

**LEE COUNTY ORDINANCE NO. 14-9**  
**CONCURRENCY AMENDMENT**  
**(CPA2013-00006)**

**AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENTS PERTAINING TO THE CONCURRENCY AMENDMENT APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED TEXT AND MAPS; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") Policy 2.4.1. and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendments in accordance with Florida Statutes and the Lee County Administrative Code on January 27, 2014; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendments on February 19, 2014. At that hearing, the Board approved a motion to send, and did later send, proposed amendments pertaining to the concurrency amendment (CPA2013-00006) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the February 19, 2014 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on April 16, 2014, the Board held a public hearing and adopted the proposed amendments to the Lee Plan set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:**

## SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt text and map amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Concurrency Amendment Ordinance (CPA2013-00006)."**

## SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which makes Lee County concurrency consistent with State regulatory and non-regulatory concurrency requirements. Parks and recreation and transportation concurrency will be non-regulatory. Public education concurrency will remain regulatory due to an interlocal agreement between Lee County, the School District and five municipalities. (CPA2013-00006).

The corresponding Staff Reports and Analysis, along with all attachments for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

## SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

## SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

## SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Mann, who moved its adoption. The motion was seconded by Commissioner Manning. The vote was as follows:

John E. Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Aye

DONE AND ADOPTED this 16th day of April 2014.

ATTEST:  
LINDA DOGGETT, CLERK

LEE COUNTY  
BOARD OF COUNTY  
COMMISSIONERS

BY: Marcia Wilson  
Deputy Clerk

BY: Larry Kiker  
Larry Kiker, Chair



DATE: 4/16/14

Approved as to form by:

Michael D. Jacob  
Michael D. Jacob  
County Attorney's Office

- Exhibit A: Adopted text amendments (Adopted by BOCC April 16, 2014)
- Exhibit B1: Map 3A Lee County 2030 Financially Feasible Highway Plan (former)
- Exhibit B2: Map 3A Lee County 2030 Financially Feasible Highway Plan (Adopted by BOCC on April 16, 2014)
- Exhibit C1: Map 11 Future Recreational Uses, Generalized Service Area Boundaries (former)
- Exhibit C2: Reserved for Map 11

## EXHIBIT A

**Note: Text depicted with underline represents additions to the Lee Plan. Strike-through text represents deletions from the Lee Plan.**

### TEXT AMENDMENTS:

#### ***FUTURE LAND USE ELEMENT, CHAPTER II***

**POLICY 33.3.4:** Owners of major DR/GR tracts without the ability to construct a Mixed-Use Community on their own land are encouraged to transfer their residential development rights to Future Urban Areas (see Objective 1.1), specifically the Mixed-Use Overlay, the Lehigh Acres Specialized Mixed-Use Nodes, and any Lee Plan designation that allows bonus density (see Table 1(a)), or to future Mixed-Use Communities, Rural Golf Course Communities, or Improved Residential Communities on land so designated on Map 17. These transfers would avoid unnecessary travel for future residents, increase housing diversity and commercial opportunities for nearby Lehigh Acres, protect existing agricultural or natural lands, and allow the conservation of larger contiguous tracts of land.

1. To these ends, Lee County will establish a program that will allow and encourage the transfer of upland and wetland development rights (TDR) to designated TDR receiving areas. This program will also allow limited development in accordance with Policy 16.2.6 and 16.2.7.
2. Within the Mixed-Use Communities shown on Map 17, significant commercial and civic uses are required. Each Mixed-Use Community adjoining S.R. 82 must be designed to include non-residential uses not only to serve its residents but also to begin offsetting the shortage of non-residential uses in adjoining Lehigh Acres. At a minimum, each community adjoining S.R. 82 must designate at least 10% of its developable land into zones for non-residential uses. Specific requirements for incorporating these uses into Mixed-Use Communities are set forth in the Land Development Code.
3. Mixed-Use Communities must be served by central water and wastewater services. All Mixed-Use Communities were added to the future water and sewer service areas for Lee County Utilities (Lee Plan Maps 6 and 7) in 2010. Development approvals for each community are contingent on availability of adequate capacity at the central plants and on developer-provided upgrades to distribution and collection systems to connect to the existing systems. Lee County Utilities has the plant capacity at this time to serve full build-out of all Mixed-Use Communities. Lee County acknowledges that the Three Oaks wastewater treatment plant does not have sufficient capacity to serve all anticipated growth within its future service area through the year 2030. Lee County commits to expand that facility or build an additional facility to meet wastewater demands. One of these improvements will be included in a future capital improvements program to ensure that sufficient capacity will be

available to serve the Mixed-Use Communities and the additional development anticipated through the year 2030.

4. Development approvals for Mixed-Use Communities are contingent on adequate capacity in the public school system (see Goal 67).
5. ~~The state has designated S.R. 82 as an "emerging component" of Florida's Strategic Intermodal System, a designation that establishes the levels of service Lee County must adopt for S.R. 82. Lee County will seek to include the Mixed Use Communities and appropriate adjacent urban areas in a multimodal transportation district to mitigate regulatory barriers these levels of service would impose on Lee County's ability to accomplish Objective 33.3 and its policies. As an alternative, Lee County may pursue a comparable mechanism, such as a transportation concurrency exception area, transportation concurrency management area, transportation concurrency backlog area/plan, long term concurrency management system, or FDOT level-of-service variance, that would achieve similar results. Lee County's planning will include the following steps:~~
  - a. ~~Actively seek advice, technical assistance, and support from Florida DOT and DCA while formulating the scope of a technical evaluation of a potential multimodal transportation district that includes the four Mixed Use Communities adjoining S.R. 82 and appropriate adjacent urban areas.~~
  - b. ~~Conduct the necessary technical studies to determine the potential for substantial trip diversion from Lehigh Acres residents, the viability of transit service to these Mixed Use Communities and appropriate adjacent urban areas, and the practicality of maintaining the adopted level-of-service standards on S.R. 82.~~
  - c. ~~Adopt a Lee Plan amendment establishing a multimodal transportation district (or comparable mechanism).~~
6. ~~Lee County will complete these three steps by 2016. Until step 5.c is adopted, TDR credits may not be redeemed in the Mixed Use Communities located along S.R. 82. No redemption of TDR credits that will increase dwelling units or non-residential floor area will be permitted, if these increases would cause the adopted level of service for S.R. 82 to be exceeded (see Goal 37). This restriction applies unless a Mixed Use Community addresses its transportation impacts through the DRI process consistent with F.S. 163.3180(12).~~
  - a5. ~~This temporary restriction does not prohibit~~ Lee County encourages landowners to concentrate ~~from concentrating~~ development rights from contiguous DR/GR property under common ownership or control.

b6. Lee County encourages the creation of TDR credits from Southeast DR/GR lands and the transfer of those credits to all other designated receiving areas, including:

- (1) Other Mixed-Use Communities;
- (2) Rural Golf Course Communities;
- (3) Improved Residential Communities
- (4) Future Urban Area (see Objective 1.1);
- (5) Mixed-Use Overlay;
- (6) Lehigh Acres Specialized Mixed-Use Nodes;
- (7) Lee Plan designation that allow bonus density (see Table 1(a)); and,
- (8) Incorporated municipalities that have formally agreed to accept TDR credits.

### **TRANSPORTATION ELEMENT, CHAPTER III**

**POLICY 37.1.2:** Link-specific service volumes (capacities) have been established for arterials and collector roadways based on specific Lee County conditions, for use in the annual concurrency-monitoring report. Because these service volumes are heavily dependent on existing geometrics, signal timing and spacing, variables subject to considerable change over time, the link-specific service volumes are appropriate only for short-term analyses (five years or less, as measured from the date of the last update of those service volumes). Lee County has also developed generalized service volumes for future year analyses. The Lee County Department of Transportation is responsible for keeping both sets of service volumes up to date. Preparers of Traffic Impact Statements for DRIs, rezonings and development orders and other transportation analyses must use the most appropriate and up-to-date set of service volumes, as determined by the Lee County Department of Transportation.

**OBJECTIVE 37.3: TRANSPORTATION CONCURRENCY MANAGEMENT CAPACITY MONITORING SYSTEM.** Lee County will continue to monitor the capacity of the roadway network for planning and informational purposes in order to identify where areas of concern may be expected. utilize a transportation concurrency management system consistent with the requirements of Chapter 163.3180, F.S., and Rule 9J-5.0055, F.A.C.

**POLICY 37.3.1:** Lee County will measure concurrency traffic volumes and capacity on all roads on a roadway segment-by-segment basis, except for constrained roads and where alternatives are established pursuant to Chapter 163.3180, F.S., and Rule 9J-5.0055, F.A.C. (i.e., transportation concurrency exception areas, transportation concurrency management areas, and multi-modal transportation districts). Transportation concurrency for Pine Island will be governed by the policies under Objective 14.2 of this comprehensive plan.

**POLICY 37.3.2:** Lee County will continue to annually identify roadway conditions and available capacity on major roadways as part of its capacity monitoring

concurrency management report. The report will identify existing traffic conditions (based on the latest year's traffic counts); a one-year projection (adding traffic from projects with approved building permits) and forecast traffic conditions (adding traffic from projects with approved local development orders). The available capacity for existing conditions will include the added capacity of roadway improvements programmed for construction in the first three years of an adopted County Capital Improvement Program or State Five-Year Work Program.

**POLICY 37.3.3:** All proposed development activity (local development order requests), ~~except activity that affects constrained roads and roads subject to concurrency alternatives,~~ will be reviewed inventoried against the available capacity identified in the annual concurrency capacity monitoring report based on existing conditions. ~~If capacity is available, a concurrency certificate may be issued, good for three years; otherwise no concurrency certificate will be issued.~~

**OBJECTIVE 37.4: TRANSPORTATION CONCURRENCY ALTERNATIVES.** ~~Where appropriate, Lee County will employ alternatives to standard segment-by-segment transportation concurrency measurements consistent with the requirements of Chapter 163.3180, F.S. and Rule 9J-5.0055, F.A.C.~~

**POLICY 37.4.1:** ~~Based on short term forecast conditions, Lee County by 2010 will investigate the creation of a Transportation Concurrency Exception Area in Lehigh Acres.~~

**POLICY 37.4.2:** ~~Based on short term forecast conditions, Lee County by 2010 will investigate the creation of a Transportation Concurrency Management Area in Estero.~~

**POLICY 37.4.4:** ~~Lee County will continue to explore an area-wide transportation concurrency approach for the entire county.~~

**OBJECTIVE 37.5: PROPORTIONATE FAIR SHARE PROGRAM.** Lee County will ~~adopt~~ maintain a Transportation Proportionate Fair Share Program, ~~consistent with the requirements of Subsection 163.3180(16), F.S.,~~ that provides a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors.

**POLICY 37.5.2:** ~~The Proportionate Fair Share Program will not apply until a deficiency is identified through the County's Concurrency Management System.~~

**POLICY 37.4.35.2:** Previously vested concurrency certificates vesting (i.e., a long-term concurrency certificate) ~~may be granted for DRIs under limited circumstances in accordance with Chapter 163.3180(12), F.S., and will remain valid as long as the certificate includes the following:~~ including up to a 10-year time limitation, a limitation on changes to the DRI development parameters over time, ~~and was the executed in as part of a local government development agreement in which the developer agrees to pay his~~ the full proportionate share/impact fee



obligation up front.

## **PARKS, RECREATION AND OPEN SPACE ELEMENT, CHAPTER V**

**OBJECTIVE 83.1: STANDARD COMMUNITY PARK STANDARD.** Lee County will provide for the active recreational needs of unincorporated Lee County in standard community parks by providing a minimum of 0.8 acres of developed Standard Community Parks open for public use per 1,000 population (minimum acceptable level of service, see Policy 95.1.3). ~~By 1996 this standard will be increased to 1.75 acres per 1,000 population (desired future level of service, see Policy 95.1.4). By 1998 the county will provide~~ However, the County strives to provide 2 or more acres per 1,000 population (desired future level of service, see Policy 95.1.4), unincorporated county only. The population used for calculating these standards is the unincorporated Lee County permanent population. The acres used in calculating these standards are improved Standard Community Parks acres that are open for public use. ~~The 1996 and 1998 Community park standards are non-regulatory, desired level of service standards and are not required for concurrency purposes.~~

**OBJECTIVE 84.1: REGIONAL PARK STANDARD:** Lee County ~~must will~~ provide a minimum of 6 acres per 1,000 population (minimum acceptable level of service, see Policy 95.1.3). ~~By 1998 this standard will be increased to~~ However, the County strives to provide 8 or more acres per 1,000 population (non-regulatory, desired future level of service, see Policy 95.1.4). The population used for calculating this standard is the total seasonal population for all of Lee County. The acres used in calculating this standard are improved Regional Park acres that are open for public use. Federal and state facilities in Lee County are to be counted in meeting this standard. The Regional Park standards are non-regulatory and are not required for concurrency proposes.

## **CAPITAL IMPROVEMENTS ELEMENT, CHAPTER VI**

**POLICY 95.1.3: MINIMUM ACCEPTABLE LEVEL-OF-SERVICE STANDARDS.** Level-of-service (LOS) standards will be the basis for planning the provision of required public facilities within Lee County. Some of these standards will be the basis for determining the adequacy of public facilities for the purposes of permitting new development. The "Minimum Acceptable Level of Service" will be the basis for facility design, for setting impact fees, and (where applicable) for the operation of the Concurrency Management System (CMS).

Two classes of standards are established. "Regulatory" standards are those which apply to facilities identified in state law or inter-local agreements as being essential to support development. These consist of facilities for the provision of public schools, potable water, sanitary sewer, disposal of solid waste, and stormwater management, ~~community and regional parks, and transportation.~~ (It is the intent of this element that these standards will be the same as those established in the various relevant plan elements. If there are discrepancies between standards contained in the elements and standards as set forth herein,

the standards as set forth herein will govern.) The second class, "non-regulatory" standards, are those which apply to other facilities for which the county desires to set standards for its own use. These consist of facilities for the provision of community and regional parks, and transportation. ~~Compliance~~ Compliance with these non-regulatory standards will not be a requirement for continued development permitting, but will be used for facility planning purposes.

## REGULATORY STANDARDS

### 1. Potable Water Facilities:

#### Minimum Acceptable Level of Service:

Within certificated, franchised, or designated service areas only: supply and treatment capacity of 250 gallons per day per Equivalent Residential Connection (ERC) for the peak month, except that facilities serving only mobile home residential structures must have a capacity of 187.5 gallons per day, and facilities serving only travel trailer residential structures must have a capacity of 150 gallons per day. Where a private water utility has provided an alternate standard for application within its certificated or franchised area, and that standard has been adopted into this comprehensive plan, that will be the standard to be used for concurrency management in the respective certificated or franchised area.

### 2. Sanitary Sewer Facilities:

#### Minimum Acceptable Level of Service:

Within certificated, franchised, or designated service areas only: average treatment and disposal capacity of 200 gallons per day per Equivalent Residential Connection (ERC) for the peak month, except that facilities serving only mobile home residential structures must have a capacity of 150 gallons per day, and facilities serving only travel trailer residential structures must have a capacity of 120 gallons per day. Where a private sewer utility has provided an alternate standard for application within its certificated or franchised area, and that standard has been adopted into this comprehensive plan, that will be the standard to be used for concurrency management in the respective certificated or franchised area.

### 3. Facilities for Disposal of Solid Waste:

#### Minimum Acceptable Level of Service:

Disposal facility capacity for 7 pounds of waste (or equivalent volume) per day per capita

### 4. Stormwater Management Facilities:

Minimum Acceptable Level of Service: ~~INTERIM~~

(a) Existing Infrastructure/Interim Standard

The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding of designated evacuation routes (see Map 15) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.

(b) Six Mile Cypress Watershed

The level-of-service standard for the Six Mile Cypress Watershed will be that public infrastructure remains adequate such that floor slabs for all new private and public structures which are constructed a minimum of one (1) foot above the 100-year, 3-day storm event flood plain level for Six Mile Cypress Watershed will be safe from flooding from a 100-year, 3-day storm event (rainfall). The 100-year level and watershed boundaries are as established in Volume IV of the Six Mile Cypress Watershed Plan.

(c) Regulation of Private and Public Development

Surface water management systems in new private and public developments (excluding widening of existing roads) will be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm event [rainfall]). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 17-3, 17-40, and 17-302, and Rule 40E-4, F.A.C. New developments will be designed to avoid increased flooding of surrounding areas. These standards are designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to minimize change to the historic hydroperiod of receiving waters, to maintain the quality of receiving waters, and to eliminate the disruption of wetlands and flow-ways, whose preservation is deemed in the public interest.

~~5. Parks and Recreation Facilities: [RELOCATED AS 6.]~~

~~6. Roadway Facilities: [RELOCATED AS 7.]~~

75. Public School Facilities

The following Level of Service (LOS) standards for public schools are based upon Permanent Florida Inventory School Houses (FISH) capacity.

(a) Elementary Schools: 100% of Permanent FISH Capacity as adjusted by the

- School Board annually to account for measurable programmatic changes.
- (b) Middle Schools: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.
  - (c) High Schools: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.
  - (d) Special Purpose Facilities: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.

**NON-REGULATORY STANDARDS**

**56. Parks and Recreation Facilities:**

Minimum Acceptable Level of Service:

(a) Regional Parks

6 acres of developed regional park land open for public use per 1000 total seasonal county population.

(b) Community Parks - 0.8 acres of developed standard community parks open for public use per 1000 permanent population, unincorporated county only.

**67. Roadway Facilities:**

The minimum acceptable peak hour, peak season, peak direction roadway levels of service will be as follows:

	<b>Peak Hour/Peak Season/Peak Direction</b>
<b>State &amp; County Maintained Roads (Excluding FIHS, SIS and TRIP Roads)</b>	
Expressways (Limited Access Facilities)	D
Controlled Access Arterials	E
Arterials	E
Major Collectors	E
Minor Collectors	E
<b>FIHS Roads <sup>(A)</sup></b>	
I 75	
Collier County to SR 78	D
SR 78 to Charlotte County	G
SR 80 (Palm Beach Boulevard)	
I 75 to Werner Dr.	D
Werner Dr. to Hendry County	G
<b>SIS Roads</b>	
SR 82 (Immokalee Road)	
Lee Boulevard to Commerce Lakes Dr.	D
Commerce Lakes Dr. to Hendry County	G
Airport Connector	
I 75 to Ben Hill Griffin Parkway	D
<b>TRIP Funded Roads</b>	
Colonial Boulevard	

I 75 to Lee Boulevard	D
Imperial Parkway	
E. Terry Street to Bonita Bill Dr.	D
Six Mile Cypress Parkway	
Daniels Parkway to Winkler Avenue	D

~~(4) The County may seek variances to the level of service of standards for the FIHS facilities as authorized under Section 120.542, F.S. If granted, the level of service standards for I-75 and SR-80 will be as approved by FDOT in the Order Granting Petition for Variance.~~

LOS "E" is the standard LOS for principal and minor arterials, and major collectors on county-maintained transportation facilities. Level of service standards for the State Highway System during peak travel hours are D in urbanized areas and C outside urbanized areas.

Due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, Lee County has determined that certain roadway segments will not be widened. Therefore, reduced peak hour levels of service will be accepted on those constrained roads within unincorporated Lee County as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community. These constrained roads are defined in Table 2(a). ~~Growth on those constrained roads will be permitted only within the volume-to-capacity (v/c) ratios established in this plan and only if consistent with the Operational Improvement Program for those constrained roads.~~

The minimum acceptable level of service as specified above for Pine Island Road between Burnt Store Road and Stringfellow Boulevard is subject to Policy 14.2.1 and Policy 14.2.2.

For minimum acceptable levels of service determination, the peak season, peak hour, peak direction condition will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season. Peak season, peak hour, peak direction conditions will be calculated using K-100 factors and "D" factors from the nearest, most appropriate county permanent traffic count station.

**NON-REGULATORY STANDARDS**

**8. Recreation Facilities:**

- (a) Community Recreation Centers - four recreation centers of 25,000 square feet or more within unincorporated Lee County.
- (b) Boat Ramps - One boat ramp lane with adequate parking per 12,500 people, based on seasonal population.
- (c) Water (Beach) Accesses - Retain current inventory, and develop or redevelop accesses throughout Lee County.

9. Libraries:

Maintain existing per-capita inventory; provide 1.6 items and .274 square feet of library space per capita (permanent residents).

10. Emergency Medical Service:

3.18 advanced life support ambulance stations per 100,000 population with a five and one half (5 1/2) minute average response time.

**POLICY 95.1.4: DESIRED FUTURE LEVEL-OF-SERVICE STANDARDS.** For certain facilities, a second LOS standard, a "Desired Future Level of Service," is set forth. These standards represent a community goal of higher levels of public service and facility provision than can be achieved with current resources. It is the intent of Lee County to achieve these levels of facility provision by the dates prescribed in this policy. However, failure to achieve these goals will not halt the issuance of development orders under the Concurrency Management System.

1. Stormwater Management Facilities:

To be established basin by basin subsequent to the county-wide surface water management master plan. Future service standards can only be finalized upon the completion of the basin studies and will be based upon providing a defined level of flood protection, balanced with the protection of natural flow ways and associated wetland systems.

The following additional standards are hereby established for the Six Mile Cypress Watershed:

- The Six Mile Cypress Slough and its major tributaries as identified in the Six Mile Cypress Watershed Plan (February 1990) must accommodate the associated discharge from the 25-year, 3-day storm event (rainfall). (Ref: Six Mile Cypress Watershed Plan (February 1990) - Volume II, page 10-5.)
- Water quality must be improved in accordance with EPA's NPDES and Rule 17-40 F.A.C. criteria for stormwater discharges.

2. Parks and Recreation Facilities:

a. Regional Parks:

~~By 1998,~~ Lee County will provide 8 acres of improved regional park land open for public use per 1000 total seasonal population for all of Lee County.

b. Community Parks:

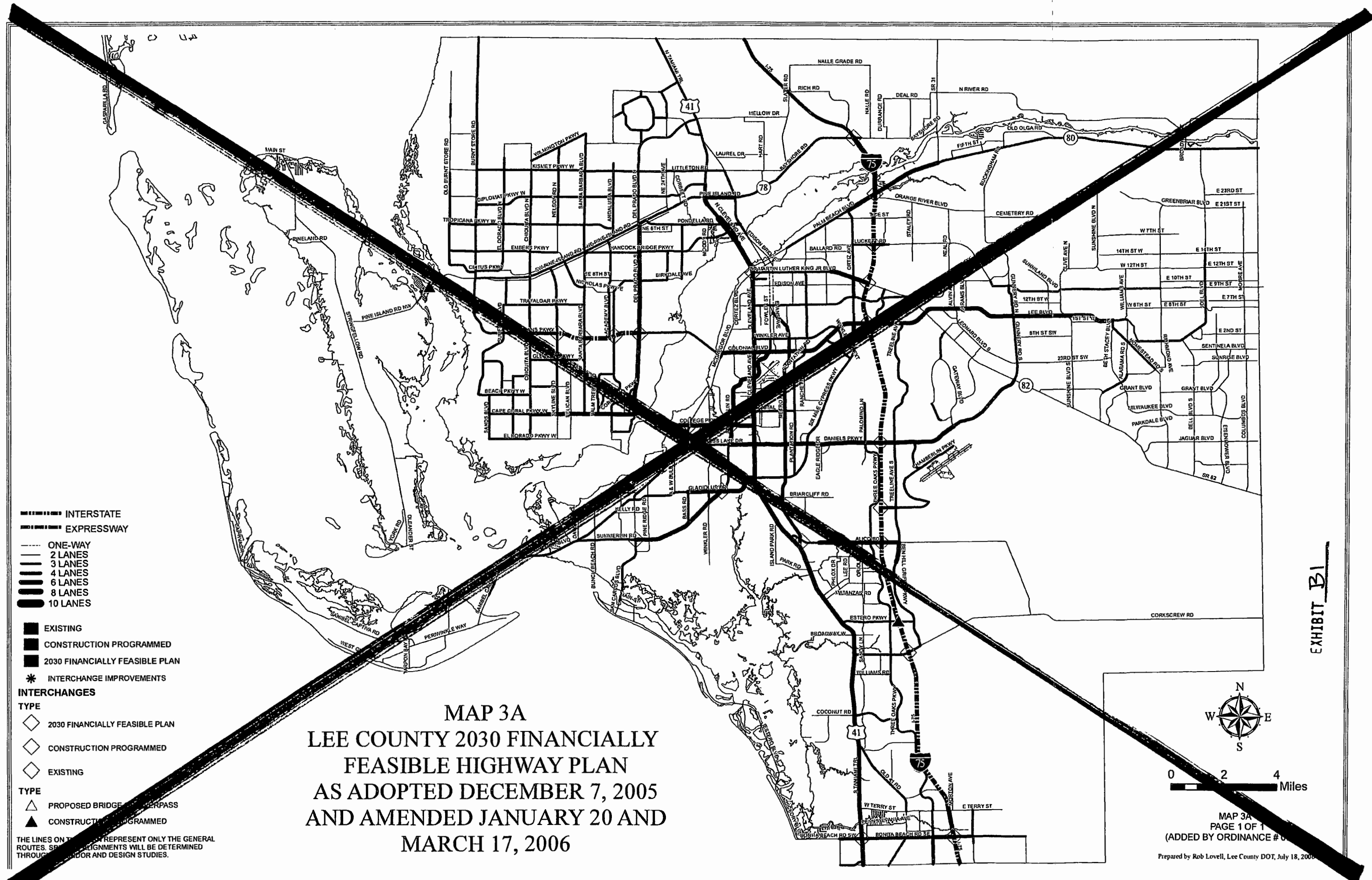
~~By 1996,~~ Lee County will provide 4.75 acres of improved standard community parks open for public use per 1000 unincorporated Lee County permanent population; ~~by September 30, 1998~~ the county will increase this

to 2.0 acres of improved standard community parks open for public use per 1000 unincorporated Lee County permanent population.

3. Libraries:

2 items per capita (permanent residents) and .424 square feet of space per capita in 2000.

**OBJECTIVE 95.3: OTHER FINANCING POLICIES.** Establish a broad-based system of revenue regulations that ensure that new development pays at least 90% an appropriate share of the capital costs of the public infrastructure directly attributable to that new development.



**MAP 3A**  
**LEE COUNTY 2030 FINANCIALLY**  
**FEASIBLE HIGHWAY PLAN**  
**AS ADOPTED DECEMBER 7, 2005**  
**AND AMENDED JANUARY 20 AND**  
**MARCH 17, 2006**

- INTERSTATE
- EXPRESSWAY
- ONE-WAY
- 2 LANES
- 3 LANES
- 4 LANES
- 6 LANES
- 8 LANES
- 10 LANES
- EXISTING
- CONSTRUCTION PROGRAMMED
- 2030 FINANCIALLY FEASIBLE PLAN
- \* INTERCHANGE IMPROVEMENTS
- INTERCHANGES**
- TYPE
- ◇ 2030 FINANCIALLY FEASIBLE PLAN
- ◇ CONSTRUCTION PROGRAMMED
- ◇ EXISTING
- TYPE
- △ PROPOSED BRIDGE OR OVERPASS
- ▲ CONSTRUCTION PROGRAMMED

THE LINES ON THIS MAP REPRESENT ONLY THE GENERAL ROUTES. SPECIFIC ALIGNMENTS WILL BE DETERMINED THROUGH PRELIMINARY AND DESIGN STUDIES.



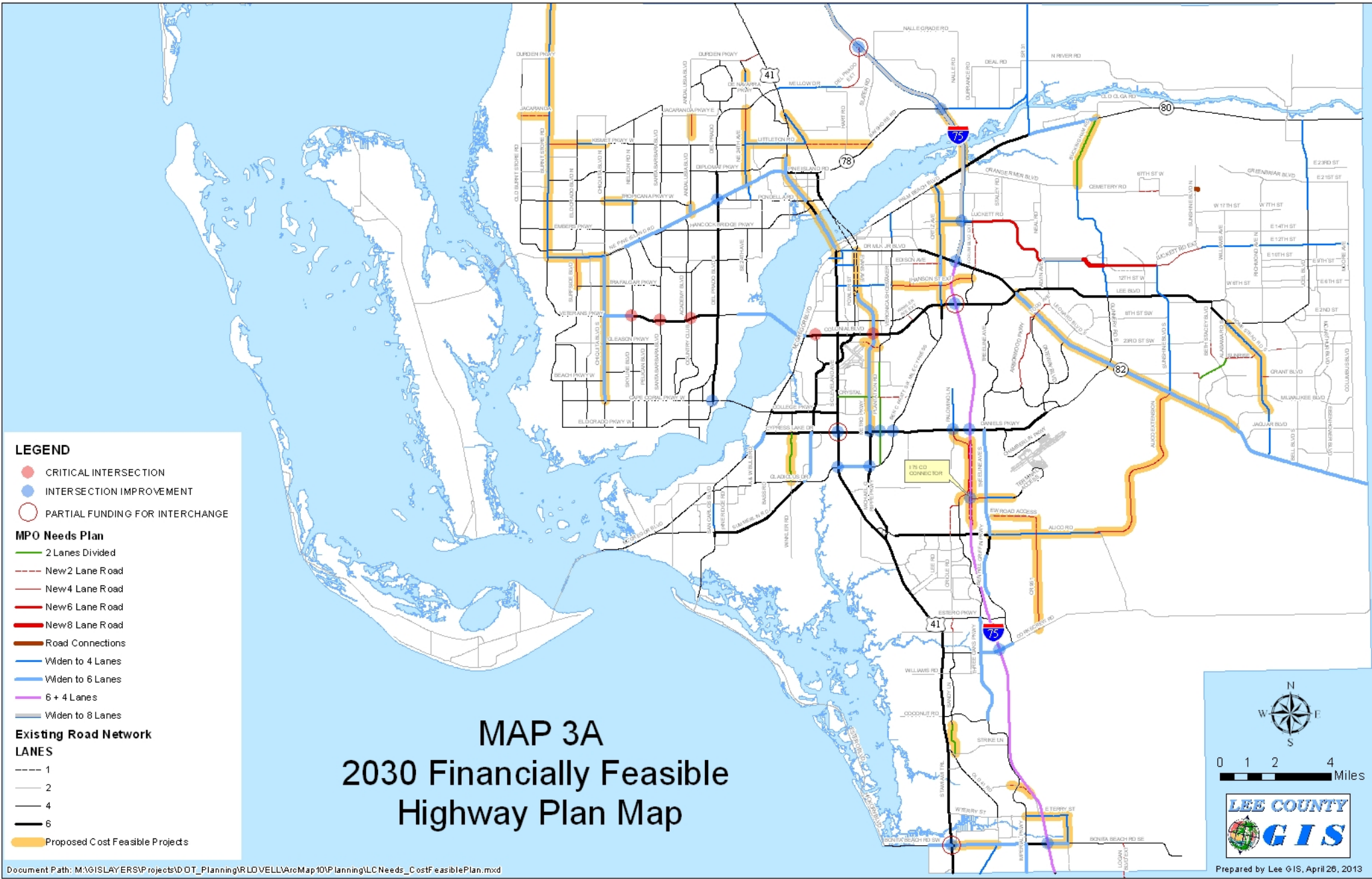
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MAP 3A  
PAGE 1 OF 1  
(ADDED BY ORDINANCE # 0)

Prepared by Rob Lovell, Lee County DOT, July 18, 2005

EXHIBIT B1





**LEGEND**

- CRITICAL INTERSECTION
- INTERSECTION IMPROVEMENT
- PARTIAL FUNDING FOR INTERCHANGE

**MPO Needs Plan**

- 2 Lanes Divided
- New 2 Lane Road
- New 4 Lane Road
- New 6 Lane Road
- New 8 Lane Road
- Road Connections
- Widen to 4 Lanes
- Widen to 6 Lanes
- 6 + 4 Lanes
- Widen to 8 Lanes

**Existing Road Network**

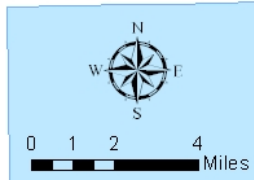
**LANES**

- 1
- 2
- 4
- 6

Proposed Cost Feasible Projects

# MAP 3A

## 2030 Financially Feasible Highway Plan Map






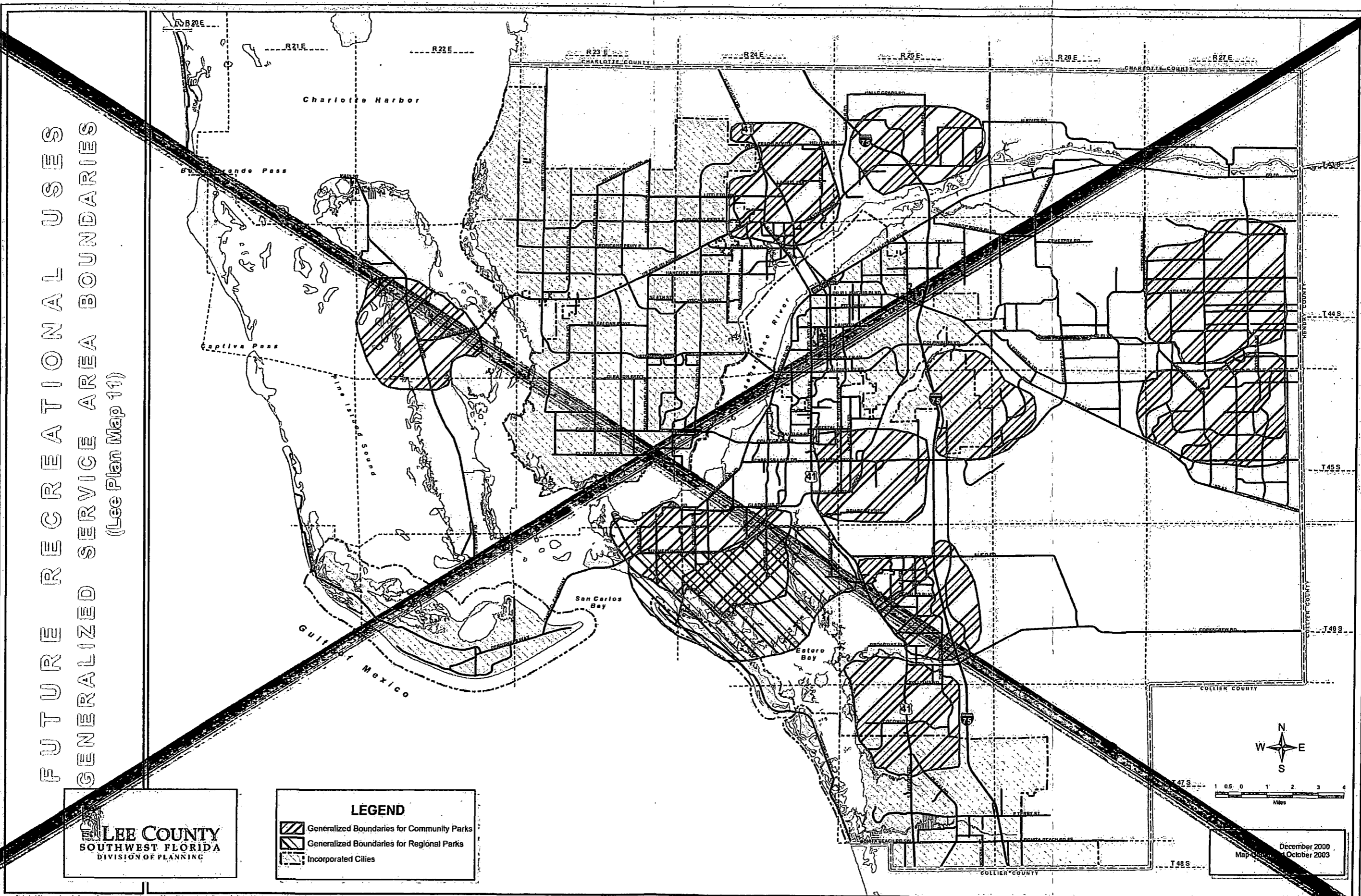
Prepared by Lee GIS, April 26, 2013

**FUTURE RECREATIONAL USES  
 GENERALIZED SERVICE AREA BOUNDARIES**  
 (Lee Plan Map 11)

**LEE COUNTY**  
 SOUTHWEST FLORIDA  
 DIVISION OF PLANNING

**LEGEND**

-  Generalized Boundaries for Community Parks
-  Generalized Boundaries for Regional Parks
-  Incorporated Cities



December 2000  
 Map  
 October 2003

Reserved  
for  
Map 11

EXHIBIT C2



FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

April 22, 2014

Honorable Linda Doggett  
Clerk of the Circuit Courts  
Lee County  
Post Office Box 2469  
Fort Myers, Florida 33902-2469

Attention: Lisa Pierce, Deputy Clerk

Dear Ms. Doggett:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy for Lee County Ordinance No. 14-9, which was filed in this office on April 22, 2014.

Sincerely,

Liz Cloud  
Program Administrator

LC/mrh

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