental Assessment (EA) and as revalidated by the FAA in a letter to the LCPA on December 20, 2007, recognizes the footprint and all environmental considerations of the proposed parallel runway as the location and geometrics shown on the 2004 ALP. The proposed layout as depicted on this 2009 ALP Update which includes a full perimeter road and security fence encompassing all airfield pavement, is within the areas previously identified on the 2004 ALP to be impacted. The FAA has concurred in a letter to the LCPA dated March 2009, that the proposed layout and shift of the runway substantially conforms to the 1994 EA/FONSI and no additional environmental analysis is needed.

1.1 New Parallel Runway 6R/24L

The proposed runway configuration depicted in this 2009 ALP Update requires an 80-foot shift to the south to increase the runway to runway centerline separation from the location shown on the 2004

ALP. This shift provides RSW with an unconstrained Group V runway and parallel taxiway and full dual parallel taxiway that will meet all foreseeable future and ultimate Group V aircraft demands as well as double-back aircraft taxiing operations as recommended by the FAA. The layout also provides sufficient space for necessary blast deflector fencing, and a perimeter road around the proposed runway and taxiway system to the midfield terminal apron. The 80-foot shift also provides ample area for future Concourse A terminal development.

The 80-foot shift of the proposed Runway 6R/24L to the south does place it closer to the adjacent high voltage transmission lines, but does not present any additional potential conflicts compared to the 2004 ALP. An analysis of the Part 77 airspace surfaces was conducted during the design process and confirmed that no penetrations exist from the FPL power lines that are located on the south side of the runway. In addition an Instrument Landing System (ILS) math modeling study was conducted as part of the design process to determine if Category I ILS operations would be attainable with the proposed runway shift. The study results indicated that Category I ILS operations can be achieved within the acceptable FAA signal interference tolerances with the FPL power lines.

Navigational aids for the new runway include Category I ILS, MALSR, a single RVR site and LLWAS equipment. Lighting components include runway centerline, touchdown zone, edge and threshold lighting, runway signage, taxiway centerline and edge lighting, runway guard lights, taxi guidance signage, wind cones, series circuits, duct systems and grounding.

The perimeter road and access roadway system is similar to that shown on the 2004 ALP. It includes a roadway loop running adjacent to the Airport Operations Area (AOA) perimeter fence and access roads leading to NAVAIDS equipment, the Midfield Terminal Complex (MTC), apron area, and to the ARFF and ATCT facilities.

1.2 Midfield Taxiways and Apron

The proposed runway and taxiway configuration includes a system of dual Group V crossfield taxiways located east of the terminal area. The crossfield taxiways provide bidirectional taxi flow between the runways and apron areas and allow aircraft at Concourse B to push back from the gates and maneuver around the apron without restrictions. A third crossfield taxiway will be necessary in the future to maintain unrestricted apron and taxiway operations to accommodate the Concourse B headhouse expansion. The present location of the future ARFF and ATCT were shifted from the 2004 ALP to accommodate the future separation standards and reserve the space necessary for the third taxiway. Additional aircraft parking apron is also planned to accommodate overnight, hardstand, and diverted aircraft if no terminal gates are available.

1.3 Air Traffic Control Tower (ATCT)

The location of the ATCT in this ALP Update differs slightly from the location depicted on the 2004 ALP. It is now north of the ARFF facility. An extensive ATCT Line of Sight Analysis and a September 2009 evaluation by the FAA Airport Facilities Terminal Integration Laboratories (AFTIL) resulted in this preferred location now shown on the 2009 ALP Update. In attendance at the September 2009 AFTIL

evaluation were representatives from the LCPA, FAA, AECOM and the RSW Air Traffic Control Tower management staff, including the tower manager. The preferred location considers the full build-out of all airfield pavements and terminal concourses and headhouses, also depicted on this ALP Update. Information regarding the proposed height and profile of the future concourse and headhouse expansions was taken from the July 2007 Terminal Expansion Evaluation Study entitled "RSW Terminal Expansion Plan for Serving 12 Million Annual Passengers", conducted by Hole Montes. The AFTIL evaluation helped determine the proposed location and height (approximately 214 feet from ground surface to top of cab) of the new ATCT that would be acceptable to the RSW tower staff to enable them to still see the tail of a commuter aircraft at the time of full terminal and airfield pavement buildout. Access to the new ATCT site will be provided via a new ARFF/ATCT connecting access road which connects to the existing perimeter roadway.

1.4 Aircraft Rescue Fire Fighting (ARFF) Facility

As part of the Parallel Runway Program a New Aircraft Rescue and Firefighting Facility (ARFF) study was conducted in 2008 to identify alternative sites for a new ARFF and provide technical analysis to ensure that a preferred site would be able to provide exceptional response to the existing airfield and future Runway 6R/24L. The preferred future ARFF site shown in the 2009 ALP Update was selected because of its proximity to both runways. It is located on the east side of the future cross-field taxiway, midway between the existing and future runways in essentially the same location as shown on the 2004 ALP with the new ARFF facility pushed slightly further to the northeast to allow room for a future crossfield taxiway. Access to the ARFF will be provided via the existing perimeter roadway and a new perpendicular ARFF/ATCT connecting access road.

1.5 2009 Existing Conditions

In addition to the revised locations of the Parallel Runway 6R/24L components, the ARFF and ATCT there are several facilities that were depicted on the 2004 ALP that have since been constructed. The following facilities were constructed under the Midfield Terminal Project and are shown to exist in this 2009 ALP Update.

- Midfield Terminal Complex and associated apron and taxiways
- Long Term Parking and the Employee Parking Lot
- Parallel Taxiway F and associated connector taxiways
- The North Ramp and demolition of the old terminal building
- Three dry detention areas located west of the future rental car area and non-aviation support areas
- Treeline/Ben Griffin Parkway

2.0 ALP Drawing Set

The ALP drawing set graphically depicts the proposed Runway configuration, including the shift of 80 feet, taxiway system configuration, new ARFF and ATCT development areas. In addition to the title sheet, the complete set of drawings (15 sheets) consists of the following:

- Airport Layout Plan
- ALP Data Tables
- Terminal Area Plan
- FAR Part 77 Approach Surfaces
- FAR Part 77 Inner Surfaces
- Runway Protection Zone Plans
- Runway Approach Zone Profiles
- Proposed Land Use Plan
- Property Maps

2.1 Airport Layout Plan

The Airport Layout Plan (ALP) (Sheet 2) is the most utilized plan sheet of the drawing set and must be accepted by the FAA for depicted projects to be eligible for Airport Improvement Program (AIP) funding. The plan has been updated in accordance with FAA AC 150/5300-13, *Airport Design* and FAA Southern Region ALP Checklist. In addition to the existing Airport layout, this updated ALP presents a 15-year and beyond program that has been developed to support the projected activity at RSW Airport. The stages of development correspond as follows: Phase I – 2010-2015; Phase II – 2016-2025, and Ultimate – beyond 2025.

As previously mentioned, the following projects have been updated in the 2009 ALP:

- New Runway 6R-24L configuration;
- Midfield Taxiways and Apron layout
- New ARFF Station site layout
- New ATCT development area
- Existing facilities shown

Other than the five items listed above, there are no changes from the 2004 ALP.

2.2 Terminal Area Plan

The Terminal Area Plan (Sheet 4) provides a more detailed depiction of the physical development associated with the midfield passenger terminal and ground access. It is presented at a larger scale than the ALP so that greater detail of the terminal area improvements can be discerned.

2.3 FAR Part 77 Approach and Inner Surfaces

The FAR Part 77 Approach Surfaces (Sheets 5 and 6) graphically depict physical objects that exist in the navigable airspace surrounding Southwest Florida International Airport. The criteria used to define objects that constitute obstructions to the safety of approaching and departing aircraft are contained in FAR Part 77, Objects Affecting Navigable Airspace. To help plan for potential future airport development, ultimate design levels were utilized during the airspace analysis. For existing Runway 6-24, there are no changes from the 2004 ALP. The specific imaginary surfaces, which should be protected from obstructions, include:

2.3.1 Primary Surface – A rectangular area symmetrically located about each runway centerline and extending a distance of 200 feet beyond each runway threshold. Width of the Primary Surface is based on the type of approach a particular runway has, while the elevation is the same as that of the runway centerline at all points. The primary surface width for the existing and proposed runways is 1,000 feet.

2.3.2 Approach Surface - This surface begins at each end of the Primary Surface (200 feet beyond the runway threshold) and slopes upward at a ratio determined by the runway category and type of approach available to the runway. The width and elevation of the inner end conforms to that of the Primary Surface while approach surface length and width of the outer end are governed by the runway category and approach procedure available. The approach to Runway 6-24 is 50:1 for the inner 10,000 feet and 40:1 for an additional 40,000 feet.

2.3.3 Transitional Surface - A sloping area beginning at the sides of the Primary and Approach Surfaces and sloping upward and outward at a ratio of 7:1 until it intersects the Horizontal Surface.

2.3.4 Horizontal Surface - A level oval-shaped area situated 150 feet above the airport elevation, extending 5,000 or 10,000 feet outward, depending on the runway category and approach procedure available. The Horizontal Surface for RSW Airport extends outward 10,000 feet.

2.3.5 Conical Surface - Extends outward for a distance of 4,000 feet beginning at the outer edge of the Horizontal Surface, and sloping upward at a ratio of 20:1.

2.3.6 Instrument Departure Surfaces - This surface is associated with instrument runways and is trapezoidal in shape with an inner width of 1,000 feet, extending 10,200 feet from the departure runway end to a width of 6,466 feet

2.3.7 One Engine Inoperative Surfaces - This is the latest surface identified in the most recent version of the Airport Design Advisory Circular. It only applies to departure runway ends supporting air carrier operations. It starts at the end of the runway and slopes upward at 62.5:1.

2.4 Runway Protection Zone (RPZ) and Approach Zone Profiles

Sheets 7, 8, 9, 10, 11, and 12 depict the RPZ's for the existing Runway 6-24 and future Runway 6R-24L. For existing Runway 6-24, there are no changes from the 2004 ALP. In addition, each runway end approaches and identified obstructions are shown in a profile view.

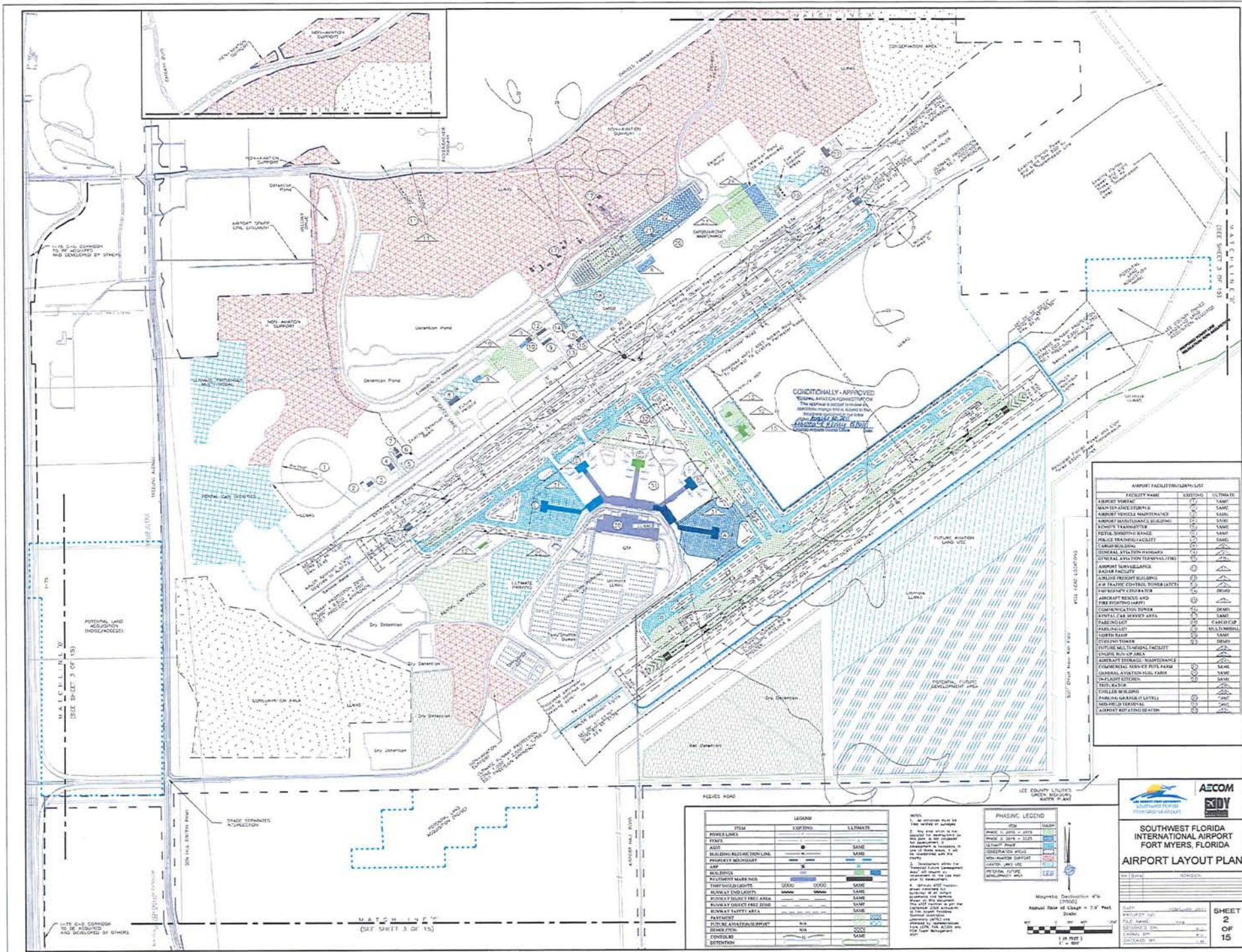
2.5 Proposed Land Use Plan (no change from 2004 ALP)

Sheet 13 was developed to achieve optimal utilization of land uses within the future airport boundary. Sections presented on this plan are color coded to show the various land use patterns on Airport Property. Land uses included on this plan included:

- Airfield Operations
- Airline Terminal
- Airport Support
- Environmental Compatible Land Use buffer
- Non Aviation Development Area
- Potential Future Development Area

2.6 Property Maps (no change from 2004 ALP)

Sheets 14 and 15 are intended to accurately show the airport property line and all current lease boundaries. The Property Maps not only display the existing inventory of property on the airport but also identify those tracts of land that have been recommended for future acquisition. These tracts have been identified for acquisition to allow RSW Airport the ability to ensure its future viability and capability to meet development both during the period covered under this ALP Update as well as beyond the planning horizon of this document.





U.S. Department
of Transportation
**Federal Aviation
Administration**



Orlando Airports District Office
5950 Hazeltine National Dr., Suite 400
Orlando, FL 32822-5003

Phone: (407) 812-6331

Fax: (407) 812-6978

August 31, 2011

Ms. Juliet S. Iglesias
Lee County Port Authority
Southwest Florida International Airport
11000 Terminal Access Road, Ste 8671
Fort Myers, Florida 33913-8899

XC: Ellen L. (w/ALP)
AECOM (w/ALP)

Dear Ms. Iglesias:

RE: Southwest Florida International Airport (RSW;) Ft. Myers, Florida
Conditional Airport Layout Plan Approval

The Federal Aviation Administration (FAA) conditionally approves your Airport Layout Plan (ALP) for Southwest Florida International Airport, dated August 30, 2011. This approval is subject to the condition that the proposed airport development listed below requires environmental processing and may not be undertaken without the FAA's prior written environmental approval.

Any development requiring environmental analysis in accordance with FAA Order 5050.4B.

FAA approval of your ALP means that all existing and proposed airport development shown on the plan meets current FAA Airport Design Standards or a current FAA approved Modification of Airport Design Standards. It also means that we find the proposed airport development shown on the plan useful and efficient. However, our approval does not represent a commitment to provide federal financial assistance to implement any development or air navigation facilities shown on the plan, nor does it mean that we find funding of the proposed airport development justified.

Please be aware that you are required to notify this office at least 60 days prior to the start of construction of any facilities on the airport. Also, this conditional ALP approval does not constitute airspace approval for aircraft parking aprons or structures. Prior to the start of construction of these facilities, you must submit proper notification to our office and receive FAA airspace approval. Furthermore, the design and location of any stormwater retention/detention facilities on or near the airport must comply with FAA Advisory Circular 150/5200-33, "Hazardous Wildlife Attractants on or Near Airports", and must be approved on the ALP prior to construction.

We look forward to working with you in the continued development of your airport.

Sincerely,

A handwritten signature in black ink that reads "Rebecca R. Henry". The signature is written in a cursive, flowing style.

Rebecca R. Henry
Program Manager

Enclosure

cc:

AJV-E2 (w/3ALPs)

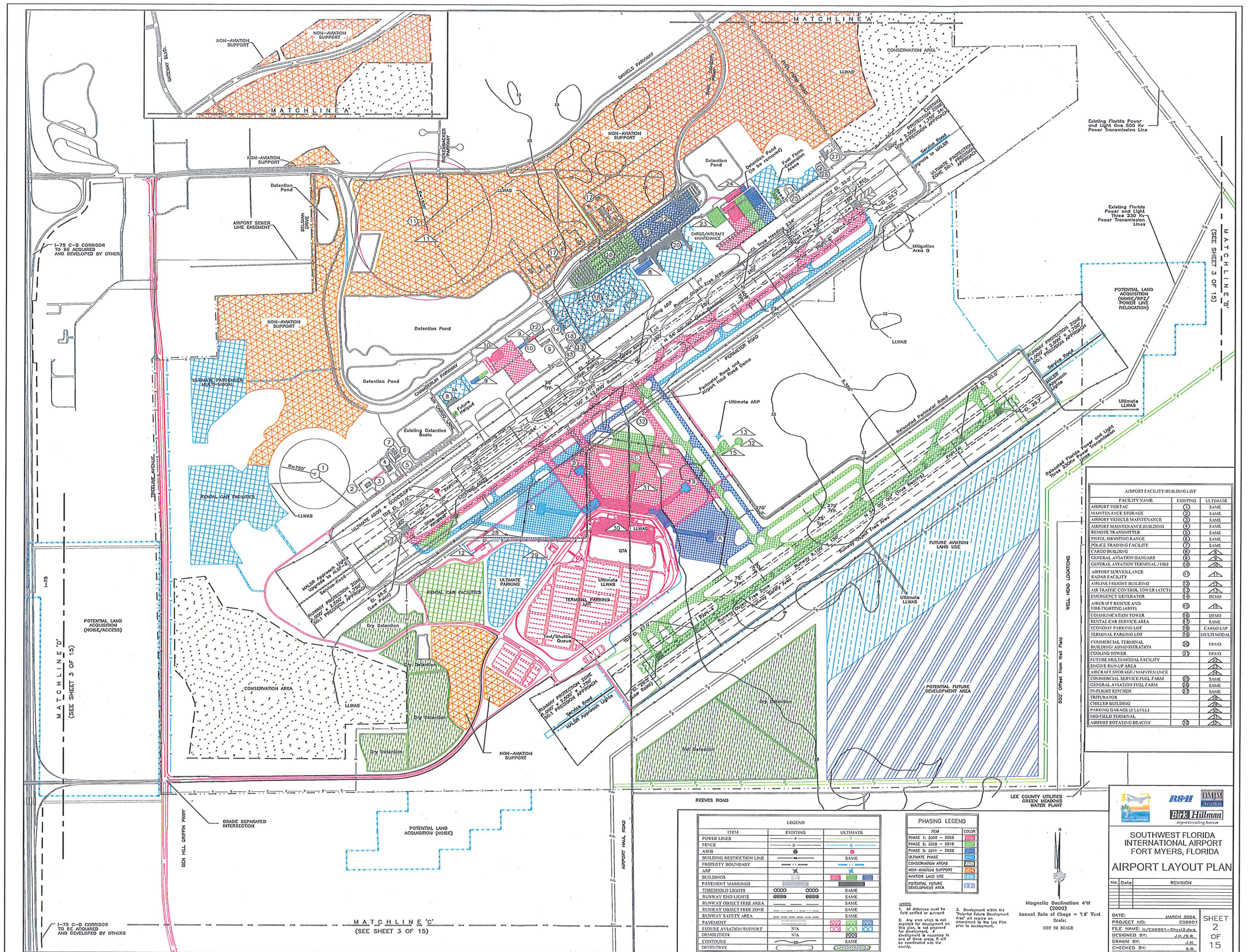
AJW-E-15C (w/ALP)

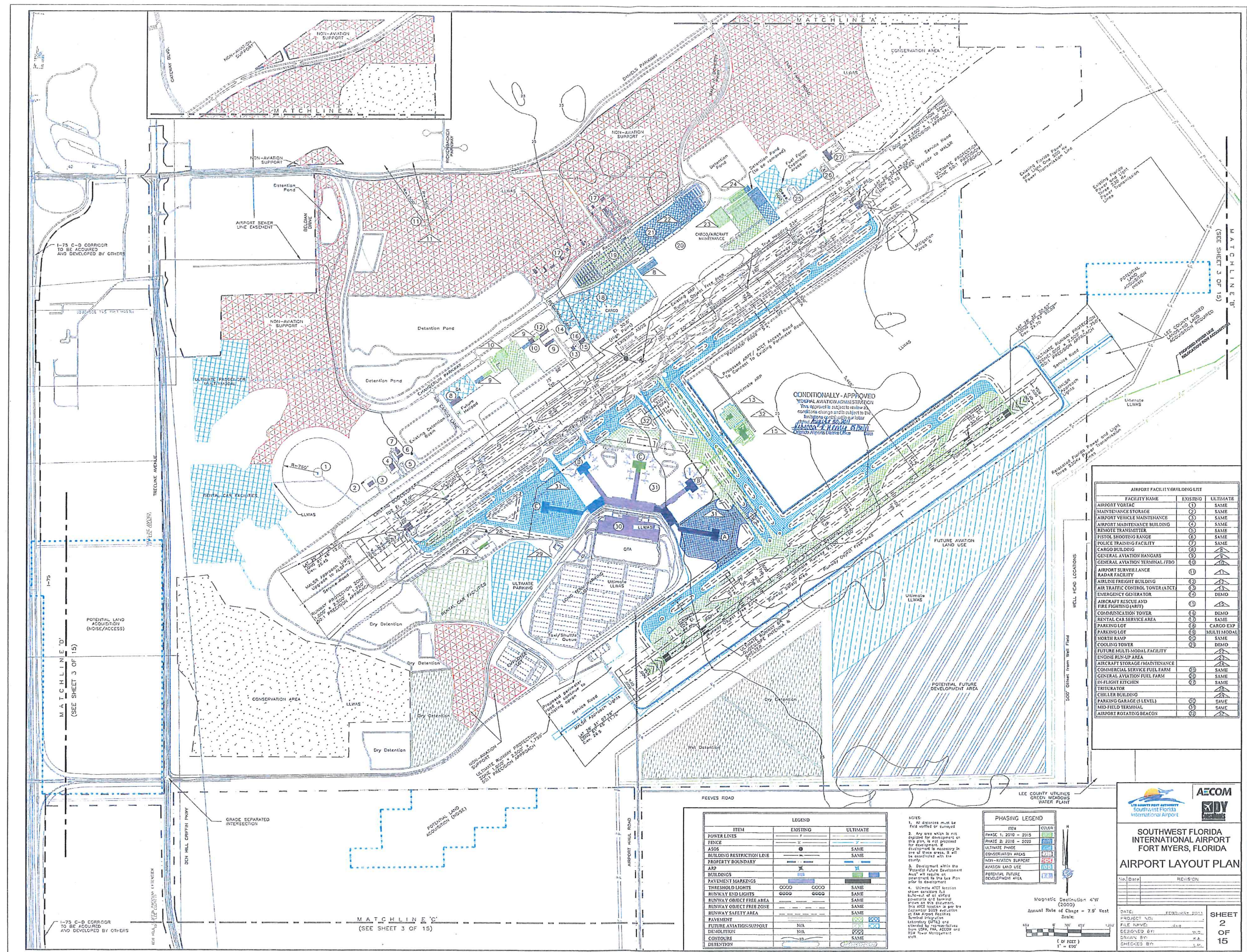
AJW-3742 (w/ALP)

Courtney Nolan, AJW-E11D (w/ALP)

ASO-290 (w/ALP)

FDOT/ 1 w/ALP





**CPA2013-00005
UNIVERSITY
COMMUNITY DRI
REQUIREMENT**

**CPA2013-05
UNIVERSITY COMMUNITY
DRI REQUIREMENT
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Lee County Board of County Commissioners
Sponsored Amendment and Staff Analysis

**BOCC Public Hearing Document
For the
November 18th, 2013 Public Hearing**

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

November 1, 2013

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2013-05**

☒

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 18, 2013

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVES:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS / LEE COUNTY
DIVISION OF PLANNING

2. REQUEST:

Amend Policy 18.1.5, Policy 18.1.16, Policy 18.1.16.6 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.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners *transmit* the proposed amendment to the Future Land Use Element of the Lee Plan as shown below. Proposed

text has been depicted in strikethrough and underline format as it relates to the existing provisions of the Lee Plan.

TEXT AMENDMENTS:

POLICY 18.1.5: In order to create a cohesive community, site design within the University Community must utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design must link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community. The county will work cooperatively with the University on these matters as the University proceeds through the Campus Master Plan Process.

Prior to local Development Order approval on property within Area 9, the University Community, the developer must demonstrate that the proposed plan of development supports pedestrian, bicycle and transit opportunities. A multi-modal interconnection between the property and the FGCU campus must be provided at no cost to Lee County. The owner/developers must dedicate the right of way for the 951 extension between Alico Road and Corkscrew Road to Lee County prior to ~~Development of Regional Impact Development Order~~ rezoning approval. The value of the right of way on the date of dedication must not reflect the added value of the lands changed from DR/GR to University Community by virtue of CPA 2009-01. The county will issue road impact fee credits for the dedication. (Amended by Ordinance No. 94-30, 00-22, 10-40)

No changes proposed to Policy 18.1.6 to Policy 18.1.15

POLICY 18.1.16: For those lands in Area 9, all development must be designed to enhance and support the University. All rezonings in this area must include a specific finding that the proposed uses qualify as Associated Support Development, as that term is defined in the glossary. The final design and components will be determined as part of the ~~DRI~~ rezoning process and must be consistent with the following development standards:

No changes proposed to Policy 18.1.16 numbered paragraph 1 through 5

6. Development Acreage: The previous mining and crushing operations in Area 9 have rendered a large portion of the property unsuitable for development. Some areas that were previously mined have been filled with materials left over from the crushing operations known as fines. These and other activities have left an area of approximately 350 acres that has never been mined that remains suitable for development of structures and other site improvements. Development is therefore limited to this area. The previously impacted areas may only be used for reclamations and development as unoccupied open space. Property may be designated for residential use, non-residential use, or a combination of uses classified as mixed use. Out of the 350 acres available for development, 40 acres of developable land, not

including right-of-way which is intended to serve as the connection between Area 9 and FGCU, will be dedicated to FGCU concurrent with ~~DRI~~ rezoning approval. The 40 acres dedicated to FGCU will become part of the FGCU campus and development there will not be calculated against the maximum residential unit count, nor maximum commercial square footage otherwise allowed.

No changes proposed to Policy 18.1.16 numbered paragraph 7 to Policy 18.2.1

POLICY 18.2.2: The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. ~~In addition to complying with the Conceptual Master Plan required by Policy 18.1.10, all property within the University Village must undergo a Development of Regional Impact review.~~

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Board of County Commissioners initiated this plan amendment on August 27, 2013.
- Changes to the Florida Statutes in 2011, HB7207, prohibit local governments from requiring projects to undergo Development of Regional Impact (DRI) review if they did not meet the established DRI thresholds.
- Lee Plan Policy 18.1.16, Policy18.1.16.6, and Policy 18.2.2 are inconsistent with Florida Statutes as amended. These policies are all specific to the University Community future land use category.
- Requiring DRI review for projects that are below the DRI threshold has proved to be problematic.
- Deleting a mandatory DRI review requirement will not negatively impact the original vision for the University Community area.

C. BACKGROUND INFORMATION

The University Community future land use category was initially adopted into the Lee Plan and Future Land Use Map on October 27, 1992 by Ordinance 92-47, which adopted PAM/T 92-02, Florida's Tenth University. This Plan amendment adopted the University Community future land use category descriptor policy, Policy 1.1.9, and Goal 20 (later renumbered to Goal 18): University Community, which provided detailed descriptions of the development that was anticipated to surround what is now Florida Gulf Coast.

Since its initial adoption in 1992, all privately owned property within the University Community designation, have been required to undergo a DRI review. This requirement was

put in place to help ensure that the University Community area developed as a cohesive community. The specific requirement for the DRI review was contained in Policy 20.2.4, which described the “University Village.”

POLICY 20.2.4: *The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a-mix-of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. In addition to complying with the Conceptual Master Plan required by Policy 20.1.10, all property within the University Village shall undergo a Development of Regional Impact review. [As it was adopted by Ordinance 92-47]*

This policy has since been renumbered to Policy 18.2.2.

The University Community area was expanded in 2010 to include a 9th area. This was accomplished through an amendment to the Lee Plan adopted on October 20, 2010 by Ordinance 10-40, which adopted CPA2009-00001, Alico West. The Alico West Lee Plan amendment included details about the development of Area 9 of the University Community. The property that was the subject of Area 9 was previously an aggregate mine and was not originally included in the University Community area because it was not consistent with the desired uses. Consistent with development requirements within the University Community area as originally adopted, development within Area 9 would be required to undergo DRI review.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The 2011 legislative amendments adopted by HB7207 changed the Development of Regional Impacts Statute to prohibit local governments from imposing DRI review on developments that do not exceed the state thresholds for DRIs. The pertinent part of the DRI Statute, F.S. 380.06(24)(u), is reproduced below:

(u) Notwithstanding any provisions in an agreement with or among a local government, regional agency, or the state land planning agency or in a local government’s comprehensive plan to the contrary, a project no longer subject to development-of-regional-impact review under revised thresholds is not required to undergo such review.

In response to these amendments to the Florida Statutes, the County Attorney’s Office has advised staff that the requirement that all development within the University Community area undergo a DRI review is no longer consistent with Florida Statutes. Staff was also

advised that this requirement may not be enforced and should be removed from the Lee Plan. Lee County Planning staff has reviewed the Goals, Objectives and Policies of the Lee Plan and has identified two policies that either directly require development to undergo a DRI review or identify the DRI as a tool that can be used to implement additional requirements. These policies are Policy 18.1.16, Policy 18.1.16 numbered paragraph 6, and Policy 18.2.2.

Policy 18.1.16 is specific to Area 9 of the University Community. The policy utilizes the DRI process to assure that specific design requirements and development commitments will be addressed. Staff finds that assurance for the design requirements and development commitments can be addressed at another phase in the development process. Staff recommends the following changes to Policy 18.1.16 and paragraph 6 that recognize development within Area 9 may not undergo the DRI review process.

POLICY 18.1.16: *For those lands in Area 9, all development must be designed to enhance and support the University. All rezonings in this area must include a specific finding that the proposed uses qualify as Associated Support Development, as that term is defined in the glossary. The final design and components will be determined as part of the ~~DRI~~ rezoning process and must be consistent with the following development standards:*

6. Development Acreage: *The previous mining and crushing operations in Area 9 have rendered a large portion of the property unsuitable for development. Some areas that were previously mined have been filled with materials left over from the crushing operations known as fines. These and other activities have left an area of approximately 350 acres that has never been mined that remains suitable for development of structures and other site improvements. Development is therefore limited to this area. The previously impacted areas may only be used for reclamations and development as unoccupied open space. Property may be designated for residential use, non-residential use, or a combination of uses classified as mixed use. Out of the 350 acres available for development, 40 acres of developable land, not including right-of-way which is intended to serve as the connection between Area 9 and FGCU, will be dedicated to FGCU concurrent with ~~DRI~~ rezoning approval. The 40 acres dedicated to FGCU will become part of the FGCU campus and development there will not be calculated against the maximum residential unit count, nor maximum commercial square footage otherwise allowed.*

Policy 18.2.2 directly requires that development within the University Community area undergo a DRI review. Staff suggests that Policy 18.2.2 should be amended to delete the requirement to undergo a DRI review as follows:

POLICY 18.2.2: *The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial,*

office, public and quasi-public, recreation, and research and development parks. ~~In addition to complying with the Conceptual Master Plan required by Policy 18.1.10, all property within the University Village must undergo a Development of Regional Impact review.~~

CONSISTENCY WITH THE LEE PLAN

Planning staff finds that allowing for the removal of the requirement that all development within the University Community area undergo DRI review by amending Policy 18.2.2, and recognizing in Policy 18.1.16 that development within Area 9 may not require DRI review is consistent with the remainder of the Lee Plan.

Goal 18: University Community and its subsequent objectives and policies provide guidance for development within the University Community. Goal 18 of the Lee Plan states that Lee County will:

“ensure that development within the University Community land use category protects and enhances the ability of Florida's tenth university to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the efficient operation of that institution...”

Objective 18.1 speaks more specifically to land use, and states that:

“In order to ensure that the location and timing of development within the University Community is coordinated with the development of the University and the provision of necessary infrastructure; and, that all associated support development within the University Community is designed to enhance the University; all development within the University Community will be subject to cooperative master planning...”

Policy 18.1.10 specifically requires that development within the University Community area is consistent with the Generalized Land Use Map and (9) area descriptions within the University Community Conceptual Master Plan.

Staff finds that deleting a mandatory DRI review requirement will not negatively impact the original vision for the University Community area. Lee Plan Goal 18 and its subsequent objectives and policies and the University Community Conceptual Master Plan will continue to assure that development within the University Community area will be developed as a cohesive community that provides the “associated support development and synergism” anticipated in Policy 18.2.2.

CONSISTENCY WITH FEDERAL AND STATE REQUIREMENTS

The amendment addresses changes to the Florida Statutes adopted by HB7207, which prohibit local governments from requiring projects to undergo Development of Regional Impact (DRI) review if they did not meet the DRI thresholds. The proposed amendment is consistent with federal and state requirements.

B. STAFF RECOMMENDATION

County staff recommends that the Board of County Commissioners transmit the proposed amendments to Policy 18.1.16, Policy 18.1.16.6 and Policy 18.2.2 of the Lee Plan.

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 public were present to address the LPA concerning the proposed amendment. One member of the LPA expressed concern that the state's prohibition was taking away a level of review, and that it would leave surrounding property owners vulnerable to changes to the developments in the University Community. This member made a recommendation that if Lee County was to remove the DRI requirement from the University Community that it should be replaced with a requirement for rezonings to hold a community input meeting.

Another member of the LPA expressed concern that the proposed change was simply to remove a requirement for DRI review in the University Community that is inconsistent with the Florida Statutes, and that the recommendation by the other LPA member could potentially have impacts on the vesting of other DRIs. This member also thought that the regular rezoning process allowed for adequate public input. **A motion was made to transmit the amendment as recommended by staff. This motion did not receive a second.**

Two other members of the LPA also questioned language in the policies that is unrelated to the proposed amendment to remove the mandatory DRI review. Staff explained that this was not part of the current amendment and that those changes should be vetted with a separate amendment, or through the EAR process.

A motion was made to transmit the amendment with the condition that rezonings within the University Community future land use category would require a public information meeting prior to being found sufficient for public hearing.

Concern was expressed that the condition was a new requirement for rezonings within a planning community that has not itself expressed the need for additional public input.

The motion passed with 5 being in favor and 2 being opposed.

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 as well as requiring an informational meeting for rezonings within the University Community future land use category.

Staff has reviewed the University Community future land use category, and finds that the following modification to Policy 18.2.2 could accommodate the LPA's recommendation:

POLICY 18.2.2: The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. In addition to complying with the Conceptual Master Plan required by Policy 18.1.10, the owner or agent for any zoning request all property within the University Village must undergo a Development of Regional Impact review conduct one public informational session, within the University Village, where the agent will provide a general overview of the project for any interested citizens.

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	<u>AYE</u>
STEVE BRODKIN	<u>AYE</u>
WAYNE DALTRY	<u>AYE</u>
JIM GREEN	<u>AYE</u>
MITCH HUTCHCRAFT	<u>NEY</u>
ANN PIERCE	<u>NEY</u>
ROGER STRELOW	<u>AYE</u>

D. STAFF RESPONSE TO LPA RECOMMENDATION:

Staff recommends limiting the amendment to only modifying the language that is inconsistent with state statutes, and not including the condition requiring a public informational meeting as recommended by the Local Planning agency for the following reasons:

- The Lee County Board of County Commissioners initiated the proposed amendment on August 27, 2013 through Blue Sheet No. 20130718. The conditions proposed by the LPA appear to be outside of the scope of the amendment initiated by the Board of County Commissioners.
- The conditions proposed by the LPA may be beyond the scope of the amendment that was advertised in the News-Press on October 18, 2013. Staff is concerned that property owners within the University Community future land use category were not properly notified that additional requirements for their properties might be recommended by the LPA.

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

DATE OF TRANSMITTAL HEARING: November 18, 2013

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN HAMMAN

LARRY KIKER

FRANK MANN

JOHN MANNING

CECIL L PENDERGRASS
