

Rick Scott  
GOVERNOR



Jesse Panuccio  
EXECUTIVE DIRECTOR



September 26, 2014

The Honorable Larry Kiker, Chairman  
Lee County Board of County Commissioners  
Post Office Box 398  
Fort Myers, Florida 33902-0398

Dear Chairman Kiker:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Lee County (Amendment No. 14-6ESR), which was received on September 2, 2014. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, at (850) 717-8510, or by email at [scott.rogers@deo.myflorida.com](mailto:scott.rogers@deo.myflorida.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Richmond". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital 'A'.

Ana Richmond  
Comprehensive Planning Manager

AR/sr

Enclosure: Procedures for Adoption

cc: Paul O'Connor, Director, Lee County Division of Planning  
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS**

**FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ Department of Economic Opportunity identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

\_\_\_\_\_ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

10041 Daniels Parkway  
Fort Myers, FL 33913

ANANTH PRASAD, P.E.  
SECRETARY

September 4, 2014

Mr. Paul O' Connor, AICP  
Lee County Planning Division Manager  
PO Box 398  
Fort Myers, Fl 33902-0398

**RE: ADOPTED AMENDMENT - CPA2014-03 Estero Community Plan Update (Amendment 14-5 ESR)**

Dear Mr. O'Connor:

The Florida Department of Transportation (FDOT), District One, received the adopted Comprehensive Plan Amendment referenced above on August 29, 2014. Upon review of the amendment in accordance with Florida Statutes, Section 163, and Chapter 9J-11 of the Florida Administrative Code, FDOT offers **no comment**.

If you should have any questions, please feel free to contact me at 239.225.1981, or by email at [sarah.catala@dot.state.fl.us](mailto:sarah.catala@dot.state.fl.us).

Regards,

Sarah A. Catala  
SIS/Growth Management Coordinator  
FDOT District One

Cc: Mr. Ray Eubanks, Florida Department of Economic Opportunity



**State Board of Education**

Gary Chartrand, *Chair*  
John R. Padget, *Vice Chair*  
*Members*  
Ada G. Armas, M.D.  
John A. Colon  
Marva Johnson  
Rebecca Fishman Lipsey  
Andy Tuck

**Pam Stewart**  
**Commissioner of Education**

September 10, 2014

Mr. Paul O'Connor, AICP  
Lee County Planning Division Director  
P.O. Box 398  
Fort Myers, Florida 33902-0398  
Via E-mail: [oonnops@leegov.com](mailto:oonnops@leegov.com)

Dear Mr. O'Connor:

Re: Lee County 14-6ESR

Thank you for the opportunity to review Lee County's proposed 14- ESR amendment package, which the Florida Department of Education received on September 3, 2014. According to the department's responsibilities under section 163.3184(3)(b), Florida Statutes, I reviewed the amendment considering provisions of chapter 163, part II, F.S., and to determine whether the proposal, if adopted, would have the potential to create adverse effects on public school facilities.

The proposal would amend Lee Plan maps 6 and 7, Lee county Utilities Future Water and Sewer Service Areas, to add the 75-acre Corkscrew Ranch parcel to the area. Because the proposed amendment does not appear to have the potential to adversely affect public educational facilities, I offer no comment.

Again, thank you for the opportunity to review and comment. Please contact me at 850-245-9312 or [Tracy.Suber@fldoe.org](mailto:Tracy.Suber@fldoe.org), if you have questions about this letter, or if I may be of assistance.

Sincerely,

Tracy D. Suber  
Growth Management and Facilities Policy Liaison

TDS/

cc: Mr. Marc Mora and Ms. Dawn Huff, Lee County School District  
Ms. Brenda Winningham and Mr. Scott Rogers, DEO/State Land Planning Agency

Thomas H. Inserra  
Director, Office of Educational Facilities

[www.fldoe.org](http://www.fldoe.org)

325 W. Gaines Street, Suite 1014 | Tallahassee, FL 32399-0400 | 850-245-0494

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**From:** Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]  
**Sent:** Tuesday, September 16, 2014 1:02 PM  
**To:** DCPexternalagencycomments; O'Connor, Paul  
**Cc:** Wallace, Traci; Chabre, Jane; Schulz, Mark  
**Subject:** Lee County 14-6 ESR (CPA 2013-04)

Dear Mr. O'Connor:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [FWCConservationPlanningServices@MyFWC.com](mailto:FWCConservationPlanningServices@MyFWC.com). If you have specific technical questions, please contact Mark Schulz at (863) 648-3820 or by email at [mark.schulz@myfwc.com](mailto:mark.schulz@myfwc.com).

Jason Hight  
Biological Administrator II  
Office of Conservation Planning Services  
Division of Habitat and Species Conservation  
620 S. Meridian Street, MS 5B5  
Tallahassee, FL 32399-1600  
office: 850-413-6966  
cell: 850-228-2055

## Miller, Janet

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**From:** O'Connor, Paul  
**Sent:** Monday, September 22, 2014 3:23 PM  
**To:** Dunn, Brandon; Miller, Janet  
**Subject:** FW: Lee County 14-6ESR - Proposed

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**From:** Stahl, Chris [<mailto:Chris.Stahl@dep.state.fl.us>]  
**Sent:** Monday, September 22, 2014 3:08 PM  
**To:** O'Connor, Paul  
**Cc:** Craig, Kae; DEO Agency Comments  
**Subject:** Lee County 14-6ESR – Proposed

To: Paul O'Connor, Lee County Planning Division Director

Re: Lee County 14-6ESR – Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please feel free to contact me with any questions.

Chris Stahl  
Office of Intergovernmental Programs  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd., MS 47  
Tallahassee, FL 32399-3000  
(850) 245-2169



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Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.





## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

September 29, 2014

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

**Subject: Lee County, DEO #14-6ESR  
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Mr. O'Connor:

The South Florida Water Management District (District) has completed its review of the proposed amendment package submitted by the Lee County (County). The amendment package would amend Lee County Comprehensive Plan Maps 6 and 7, Lee County Utilities Future Water and Sewer Service Areas, to include a 75 acre parcel of land. The District offers the following technical guidance regarding Regional Water Supply Planning:

- The District's Governing Board approved the Lower West Coast (LWC) Regional Water Supply Plan (RWSP) Update on November 15, 2012. Pursuant to Section 163.3177(6)(c)3, F.S., the County's Water Supply Facilities (Work Plan) should have been adopted and transmitted to the District by May 2014. The Work Plan needs to include updated water demand and population projections for the identified planning period and also identify any water supply projects needed to meet projected demands. Further information on updating Work Plans is available at: [www.sfwmd.gov/work\\_plan\\_support](http://www.sfwmd.gov/work_plan_support).

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact Terry Manning, Planning and Policy Analyst, at (561) 682-6779 or [tmanning@sfwmd.gov](mailto:tmanning@sfwmd.gov).

Sincerely,

A handwritten signature in black ink that reads "Dean Powell".

Dean Powell  
Water Supply Bureau Chief

DP/tm

c: Ray Eubanks, DEO  
Deborah Oblaczynski, SFWMD  
Brenda Winningham, DEO  
Margaret Wuerstle, SWFRPC



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
COMMISSIONER ADAM H. PUTNAM

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October 1, 2014

VIA EMAIL (oconnops@leegov.com)

Lee County Planning Division  
Attn: Paul O'Connor  
P.O. Box 398  
Fort Myers, Florida 33902-0398

Re: DACS Docket # -- 20140904-459  
Lee County CPA2013-04  
Submission dated August 27, 2014

Dear Mr. O'Connor:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on September 4, 2014 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in black ink that reads "Stormie Knight".

Stormie Knight  
Sr. Management Analyst I  
Office of Policy and Budget

cc: Florida Department of Economic Opportunity  
(SLPA #: Lee County 14-6 ESR)



October 2, 2014

RECEIVED  
OCT 06 2014

COMMUNITY DEVELOPMENT

Mr. D. Ray Eubanks  
Community Program Administrator  
Department of Economic Opportunity  
Caldwell Building  
107 East Madison Street  
Tallahassee, Florida 32399-4120

**Re: Lee County / DEO 14-6ESR**

Dear Mr. Eubanks:

Staff of the Southwest Florida Regional Planning Council reviewed the proposed evaluation and appraisal based amendments (DEO 14-6ESR; CPA No. 2013-04) to the Lee County Comprehensive Plan. The review was performed according to the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

The Council will review the proposed amendments at its October 16, 2014 meeting. Council staff has recommended that Council find the requested amendments to the Lee County's Comprehensive Plan as not regionally significant.

A copy of the official staff report explaining the Council staff's recommendation is attached. If Council action differs from the staff recommendation, we will notify you.

Sincerely,  
**Southwest Florida Regional Planning Council**

for:  
Margaret Wuerstle  
Executive Director

MW/JM  
Attachment

Cc: Paul O'Connor, Director, Planning Division, Lee County



**Attachment II**

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL  
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW  
FORM 01**

**LOCAL GOVERNMENT:**

Lee County

**DATE AMENDMENT RECEIVED:**

August 29, 2014

**DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:**

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

October 2, 2014

**1. AMENDMENT NAME:**

**Application Number:** DEO 14-6ESR (CPA 2013-04)

**2. DESCRIPTION OF AMENDMENT(S):**

This proposed, privately-initiated amendment to expand Lee Plan Maps to extend potable water and sanitary sewer service to a 75-acre neighborhood with 59 platted parcels. This vested neighborhood is in the Density Reduction / Groundwater Resource area.

**3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:**

Council staff has reviewed the requested amendment. Based on the review, Council staff has found that the requested changes are not regionally significant.

**4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

**Request a copy of the adopted version of the amendment?  Yes  No**



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

10041 Daniels Parkway  
Fort Myers, FL 33913

ANANTH PRASAD, P.E.  
SECRETARY

November 17, 2014

Mr. Paul O' Connor, AICP  
Lee County Planning Division Manager  
PO Box 398  
Fort Myers, FL 33902-0398

**RE: Lee County 14-6ESR Adopted Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Comments and Recommendations**

Dear Mr. O' Connor:

The Florida Department of Transportation (FDOT), District One, has reviewed the adopted Lee County 14-6ESR, Adopted Comprehensive Plan Amendment, transmitted under the Expedited State Review process (*adopted by the County Commissioners on November 5, 2014*) in accordance with the requirements of Florida Statutes (F.S.) Chapter 163.

**Corkscrew Ranch:**

The amendment specifically changes the boundaries of Maps 6 and 7, Lee County Utilities Future Water and Sewer Service Areas, to include a 75-acre parcel with an established residential subdivision consisting of 59 lots. The development order for this residential subdivision was originally approved in 1989.

There have been no revisions to the amendment since the transmittal in September 2014. The Department offers the County the following comment for your consideration:

***FDOT Comment #1:***

***The Department has determined that the adopted amendment (Lee County 14-6ESR) will not adversely impact important state transportation resources or facilities. Therefore, FDOT offers no comments on the proposed amendment.***

Mr. Paul O' Connor, AICP  
Lee County 14-6ESR – FDOT Comments and Recommendations  
November 17, 2014  
Page 2 of 2

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions please free to contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,



Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

*cc: Mr. Ray Eubanks, Florida Department of Economic Opportunity*

## Miller, Janet

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**From:** O'Connor, Paul  
**Sent:** Tuesday, December 16, 2014 4:09 PM  
**To:** Miller, Janet; Dunn, Brandon  
**Cc:** Hutcherson, Karen  
**Subject:** FW: Lee County 14-6ESR - Adopted

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**From:** Stahl, Chris [<mailto:Chris.Stahl@dep.state.fl.us>]  
**Sent:** Monday, December 15, 2014 1:22 PM  
**To:** O'Connor, Paul  
**Cc:** Craig, Kae; DEO Agency Comments  
**Subject:** Lee County 14-6ESR – Adopted

To: Paul O'Connor, Planning Division Director

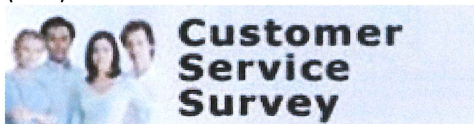
Re: Lee County 14-6ESR – Review of Adopted Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please feel free to contact me with any questions.

Chris Stahl  
Office of Intergovernmental Programs  
Florida Department of Environmental Protection  
3900 Commonwealth Blvd., MS 47  
Tallahassee, FL 32399-3000  
(850) 245-2169



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Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.