



**LOCAL PLANNING AGENCY
OLD LEE COUNTY COURTHOUSE
2120 MAIN STREET, FORT MYERS, FL 33901
BOARD CHAMBERS
MONDAY, JANUARY 27, 2014
8:30 AM**

AGENDA

1. Call to Order/Review of Affidavit of Publication/Pledge of Allegiance
2. Introduction of Local Planning Agency Members
3. Sunshine Law Presentation
4. Election of Officers
5. Public Forum
6. Approval of Minutes – December 4, 2013 and December 11, 2013
7. Land Development Code Amendments
 - A. [Code Enforcement Process](#)
 - B. [Chapter 34 Zoning](#)
 - C. [Park Impact Fee Districts](#)
8. 2013 Regular Lee Plan Amendment Cycle
 - A. [CPA2013-09 Capital Improvement](#)
 - B. [CPA2013-06 Concurrency](#)
9. New Horizon 2035: Plan Amendments
 - A. [CPA2011-03 Community Facilities and Services](#)
 - B. [CPA2011-14 Vision Statement](#)
10. Other Business
11. Adjournment – Next Meeting Date: Monday, February 24, 2014

A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing. Contact the Lee County Division of Planning at 239-533-8585 for further information on obtaining a record. In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. Contact Janet Miller at 239-533-8583.



CPA2011-03
COMMUNITY FACILITIES AND
SERVICES ELEMENT
BOCC SPONSORED
EAR BASED AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Publicly Sponsored Amendment and Staff Analysis

LPA Public Hearing Document
For the
January 27, 2014 Public Hearing

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

January 17, 2014

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2011-03**

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 the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: July 20, 2012

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

Lee County Board of County Commissioners
Represented by Lee County Division of Planning

2. REQUEST:

Amend the Lee Plan to amend the Community Facilities and Services Element, incorporating the recommendations of County staff and the March 1, 2011 Evaluation and Appraisal Report.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners **transmit** the proposed amendment to the Community Facilities and Services Element of the Lee Plan as presented in this staff report.

2. RECOMMENDED LANGUAGE FOR TRANSMITTAL:

The proposed changes to the element are shown in Attachment 1 in clean language. The proposed changes are shown in the staff report depicted in strikethrough and underline format as it relates to the existing provisions of the Lee Plan.

3. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Board of County Commissioners initiated this plan amendment on March 1, 2011, with the adoption of the Evaluation and Appraisal Report.
- The Community Facilities and Services Element is a required element for a comprehensive plan.
- The adopted New Horizon 2035 Evaluation and Appraisal Report found that the updated Lee Plan should address issues regarding element clarity and effectiveness.
- Existing goals, objectives and policies are being revised to reduce redundancy, address new areas of concern, and streamline the existing element.
- The proposed amendments to the Community Facilities and Services Element are consistent with the Evaluation and Appraisal Report recommendations.
- The proposed amendments meet the statutory requirements of FS 163.3177(6)(c).

C. BACKGROUND INFORMATION

The Community Facilities and Services Element of the Comprehensive Plan addresses the need to provide public services and infrastructure systems within Lee County. The purpose of the element is to ensure that such services and infrastructure systems are provided based upon current and future population demands. The element was originally incorporated into the Lee Plan in 1984, and helps ensure public and private development efforts support the county's quality of life.

The Community Facilities and Services Element is a required element as defined by Chapter 163.3177(6)(c), Florida Statutes (F.S.). Specifically, the statute states, "A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge." The statute goes on to clarify that:

1. Each local government shall address in the data and analyses required by this section those facilities that provide service within the local government's jurisdiction. Local governments that provide facilities to serve areas within other local government jurisdictions shall also address those facilities in the data and analyses required by this section, using data from the comprehensive plan for those areas for the purpose of

projecting facility needs as required in this subsection. For shared facilities, each local government shall indicate the proportional capacity of the systems allocated to serve its jurisdiction.

2. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs, including correcting existing facility deficiencies. The element shall address coordinating the extension of, or increase in the capacity of, facilities to meet future needs while maximizing the use of existing facilities and discouraging urban sprawl; conserving potable water resources; and protecting the functions of natural groundwater recharge areas and natural drainage features.

3. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.709(2)(a) or proposed by the local government under s. 373.709(8)(b). If a local government is located within two water management districts, the local government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs identified in s. 373.709(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative water sources to supplement traditional sources of groundwater and surface water supplies.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

This analysis of the Community Facilities and Services Element is presented in policy order, with the recommended changes to language for those specific goals, objectives and policies shown in strikethrough for deletions and underline for additions, with a brief description of the reason for the change.

This element has been reorganized. Some parts have been relocated to more appropriate elements, others have been updated and combined. Several goals, objectives, and policies have been proposed to be removed from the Community Facilities and Services Element. Although the New Horizon 2035: Evaluation and Appraisal Report (EAR) did not identify a need for it, the

goals addressing public safety within the Community Facilities element were determined to be better located within a proposed Community Safety and Wellbeing Element. Staff has determined that other goals addressing stormwater and surface water management, watersheds, and basins are proposed to be moved to the Conservation and Coastal Management Element. Goal 71, concerning energy conservation, is recommended to be moved to the proposed Form and Character Element.

A short list of the revisions to the element includes:

- The current element does not have a goal to address general concerns for community facilities and services.
- Several goals addressing public safety service providers are better suited to other elements such as Conservation and Coastal Management Element, the proposed Community Wellbeing and Safety Element and the proposed Form and Character Element.
- Recent changes to the Florida Statutes have made School Concurrency optional. Staff, along with the Lee District Schools staff, are recommending that School Concurrency remain regulatory. This will be explained under the staff discussion under Goal 3, Education.
- School Facility policies are currently too spread out among a large number of goals and objectives.
- There are several redundant policies within the education and school facility goals.
- Several Potable Water and Sanitary Sewer policies have been combined.
- The Solid Waste Division has completed several of the intended tasks identified in Goal 62: Solid Waste.
- The Lee County Libraries System is developing new practices to address changes in technology.

Following is a list of the organization of the proposed Community Facilities and Services Element's sub-elements:

Goal 1: Community Facilities and Services

Goal 2: Libraries

Goal 3: Education

Goal 4: Surface Water Management for Protection of Life and Property

Goal 5: Coordination of Surface Water Management and Future Land Use Planning

Goal 6: Protection of Water Resources

- Goal 7: Solid Waste
- Goal 8: Water Supply
- Goal 9: Potable Water and Sanitary Sewer Infrastructure
- Goal 10: Regulatory Standards
- Goal 11: Water Conservation

Goal 1 is a new goal. It contains policies to address all community facilities and services within Lee County. This goal contains policies intended to maintain the proper siting and maintenance of County facilities as well as their efficient operation. This goal also contains policies on sustainable practices and the integration of public facilities into their communities.

Goal 2 (formerly Goal 64) has been revised with input from Lee County Library staff. The changes are based on new technologies and greater internet access and distribution. The library system is also proposing greater use of its facilities for hosting public events. Due to the number of changes, all of the existing objectives and policies are recommended to be deleted and replaced by the proposed language.

Goal 3 addresses education facilities. The existing Education and Public School Facilities goals, 66 and 67, are reorganized into a single goal in order to eliminate redundant policies. Other changes are the result of the recent change in school concurrency mandated by Florida Statutes. Additional discussion on this issue is included under Goal 3. In addition, many policies address the need to better connect school facilities with their surroundings have been recommended for inclusion. These include policies concerning the shared use of public facilities and measures to increase the walkability of schools and accessibility to alternative travel modes.

The Natural Resource Goals, currently under goals 59, 60 and 61, address the protection of the County's water supply from pollution and flooding. Stormwater management, groundwater protection, watersheds and basins are also included in these goals now identified as goals 4, 5, and 6.

The proposed changes to existing goal 62 are the result of Lee County Solid Waste Division meeting its stated development and practice goals. Therefore, the proposed changes address sustaining a high level of service and innovation to improve efficient operation. This is now Proposed Goal 7 in this element.

Potable Water and Sanitary Sewer service goals have been reorganized. Existing goals 53, 54, 55, 56, 57, 58 and 63 are now proposed Goals 8 through 11. Redundant goals, objectives, and policies have been eliminated.

B. TEXT AMENDMENTS:

The adopted New Horizon 2035 Evaluation and Appraisal Report included several organizational recommendations. One of these recommendations was to provide a clear overview section in each element that sets the context for the goals, objectives, and policies that follow, in addition to describing the relationships and linkages to other elements in the plan. Therefore, staff recommends that the following overview be incorporated as the preamble to the Community Facilities and Services Element:

The intent of the Community Facilities and Services Element is to describe how, when and where public facilities and services are to be provided in Lee County. The Community Facilities and Services Element provides an organized and efficient approach to the provision and management of community facilities, schools and libraries by considering appropriate location, timing and form in relation to land use, transportation systems, community character, context, long-term costs, energy efficiency, relationship to development patterns and compatibility with surrounding communities. These same criteria are used in the provision of services such as potable water, sanitary sewer, reclaimed water and surface water management. All of these facilities and services are managed within the coastal, urban, suburban and rural contexts described in the Lee Plan.

The proposed language for this element follows. It incorporates changes originally proposed by staff in an underline/strikethrough format. Changes recommended during the July 30, 2012 LPA hearing and by other parties are shown in double underline/strikethrough format.

GOAL 1: COMMUNITY FACILITIES AND SERVICES. Provide and maintain appropriate levels of community facilities and services for the benefit of current and future citizens and visitors. These facilities and services include schools, libraries, potable water and sanitary sewer service, solid waste collection and disposal, stormwater and surface water management. (ADDED)

Proposed Goal 1 contains objectives and policies applicable to all the community facilities and services included in this element. Efficient operating practices by all facilities and services contribute to the overall benefit of Lee County.

~~**OBJECTIVE 1.1: SUSTAINABILITY.** Provide community facilities and services in order to serve both the needs of the public and to address environmental issues. (ADDED)~~

OBJECTIVE 1.1: PROVISION OF SERVICES. Provide community facilities and services in a way that sustainably meets public needs including social and economic viability and environmental protection.

Proposed Objective 1.1 addresses the organization and efficient operational practices for community facilities. Public facilities address not only the needs of the public by providing services, they also help protect Lee County’s natural resources such as potable water supplies and surface water. Upon the recommendation of the Local Planning Agency and the Community Sustainability Advisory Committee, this objective has been reworded.

POLICY 1.1.1: ~~Utilities or other community facilities will not be provided in a manner that will result in the creation of urban or suburban levels of development within rural areas. Nor will~~ †The presence of community facilities will not be used as the sole justification for increasing levels of development in rural areas to urban or suburban levels. (ADDED)

Proposed Policy 1.1.1 addresses the appropriate location of utilities. It is important that the presence of utilities such as potable water or sanitary sewer within an area not result in inappropriate levels of development in the rural portions of the County. The LPA, concerned that the original wording was too strict, recommended that the first sentence be deleted and additional language be inserted into the remaining text.

POLICY 1.1.2: ~~Urban areas will receive the highest~~ most intense levels of service from, and access to, community facilities. Suburban areas will receive lower levels of service and rural areas will receive the lowest levels of access to community facilities. (ADDED)

Proposed Policy 1.1.2 addresses development in the Urban, Suburban and Rural context. In order to reduce sprawl and the encroachment of higher density development into rural areas, services and facilities will be prioritized in developing and already developed areas, as appropriate. The LPA recommended the change to “most intense” for clarity.

POLICY 1.1.3: Incorporate Community facilities as part of mixed use centers and integrate them into the design of the center. (ADDED)

Proposed Policy 1.1.3 concerns the use of efficient urban design for community facilities. Including public facilities such as libraries and government offices into mixed use centers allows them to serve a greater number of people more efficiently. It also contributes to the positive effects of mixed use design by placing those people closer to commercial uses and shortening the distance between the public facilities and the communities that they serve.

POLICY 1.1.4: Incorporate sustainable practices as far as practicable in the design and operation of community facilities. These facilities will implement green principles and use recycled or “green” products to the greatest extent possible and will use

environmentally-friendly construction techniques which emphasize recycling and waste reduction of waste and recycling. (ADDED) (LDC)

Proposed Policy 1.1.4 encourages environmentally safe practices to reduce the environmental impact of facilities and services. Many of these practices also reduce costs. The LPA stated concern about making regulations that were too restrictive and recommended language to encourage sustainable practices without making them absolutely mandatory. The CSAC recommended rewording the recycling language for clarity.

POLICY 1.1.5: By 2015, develop and maintain regulations to define and determine green standards for future community facility development and redevelopment.

This policy has been added at the recommendation of the CSAC. Defining green standards is the first step to providing clear, understandable regulations governing green development. Staff has included “Community development” in the language in order to better tie the policy to its objective.

OBJECTIVE 1.2: NEEDS OF THE PUBLIC. Community facilities and services will meet the needs of the public in an efficient and sustainable manner that ensures that the needs of the public remain the county’s priority. (ADDED)

Proposed Objective 1.2 contains policies intended to ensure that community facilities adequately meet the requirements of County residents. Additional language was inserted to address concerns of the CSAC.

POLICY 1.2.1. The construction and maintenance of community facilities and services as identified in this element will be provided for by the implementation of the Capital Improvement Plan. (ADDED)

Proposed Policy 1.2.1 addresses proper fiscal planning for current and future community facilities. A properly maintained Capital Improvement Plan improves the efficient provision of facilities and services.

POLICY 1.2.2 Locate community facilities and services in areas that support compact development patterns, a healthy mix of public and private uses, and conservation of resources. (ADDED)

Proposed Policy 1.2.2 addresses the efficient provision of services through proper siting of facilities. Properly located and designed community facilities contribute to the positive effect

created by mixed use development and reduce travel time for residents. Improperly sited facilities create inefficient service by forcing residents to travel farther.

POLICY 1.2.3 Locate community facilities and services in conformance with the land use and transportation strategies identified in the Future Land Use, Transportation, Capital Improvements, Communities, Conservation and Coastal Management, and Community Safety and Well Being elements of the Lee Plan. (ADDED)

The provision of County facilities and services should further the purposes of the various elements of the Lee Plan and prevent or reduce conflict with those elements.

POLICY 1.2.4: Encourage the integration of appropriately scaled and designed community facilities and services within future mixed use areas, activity centers, and other appropriate locations identified within this plan.. (ADDED)

Proposed Policy 1.2.4 is intended consider the context of an area when sizing and designing facilities and services.

OBJECTIVE 1.3: ENHANCE COMMUNITIES. Use community facilities and services to enhance the community ~~character~~ function of the urban, suburban, rural and coastal contexts. These facilities will also promote efficiency, health, and long-term cost savings. (ADDED)

Proposed Objective 1.3 addresses the effect that community facilities can have on their community. A properly designed and located facility can contribute to the positive character of a community. The LPA recommended changing “Character” to “Function” while the additional sentence was recommended by the CSAC. This additional language further explains the role of community facilities within their communities.

POLICY 1.3.1: Community facilities and services will be of a scale and design appropriate to their context within Lee County’s coastal, urban, suburban, and rural communities.(ADDED) (LDC)

Proposed Policy 1.3.1 concerns the impact of a facility’s design on its community. A single design for any given type of facility may not be appropriate for all locations. Consideration must be given to the surrounding community when creating new facilities.

POLICY 1.3.2: Public facilities and services will be ~~used in a manner~~ developed to provide flexibility of use and operation to maximize their service capacity and efficiency. (ADDED) (LDC)

Proposed Policy 1.3.2 is about operating community facilities providing services as efficiently as possible. Increasing the efficiency of County facilities reduces the amount of such facilities needed to serve the community. The LPA recommended the additional language in order to increase the potential usefulness of community facilities. The LPA stated that community facilities could be designed to allow a greater range of purposes.

POLICY 1.3.3 The cost and capacity of Public facilities and services within the rural and coastal context will be designed in a scale and style sensitive to with full consideration of their unique community character and function. (ADDED) (LDC)

Policy 1.3.3 concerns those portions of the County that are most susceptible to storm surge or are in low-density areas. It is important that community facilities are compatible with these rural and coastal areas. These facilities should be designed so as to minimize the risk of increasing residential density or excessive development in these areas. The changes recommended by the LPA were out of concern that public facilities be of the proper scale for their community.

POLICY 1.3.4 Allow the public opportunities to comment on and shape the construction, expansion, development and maintenance of public facilities and services in and around their communities. (ADDED)

Proposed Policy 1.3.4 addresses public participation. Public input on the development of community facilities is important to ensuring that those facilities are as compatible as possible with their surroundings. Public input also helps ensure that the facilities are meeting the needs of the community they serve.

With the advent of the internet and improved technology, it is now possible to provide a greater amount of library services electronically and/or remotely. Consequently, the Lee County Library System is revising the goals, objectives, and policies in this element to better address this change in library service.

GOAL 2: LIBRARIES. ~~To increase the availability of information services throughout Lee County by increasing the size and quality capabilities of the Lee County Library System to outreach to its residents, and by ensuring~~ Ensure that library services are provided in a manner that is responsive to the needs of the community and ~~of specific targeted constituencies residents.~~ (MODIFIED) (Formerly Goal 64)

Goal 2 is recommended to be updated to include new terminology.

Existing Objectives 64.1 and 64.2 (Libraries) and their policies are being deleted and replaced with the following Language:

OBJECTIVE 2.1: ACCESSIBILITY. Ensure that library services, programs and facilities are accessible. (ADDED) (LDC)

Objective 2.1 concerns not only access to the services provided by the library, it also concerns physical access to library facilities in their design and location.

POLICY: 2.1.1: Ensure there is an equitable distribution of libraries, of varied sizes, throughout the County, based on an identified average travel distance for residents and area population. (ADDED)

Proposed Policy 2.1.1 addresses the siting of libraries within the County as a whole. The proper siting of library facilities can, in conjunction with the policies of Goal 1, shorten travel times for library patrons and reduce demand on the county transportation system.

POLICY 2.1.2: Establish a balance between physical and virtual services. Increase focus on virtual services rather than building new, or expanding current, library facilities. (ADDED)

Proposed Policy 1.2.2 is intended to enhance customer service. Many of the needs of Lee County residents can be addressed through electronic media and internet access. Facilitating services for these needs reduces the demand on physical facilities.

POLICY 2.1.3: Monitor library performance to ensure that community needs are satisfied through:

1. On-going customer satisfaction surveys; and
2. Periodic surveys of the service and information needs and preferences of current and future library users. (ADDED)

Proposed Policy 2.1.3 concerns library performance. Continuous monitoring of customer needs is necessary to maintain efficient operation.

POLICY 2.1.4: Bicycle and pedestrian facilities and access to the street networks and transit routes will be ~~considered~~ required for future facility site design where practicable. Libraries will connect to bicycle and pedestrian facilities in mixed-use, urban, and suburban areas. (ADDED) (LDC)

Proposed Policy 2.1.4 is intended to reduce the demand on the transportation system by increasing the connectivity of library facilities for alternative travel modes. “Considered” has been replaced with “Required” at the recommendation of the CSAC.

OBJECTIVE 2.2: SERVICES AND RESOURCES: Ensure that the library’s content and services are efficiently managed. (ADDED)

Proposed Objective 2.2 contains policies addressing the provision of services by the library system.

POLICY 2.2.1: Expand and develop the collection of electronic resources. (ADDED)

Proposed Policy 2.2.1 addresses the need of the library system to keep up with changing technology. Electronic media and systems are becoming more prevalent and the demand for such resources is expected to increase.

POLICY 2.2.2: By 2015, the circulation of electronic resources of the Lee County Library System will reach 1,000,000 items annually. (ADDED)

Proposed Policy 2.2.2 provides the library systems’ standard of measure for electronic resources.

POLICY 2.2.3: Expand the model of increased partnership with the community. Focus on personal activities with community organizations and individuals, with less emphasis on the book warehouse function. (ADDED)

Proposed Policy 2.2.3 is about keeping up with changing library practices. The library system seeks to provide greater accessibility to the public for alternative activities within library facilities in addition to obtaining resources such as books.

GOAL 3: EDUCATION AND PUBLIC SCHOOL FACILITIES. To assist the Lee County School District Board and other providers of education (where appropriate) with the planning, development and siting of new schools to offer a high quality educational environment, accessibility for all students, and school capacity to accommodate enrollment demand. (EDITED) (Formerly Goals 66 and 67)

Proposed Goal 3 is recommended for adoption as the single education and schools goal. The language in Goals 66 and 67 has been combined.

OBJECTIVE 3.1: SCHOOL LOCATION PLANNING. Cooperate with the Lee County School District Board of Education and representatives of private and parochial

school associations to ensure that school locations are consistent with county growth policies and the needs of the future population. (EDITED) (Formerly Objective 66.1)

POLICY 3.1.1: ~~The County will work in collaboration~~ Collaborate with the ~~Lee County School District, Board of Education and~~ representatives of private and parochial school associations, and other interested institutions, for the location and development of educational systems consistent with ~~Chapter 235, F.S. Florida statutes~~ and the policies of this plan. (EDITED) (Formerly Policy 66.1.1)

POLICY 3.1.2: ~~All e~~ Educational institutions will comply with the policies of this plan and the Land Development Code where not pre-empted by state statutes or administrative rules. (EDITED) (Formerly Policy 66.1.2)

POLICY 3.1.3: ~~Lee County will continue to m~~ Maintain and regularly update a school impact fee. (EDITED) (Formerly Policy 66.1.3)

Objective 3.1 and policies 3.1.1 through 3.1.3 are recommended to be edited for grammar.

POLICY 3.1.4: ~~The County, in concert~~ Together with the ~~Lee County School District School Board,~~ will assist developers considering school site contributions ~~by providing with~~ information ~~relating to~~ on land availability, use and ~~other pertinent~~ parcel data. Current and future multi-modal site accessibility will also be considered. (EDITED) (Formerly Policy 66.1.4) (LDC)

Proposed Policy 3.1.4 is recommended to be edited for Grammar. The LPA recommended the additional language to encourage reduced impact of schools on transportation demand.

POLICY 3.1.5: ~~Lee County will~~ Proactively ~~e~~Coordinate with the State Board of ~~Regents-Governors~~ on the development of the Florida Gulf Coast University through the Campus Master Plan process, ~~and~~ the required Development Agreement, and ~~through~~ other means of intergovernmental coordination. (Formerly Policy 66.1.5)

Proposed Policy 3.1.5 is recommended to be edited for Grammar and to update the “Board of Regents” to “Board of Governors” which is now the relevant agency. The LPA recommended the additional language to give greater weight to the policy.

POLICY 3.1.6: ~~To the maximum extent possible, Lee County will s~~ Seek opportunities to collocate for adjacent school sites or the collocation of public facilities and resources, such as parks, libraries, and community centers, with public schools. (Formerly Policy 66.1.6) (LDC)

The CSAC has recommended the addition of language concerning the need to share resources. However, this is already covered by proposed Policy 3.3.7.

POLICY 3.1.7: ~~The County will a~~Assist the School District in the development of siting criteria that encourages the location of public schools in close proximity to urban residential areas. (EDITED) (Formerly Policy 66.2.4) (LDC)

Policy 3.1.7 is recommended to be edited for grammar.

OBJECTIVE 3.2: LAND USE COMPATIBILITY. ~~The county will seek to have the siting of all new schools follow those~~ Encourage the siting of schools to comply with policies aimed at land use and transportation compatibility. (EDITED) (Formerly Objective 66.3)

Proposed Objective 3.2 is recommended to be edited for grammar.

POLICY 3.2.1: Protect the integrity of schools so that educational functions are not disrupted by the intrusion of incompatible land uses. Prohibit school sites that will be exposed to physical constraints, hazards, or nuisances detrimental to the health and safety of students and to the operation of the school. This policy does not preclude the location of schools in infill areas and being appropriately integrated into existing neighborhoods surrounded by residential, commercial, community facilities, natural preserves, and other compatible uses. (MODIFIED) (Formerly Policies 66.3.1 and 66.3.10) (LDC)

Proposed Policy 3.2.1 is recommended for amendment. Language from existing Policy 66.3.10 is being incorporated into this policy to remove a redundancy.

POLICY 3.2.2: Cooperate with the School ~~Board~~ District in the planning and selection of future school sites and the development of mutually acceptable guidelines for ~~the site selection of such sites.~~ (EDITED) (Formerly Policy 66.3.2) (LDC)

POLICY 3.2.3: Encourage the acquisition of school sites appropriate to their neighborhoods while still large enough to accommodate accommodating projected increases in enrollment. (EDITED) (Formerly Policy 66.3.3)

POLICY 3.2.4: Encourage the location of neighborhood elementary schools within walking distance of the residential areas ~~they serve.~~ (EDITED) (Formerly Policy 66.3.6)

POLICY 3.2.5: Require ~~that~~ new residential developments to provide for adequate pedestrian and bicycle access for school children. (EDITED) (Formerly Policy 66.3.7) (LDC)

Proposed policies 3.2.2, through 3.2.5 are recommended to be edited for grammar.

~~**POLICY 66.3.4:** Consider the shared use of park and school sites when a surplus of school land is available (see also Goal 87).~~

Existing policy 66.3.4 is recommended to be deleted because it is redundant due to the language in Proposed Policy 3.1.6.

~~**POLICY 66.3.5:** Land uses and development will not be permitted to the extent that it could necessitate the relocation~~

Existing Policy 66.3.5 is recommended to be deleted because it is redundant due to the language in Proposed Policy 3.2.1.

POLICY 3.2.6: Remove or reduce existing barriers to pedestrian and bicycle access for school children. (ADDED) (LDC)

Policy 3.2.6 is recommended for adoption. Removing barriers to walking and biking increases the ability of students to reach schools without the use of an automobile.

POLICY 3.2.7: ~~In order to~~ Reduce hazardous walking conditions and improve walkability to schools, the County, in coordination with the Lee County School Board District will by implementing the following strategies with the school district:

1. ~~Encourage~~ Encourage ~~N~~new developments adjacent to school properties ~~will be required~~ to provide a right of way and a direct safe access path for pedestrian travel to existing and planned school sites and ~~will~~ will ~~to~~ connect to the neighborhood's existing and proposed pedestrian improvements.⁵
2. ~~In order to~~ Ensure continuous pedestrian access to public schools; ~~provisions for construction of~~ by constructing facilities to address hazardous walking conditions; ~~pursuant to Section 1006.23, Florida Statutes, will be~~ included the construction of pedestrian access in the schedule of capital improvements adopted each fiscal year.⁵

3. Evaluate school zones to consider safe crossing of children ~~along major roadways~~ walking along transportation facilities and prioritize areas for sidewalk and walkability improvements to increase the ability of children to walk safely to school and wherever possible show preference for routes that do not run along transportation facilities and have high visibility.~~and~~
4. Coordinate existing and planned public school facilities with the plans for supporting infrastructure to assure safe access and walkability to schools, including sidewalks, crosswalks, and bicycle paths, and where appropriate or warranted, street lighting, traffic calming, turn lanes, and pedestrian crossing signalization.
5. Identify school sites that are highly walkable.
6. Identify locations for school sites where walking distances for students can be shortened and barriers to pedestrian access to schools can be removed.
7. Participate in and promote the Safe Routes to School program. (MODIFIED)
(Formerly Policy 67.3.7) (LDC)

Proposed Policy 3.2.7 is recommended for amendment. Several strategies to improve walkability have been added. “Require” Part 1 has been changed to “encourage.” The LPA recommended the language in part 3 for added visibility on pedestrian routes out of concern for preventing criminal activity. The policy is also recommended to be edited for grammar.

POLICY 3.2.8: Encourage the selection of School sites ~~will be selected~~ in advance of the developments they are intended to serve ~~and will be~~ based upon planned densities and development patterns. (EDITED) (Formerly Policy 66.3.1) (Formerly Policy 66.3.8)

POLICY 3.2.9: When possible, elementary schools ~~whenever possible~~ must have access to local or collector streets; secondary schools must have access to a collector or arterial street. (EDITED) (Formerly Policy 66.3.9) (LDC)

POLICY 3.2.10: Prohibit the location of schools in the areas designated on the Future Land Use Map as *Airport Noise Zone B* or within other high noise impact areas. Additionally, in accordance with Florida Statutes ~~Chapter 333,~~ prohibit the construction of a public or private school ~~is prohibited~~ within ~~an area~~ extending five miles along the extended centerline of a runway (either existing or proposed) with a width one half the length of the runway. ~~As per State Statute,~~ Grant Exceptions approving construction of ~~an educational facility~~ ies within these delineated areas shall only be granted ~~when the~~

~~political subdivision administering the zoning regulations makes after specific findings detailing how of the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a the location.” (EDITED) (Formerly Policy 66.3.11) (LDC)~~

POLICY 3.2.11: ~~The County will p~~Promote smaller, geographically-diversified neighborhood school campuses, ~~which that~~ are incorporated into ~~relevant~~ community plans. (EDITED) (Formerly Policy 66.3.13) (LDC)

Proposed Policy 3.2.8, 3.2.9, 3.2.10, and 3.2.11, are recommended to be edited for grammar.

~~**POLICY 66.3.10:** Prohibit school sites that are or will be exposed to physical constraints, hazards, or nuisances which are detrimental to the health and safety of students and to the general operation of the school.~~

~~**POLICY 66.3.12:** The county will cooperate with the School Board to encourage consideration in the design and construction of new schools that they may be expected to serve as hurricane evacuation and emergency shelters.~~

Existing Policy 66.3.10 is recommended for deletion. Its language is being incorporated into Proposed Policy 3.2.1. Existing Policy 66.3.12 is recommended for deletion because it is redundant with Proposed Policy 3.3.2.

OBJECTIVE 3.3: COORDINATION AND COOPERATION ~~All n~~New public schools ~~built within the County~~ will be consistent with the ~~appropriate jurisdiction's~~ future land use map designation, will be co-located with other appropriate public facilities (when possible), and will have ~~needed~~ supporting infrastructure. (EDITED) (Formerly Objective 67.3)

Proposed Objective 3.3 is recommended to be edited for grammar.

~~**OBJECTIVE 66.2: COOPERATION. POLICY 3.3.1:** The County will develop programs of collaboration Collaborate with between economic development agencies, the Lee County School District Board of Education, the Edison Florida Southwestern State Community College District, the administration of Florida Gulf Coast University, and USF at Fort Myers and other relevant educational institutions to ensure participation and achievement of shared economic goals. (MODIFIED) (Formerly Objective 66.2)~~

Proposed Policy 3.3.1 is recommended for amendment. Under the reorganized Education goals, Existing Objective 66.2 is recommended to be changed to a policy under Proposed

Objective 3.3 because it concerns governmental coordination. It is also recommended to be edited for grammar

POLICY 3.3.2 ~~Lee County will e~~Continue programs to allocate responsibility and costs for supporting the use of schools as emergency shelters. (EDITED) (Formerly Policy 66.2.1)

POLICY 3.3.3: ~~The County will p~~Provide technical information to the School District Board of Education to assist in identifying suitable sites for new schools. (EDITED) (Formerly Policy 66.2.2)

POLICY 3.3.4: ~~The County will e~~Collaborate with the School District Board of Education when planning and making decisions regarding population projections. In order to maximize the benefits to be gained from joint planning efforts, ~~the County will~~ coordinate with the School District to base respective plans on consistent projections of the amount, type, and distribution of population growth and student enrollment. (EDITED) (Formerly Policy 66.2.3)

POLICY 3.3.5: ~~The County and the School District will j~~Jointly determine with the School District the need for and timing of on-site and off-site improvements ~~necessary~~ to support new school facilities. The County and the School District will explore opportunities for shared funding of necessary infrastructure improvements. (EDITED) (Formerly Policy 67.3.1)

POLICY 3.3.6: ~~The County may e~~Enter into an interlocal agreements with the School District Board to ~~identifying~~ the timing, location, and ~~the party or parties~~ responsible for constructing, operating, and maintaining off-site improvements necessary to support new school facilities (EDITED) (Formerly Policy 67.3.2)

Policies 3.3.2 through 3.3.6 are recommended to be edited for grammar.

Policy 3.3.7 (Formerly Policy 67.3.3) is similar to Proposed Policy 3.1.6 but is being kept in the plan because it addresses the collocation issue from a cooperation standpoint while 3.1.6 addresses it from a locational standpoint. No change is recommended for this policy.

POLICY 3.3.8: ~~The County will f~~Forward all applications for rezonings and comprehensive plan amendments that increase density on the Future Land Use Map to the School District for review. ~~The County will i~~Inform the School District of the effect of proposed amendments upon school capacity. (EDITED) (Formerly Policy 67.3.4)

POLICY 3.3.9: The School District will periodically review the education and public school facilities ~~element~~ goals, objectives and policies and present proposed modifications to staff for initial comments and input. ~~If the School District desires amendments, to the element, the proposed modifications will be informally presented to Lee County staff for initial comments and input.~~ The School District will be the lead agency and ~~will make application~~ applicant for ~~any desired~~ amendments to the education and public school facilities goals, objectives and policies. (EDITED) (Formerly Policy 67.3.5)

POLICY 3.3.10: ~~The County, in conjunction~~ In collaboration with the School District and the municipalities, ~~within the County, will~~ identify issues relating to public school emergency preparedness, ~~such as~~ including:

1. ~~The d~~Determination of evacuation zones, evacuation routes, and shelter locations.
 2. ~~The d~~Design and use of public schools as emergency shelters.
 3. ~~The d~~Designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events. (EDITED)
- (Formerly Policy 67.3.6)

Proposed Policies 3.3.8 through 3.3.10 are recommended to be edited for grammar.

~~**GOAL 67: PUBLIC SCHOOL FACILITIES.** Lee County will have a public school system that offers a high quality educational environment, provides accessibility for all of its students, and ensures adequate school capacity to accommodate enrollment demand.~~

Existing Goal 67 is recommended for deletion. Under the reorganization of Education goals, the language for this goal has been combined with Existing Goal 66 into Proposed Goal 3 and the policies under this goal have been included under Proposed Objective 3.4.

SCHOOL CONCURRENCY:

State statutes no longer require that School Concurrency be included in a local government comprehensive plan. To that end, staff is working with representatives of the Lee County School District to explore alternatives to the current School Concurrency Regulations. County Planning Staff understanding and tracking existing and future school capacity is an important planning function. Staff believes that the Lee Plan should be modified to monitor non-regulatory levels of service. In order to effect this change, however, the County will first need to amend the Interlocal Agreement between the School District, the County, and all five municipalities that

requires regulatory School Concurrency. Until that agreement is amended, staff cannot change the requirement for regulatory School Concurrency. Therefore, no changes to School Concurrency regulations are recommended at this time. Those regulations can be amended after the Interlocal Agreement is amended.

BACKGROUND: When school concurrency was first required by the Florida Statutes, Lee County was one of the five pilot counties in the state who were given assistance by the then Department of Community Affairs to establish an Interlocal Agreement between the School District, the County, and the five municipalities. This agreement outlined the parameters for the School Concurrency program. Lee County was the lead agency in this effort and considerable time and effort went into crafting an agreement that the elected officials of all seven parties would sign onto. That agreement was the basis for the comprehensive plan amendment that enacted School Concurrency and the agreement is still in effect. Eliminating School concurrency would violate the terms of this agreement. Therefore, the Interlocal Agreement will have to be modified or terminated to allow any such changes.

The latest Interlocal Agreement was signed in 2008 and contains a termination clause. Under normal conditions, the agreement automatically renews on an annual basis. In order to terminate the agreement either the School Board or the County must signify their intent to terminate in writing at least 120 days prior to the annual renewal date. The annual renewal date is March 18 and therefore the county has already passed the time limit (November 18) for issuing a letter of intent for termination of the Interlocal Agreement for this year. Therefore, staff proposes to keep the school concurrency language as proposed until after the agreement is revisited.

School Concurrency was established in such a way that the three school zones, the East Zone, the South Zone and the West Zone, could all work in conjunction to calculate level of service on a county wide basis. Therefore, if capacity was lacking for a proposed development order in the East Zone, excess capacity in either the South Zone or the West Zone could be counted to achieve the required level of service standard. In effect, there is a countywide school concurrency policy. At this time there is excess capacity in all three zones and there are no foreseeable level of service issues.

OBJECTIVE 3.4: ADEQUATE SCHOOL FACILITIES. Establish and maintain ~~specific~~ level of service standards for public schools ~~in order to ensure that there is~~ adequate school capacity for ~~all~~ existing and expected High School, Middle School, Elementary School, and Special Purpose students. ~~Incorporate and maintain~~ Lee Plan Map, Map 23-(TBD), ~~depicting the existing and planned educational and public~~ School District facilities in Lee County. ~~This Map also generally depicts the anticipated location of educational and ancillary plants over the five year and long term planning period.~~ (EDITED) (Formerly Objective 67.1)

Objective 3.4 is recommended to be edited for grammar.

POLICY 3.4.1: ~~The County adopts the following~~ Maintain a non-regulatory Level of Service of 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes (LOS) standards for public elementary, middle, and high schools, as well as special purpose facilities, 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.~~

For purposes of this policy subsection, a “measurable programmatic change” means a change to the operation of a school and measurable capacity impacts including, but not limited to, double sessions, floating teachers, year-round schools and special educational programs.

Relocatable classrooms may be utilized to maintain the LOS on a temporary basis when construction to increase capacity is planned and in process. The temporary capacity provided by relocatables may not exceed 20% of the Permanent FISH Capacity and may be used for a period not to exceed three years.

Relocatables may ~~also~~ be used to accommodate special education programs ~~as required by law~~ and to provide temporary classrooms while a portion of an existing school is under renovation. (EDITED) (Formerly Policy 67.1.1)

Policy 3.4.1 is recommended to be edited for grammar. In the LPA staff report, the term “Non-regulatory” was used when “regulatory” was intended. Despite the request of a one LPA member to keep the term “Non-” staff are correcting this to just “regulatory” for reasons stated in the school concurrency explanation.

POLICY 3.4.2: ~~Any modifications of to the public school LOS standards must be accomplished by amending the 2008 Lee Plan and the most current School Concurrency Interlocal Agreement and the adoption of amendments to the County's comprehensive plan. No LOS will be amended without a showing that the amended LOS is financially feasible, supported by adequate data and analysis, and can be achieved and maintained within the period covered by the School District's Five Year Capital Facilities Plan. (MODIFIED) (Formerly Policy 67.1.2)~~

Policy 3.4.2 is recommended for amendment. Florida Statutes no longer require school financial feasibility criteria within the comprehensive plan.

POLICY 3.4.3: ~~The County adopts Adopt the School Board's current School Choice Zone boundaries depicted on Lee Plan Map 24, as Concurrency Service Areas (CSAs). CSAs exclude multizone magnet schools and Special Purpose Facilities from CSAs. Measure Concurrency for new development will be measured against capacity in the 3 Student Assignment Zones (West Zone, East Zone, and South Zone) depicted on Map 24 (TBD). Add Special Purpose Facility capacity will be added to the total CSA capacity as these facilities potentially provide service to students from all CSAs. Following the release of the 2010 census data, Lee County and the School District will evaluate expanding the number of CSAs to utilize the CSA Zone geography as the basis for measuring school concurrency. (MODIFIED) (Formerly Policy 67.1.3)~~

Policy 3.4.3 is recommended for amendment and to be edited for grammar. The last sentence is recommended for deletion because it has been evaluated and no need for additional areas was found.

POLICY 67.1.4: ~~The School District staff and County staff will discuss the need to amend the CSAs, as contained in the Lee Plan, prior to the initiation of the annual regular amendment cycle following the release of the 2010 census data. School District staff will informally present any proposed modification to Lee County staff for initial comments and input. The School District will be the lead agency and will make application for an amendment to the Lee Plan to change the CSAs.~~

POLICY 67.1.5: ~~Any proposed boundary changes to the CSAs require a demonstration by the School District that the change complies with the adopted LOS standard and that utilization of school capacity is maximized to the greatest extent possible.~~

Existing Policies 67.1.4 and 67.1.5 are recommended for deletion because the CSA boundaries are remaining the same.

POLICY 3.4.4: ~~The County, with the assistance of~~ In collaboration with the School District, ~~will~~ annually identify available school capacity as part of its the concurrency management report. The report will identify total school capacity. Total school capacity includes existing capacity and the capacity created by school improvements programmed in the first three years of an adopted School District Capital Improvement Program. The School District will annually transmit to the County: a copy of the adopted School Capital Improvement Program; student enrollment by school type by CSA; and, capacity information by school type by CSA. (EDITED) (Formerly Policy 67.2.2)

POLICY 3.4.5: ~~All proposed~~ Review residential development activity (local development order requests) ~~will be reviewed~~ against the available total capacity by school type as identified in the annual concurrency report ~~for the specific CSA in which the proposed development is located.~~ If capacity is available or appropriate mitigation has been agreed to by the County and the School District, a concurrency certificate may be issued, valid for three years. ~~If capacity is not available in the CSA where the development is proposed, then the County will examine if the contiguous CSAs have capacity. If capacity is not available in the CSA in which the proposed development is located or in a contiguous CSA and appropriate mitigation cannot be agreed to,~~ No concurrency certificate will be issued if capacity is not available and there has not been agreement on mitigation. ~~A concurrency certificate may be renewed for an additional 3 year period and may be extended a maximum of two additional periods of 2 years each consistent with the existing provisions of~~ Maintain provisions in the Land Development Code for the renewal of concurrency certificates. ~~applicable to Development Orders.~~ (EDITED) (Formerly Policy 67.2.3)

POLICY 3.4.6: The following residential uses are exempt from the requirements of school concurrency:

1. Single family lots ~~having received with~~ final plat approval prior to ~~the effective date of this policy~~ November 7, 2008.
2. Multi-family residential development ~~having received with~~ a final development order and concurrency certificate issued prior to ~~the effective date of this policy~~ November 7, 2008 and ~~said~~ the final development order and concurrency certificate are valid and active.
3. Amendments to existing residential development approvals that do not increase the number of residential units or change the type of residential units ~~proposed.~~
4. Other residential uses that do not generate school-age children, ~~such as~~ For example, licensed Adult or Assisted Living Facilities or age-restricted residential developments prohibiting persons under the age of 18 from residing there as

permanent residents ~~through recorded covenants and restrictions that cannot be amended for a period of 30 years.~~

5. Developments of Regional Impact approved pursuant to *Chapter 380*, Florida Statutes prior to July 1, 2005, but only as to the number of residential units authorized in the DRI Development Order. (EDITED) (Formerly Policy 67.2.5)

POLICY 3.4.7: ~~For school concurrency purposes, t~~The number of projected students from a proposed residential development will be calculated using the student generation rate for the unit type identified in the most recently adopted School Impact Fee Update Study ~~prepared by Duncan Associates adopted on September 23, 2008.~~ The projected number of students is the product of the number of residential units multiplied by the student generation rate for each unit type. (EDITED) (Formerly Policy 67.2.6)

Proposed Policies 3.4.4 through 3.4.7 are recommended to be edited for grammar.

~~**POLICY 67.2.4:** By December 2008, the LDC will be amended to establish mitigation options for proposed developments that cannot meet school concurrency. Mitigation options may include, but are not limited to:~~

~~The donation of land or funding of land acquisition or construction of a public school facility sufficient to offset the demand for public school facilities created by the proposed development; and~~

~~Establishment of a Charter School with facilities constructed in accordance with the State Requirements for Educational Facilities (SREF) on a site that meets the minimum acreage provided in SREF and subject to guarantees that the facility will be conveyed to the School Board at no cost to the Board if the Charter School ceases to operate.~~

~~Proposed mitigation must be directed towards a permanent school capacity improvement identified in the School Board's financially feasible work program, which satisfies the demands created by the proposed development. If mitigation can be agreed upon, the County and the School District must enter into an enforceable binding developer agreement with the developer. If mitigation cannot be agreed upon, the County must deny the application based upon inadequate school capacity.~~

~~Relocatable classrooms will not be accepted as mitigation.~~

Existing Policy 67.2.4 is recommended for deletion because the measures it requires have been accomplished.

~~**OBJECTIVE 67.4: ELIMINATION OF SCHOOL DEFICIENCIES.** To prioritize the Elimination of Existing School Facility Deficiencies.~~

Existing Objective 67.4 is recommended for deletion. It contained only one policy which is being incorporated into Proposed Objective 3.4.

POLICY 3.4.8: The School District Capital Improvement Program, ~~which will annually be incorporated into the Lee Plan's Capital Improvement Element,~~ will prioritize projects that eliminate existing school facility deficiencies and projects that are needed to meet future level of service standards. (MODIFIED) (Formerly Policy 67.4.1)

Proposed Policy 3.4.8 is recommended for amendment. The deleted language is no longer required by Florida Statutes.

~~**OBJECTIVE 66.4: ENVIRONMENTAL EDUCATION.** Support and promote a three-tiered program of environmental education targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of our area's special environmental characteristics.~~

Existing Objective 66.4 is recommended for deletion and its language included in proposed Policy 3.4.9.

POLICY 3.4.9: Support and promote a three-tiered program of land use education including environmental education issues targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of the County's special land use issues such as economic and environmental characteristics. ~~Support a~~ This includes coordinated community education and outreach programs ~~that to~~ fosters the construction and implementation of environmental projects, such as ~~the~~ filter marshes, land acquisition, and local mitigation opportunities. (MODIFIED) (Formerly Policy 66.4.1)

Proposed Policy 3.4.9 is recommended for amendment. Some of the additional language is taken from Existing Objective 66.4. The LPA recommended that the policy be expanded to include more types of education than just environmental. The words "and promote" have been deleted at the request of the CSAC.

OBJECTIVE ~~67.2-3.5~~: PUBLIC SCHOOL CONCURRENCY MANAGEMENT SYSTEM. Lee County will utilize a public school concurrency management system consistent with the requirements of Section 163.3180, F.S., and Rule 9J-5.025, F.A.C.

POLICY ~~67.2.1 3.5.1~~: By December 2008, the County will adopt school concurrency provisions into its Land Development Regulations (LDRs).

Objective 3.5 and Policy 3.5.1 (formerly 67.2 and 67.2.1) were originally recommended for deletion due to staffs original recommendation to consolidate the educational Goals, Objectives and Policies into a new single Goal. However, staff has decided to retain all concurrency language in the Lee Plan until the Interlocal Agreement has been amended to allow School Concurrency to be made non-regulatory. Once that has been completed, the language in these policies will be addressed.

GOAL 4: SURFACE WATER MANAGEMENT FOR PROTECTION OF LIFE AND PROPERTY. ~~To~~ Reduce the hazards to life, health, and property created by flooding due to rainfall in a manner consistent with the community's criteria for the preservation of environmental values and the conservation of natural resources. (EDITED) (Formerly Goal 59)

OBJECTIVE 4.1: ~~Lee County will continue its efforts in developing a surface water management planning process designed to produce and maintain an up-to-date body of technical information, and, based on that information, the necessary surface water management plans, regulatory mechanisms, and facility proposals that will improve the protection of present and future uses of real property from stormwater flooding, while preserving or enhancing the environmental and natural resource values of both land and water.~~ Develop surface water management plans, an up-to-date body of technical information, regulatory mechanisms, and facilities to improve the protection of real property from stormwater flooding, while preserving and/or enhancing the natural environment (land) and natural resources (water). (EDITED) (Formerly Objective 59.1)

Proposed Goal 4 and Objective 4.1 are recommended to be edited for grammar.

POLICY 4.1.1: ~~The County will~~ Update and implement the comprehensive county-wide surface water management master plan, with ~~full~~ attention to issues of regional water quality and environmental integrity. (EDITED) (Formerly Policy 59.1.1)

POLICY 4.1.2: Establish and utilize criteria derived ~~From~~ technical data underlying the surface water management plan, ~~criteria will be established and utilized~~ to identify

floodways and other areas of special flood risk not already identified by the Federal Flood Hazard Map and Flood Insurance Study. (Formerly Policy 59.1.2)

POLICY 4.1.3: ~~By 2007 Lee County will u~~Update its flood plain regulations in accordance with the ~~2006~~ 2012 Flood Insurance Rate Map (FIRM) and other available sources by 2015. (EDITED) (Formerly Policy 59.1.3)

POLICY 4.1.4: ~~Continue to d~~Develop, update, and improve technical information, with the assistance of the U.S.D.A. Natural Resources Conservation Service, United States Geological Survey, Federal Emergency Management Agency, South Florida Water Management District, and other agencies, ~~in order~~ to better determine the current flooding risks associated with severe rainfall events. (EDITED) (Formerly Policy 59.1.4)

POLICY 4.1.5: ~~The County will, t~~Through appropriate land use and engineering regulations, ~~continue to~~ control the introduction of obstructions or impediments within floodways. (EDITED) (Formerly Policy 59.1.5)

POLICY 4.1.6: ~~The County will, t~~Through appropriate regulations, ~~continue to~~ By 2015, develop standards to provide standards for construction of artificial drainageways compatible with natural flow ways and ~~otherwise~~ provide for the reduction of the risk of flood damage to new development. (EDITED) (Formerly Policy 59.1.6)

The CSAC expressed concerns with this policy, stating that it does not clearly address Low Impact Development (LID). Planning and Natural Resources staff agree that the policy is not intended for this purpose since LID is normally done within developments whereas this policy addresses flowways in the County at large, rather than in specific developments. In addition, the generally high water table in Lee County can preclude many LID measures. The CSAC has also recommended the inclusion of “By 2015, develop standards to provide...” This change has been included.

POLICY 4.1.7: Limit priorities in public investment in surface water management facilities ~~will be limited~~ to new or expanded facilities serving the future urban areas, existing development, public facilities, and the maintenance of existing infrastructure; and outside the future urban areas, only to the prevention or reversal of environmental degradation, or the alleviation of bona fide health and safety emergencies. (EDITED) (Formerly Policy 59.1.7)

POLICY 4.1.8: ~~The County will continue to m~~Monitor water quality in the Imperial River and navigational access and tidal flushing through New Pass and Big Hickory Pass. (EDITED) (Formerly Policy 59.1.8)

Proposed Policies 4.1.1 through 4.1.5 and 4.1.7 through 4.1.8 are recommended to be edited for grammar.

GOAL 5: ~~COORDINATED~~ COORDINATION OF SURFACE WATER MANAGEMENT AND LAND USE PLANNING ON A WATERSHED BASIS. To ~~protect~~ protect or improve the quality of receiving waters and surrounding natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development. (Formerly Goal 60)

OBJECTIVE 5.1: BASIN PROGRAM. Promote water management permitting on a basin-wide basis, ~~as opposed in addition~~ in addition to the current individual-site approach, ~~used by Lee County and the South Florida Water Management District.~~ (EDITED) (Formerly Objective 60.2)

Proposed Goal 5 and Objective 5.1 are recommended to be edited for grammar. The latest change in language is prompted by the LPA which stated that water quality management needs to be done on both macro and micro levels. One LPA member also suggested adding the word “transportation” into the title of Goal 5 since roadways have an effect on surface water flows. This is unnecessary as the effect of roads is an inherent part of current water management. The CSAC has recommended the inclusion of “planning and design.” Planning and Natural Resources staff have found this to be excessive and unnecessary.

Existing Objective 60.1 and policies 60.1.1, 60.1.2, 60.1.3, 60.1.4, and 60.1.5 (concerning flow ways and other surface water issues) are recommended to be relocated in the Conservation and Coastal Management Element.

No changes are recommended for Proposed Policy 5.1.1 (Formerly Policy 60.2.1).

POLICY 5.1.2: Taxing/benefit districts or other financing mechanisms established pursuant to the Goal 3 Future Land Use Element of this plan will include an examination of the potential for basin-wide surface water management within the designated area. (EDITED) (Formerly Policy 60.2.2)

POLICY 5.1.3: ~~The County will utilize the Water Conservation Utility to implement the provision and maintenance of collection and disposal systems for stormwater and the regulation of groundwater.~~ By the end of 1996, **2015** the county will establish a dedicated funding source for the effective operation of the Stormwater Management Utility System. (EDITED) (Formerly Policy 60.2.3)

Proposed Policies 5.1.2 and 5.1.3 are recommended to be edited for grammar.

OBJECTIVE 5.2: LEVEL-OF-SERVICE STANDARDS. ~~Level of Service Standards have been established for basins identified in the surface water master plan and are provided in the following policies. The Level of Service Standards will be updated as necessary based on new basin studies or more accurate information. Update the level of service standards established for basins using information from new basin studies.~~ Update the level of service standards established for basins using information from new basin studies. (EDITED) (Formerly Objective 60.3)

Proposed Objective 5.2 is recommended to be edited for grammar.

POLICY 5.2.1: The following surface water management standards are ~~adopted~~ as the minimum acceptable levels of service for unincorporated Lee County (see ~~Policy 95.1.3~~ the Capital Improvements Element)

~~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 (see Map 18)~~

~~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.~~

~~The following additional standards are hereby established as desired future level-of-service standards, to be achieved by September 30, 1994:~~

- ~~1. 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, Pages 10-5.]~~
- ~~2. Water quality will be improved in accordance with EPA's NPDES and Rule 17-40 F.A.C. criteria for stormwater discharges.~~

~~C. Other Watersheds (see Map 18)~~

~~Gator Slough, Yellow Fever Creek, Yellow Fever Creek East Branch, Powell Creek, Billy Creek, Whiskey Creek, Deep Lagoon, Cow Creek, Hendry Creek, Ten Mile Canal, and Imperial River Watersheds.~~

~~The level of service standard for the above watersheds will be that all arterial roads at their crossing of the trunk conveyances, as referenced in the Lee County Surface Water Management Master Plan, will be free of flooding from the 25-year, 3 day storm event (rainfall). This standard will not apply to Chiquita Boulevard because it is located within the City of Cape Coral.~~

~~The following additional standards are hereby established as desired future level of service standards to be achieved by September 30, 1994:~~

- ~~1. 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 will be safe from flooding from a 100-year, 3-day storm event (rainfall).~~
- ~~2. Water quality will be improved in accordance with EPA's NPDES and Rule 17-40 F.A.C. criteria for stormwater discharges.~~

A. Stormwater Management:

1. Existing Infrastructure – The existing surface water management system in the unincorporated areas of the county is expected to prevent the flooding of designated evacuation routes from the 25-year, 3-day storm event (rainfall) for more than 24 hours;

2. Six Mile Cypress Watershed - The 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 will be safe from flooding from a 100-year, 3-day storm event (rainfall). The 100-year flood plain level and watershed boundaries are as established in Volume IV of the Six Mile Cypress Watershed Plan;

3. 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, Pages 10-5.]

4. The North Fort Myers Surface Water Management Plan developed in March 2010 and adopted by the Board of County Commissioners covers a 21-watershed area between US 41 and SR 31, north of the Caloosahatchee River. The proposed level of service for the area covered by the plan is as follows:

- County roads must meet or exceed a 5-year, 24-hour storm event
- Evacuation routes must meet or exceed a 25-year, 3-day storm event
- Major collectors and arterial roadways must have no more than 6 inches of water for a 25-year, 3-day storm event
- Finished floor elevations of structures must meet or exceed a 100-year, 3-day storm event

5. Gator Slough, Yellow Fever Creek, Yellow Fever Creek-East Branch, Powell Creek, Billy Creek, Whiskey Creek, Deep Lagoon, Cow Creek, Hendry Creek, Ten Mile Canal, and Imperial River Watersheds.

The level-of-service standard for the above watersheds will be that all arterial roads at their crossing of the trunk conveyances, as referenced in the Lee County Surface Water Management Master Plan, will be free of flooding from the 25-year, 3-day storm event (rainfall). This standard will not apply to Chiquita Boulevard because it is located within the City of Cape Coral.

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 will be safe from flooding from a 100-year, 3-day storm event (rainfall).

D.B. Regulation of Private and Public Development

Surface water management systems in new private and public developments (excluding widening of existing roads) must 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 must be designed to avoid increased flooding of surrounding areas. Development must be designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to approximate the natural surface water systems in terms of rate, hydroperiod, basin and quality, and to eliminate the disruption of wetlands and flow-ways, whose preservation is deemed in the public interest.

E. C. Water Quality

Bring ~~D~~designated impaired water bodies ~~will be improved towards~~ into compliance with State and Federal water quality criteria in accordance with the Total Maximum Daily Load and NPDES programs as soon as feasible.
(MODIFIED) (Formerly Policy 60.3.1)

Proposed Policy 5.2.1 is recommended to be amended. The proposed language updates the existing policy and adds water quality as part of the level of service policy. The LPA recommended additional language addressing federal and state compliance.

POLICY 5.2.2: ~~The County will continue to m~~Maintain and annually update annually the CIP to provide for the needs of the surface water management program. (EDITED) (Formerly 60.3.2)

POLICY 5.2.3: ~~The base~~ revised levels of service required to guide future investments in surface water management facilities ~~will be based~~ on the recommendations of the Surface Water Management Master Plan, as updated, and establish procedures ~~will be established~~ to keep current the levels of service, remaining capacity of existing facilities, and demand for new facilities. (EDITED) (Formerly 60.3.3)

POLICY 5.2.4: Evaluate and rank ~~W~~water management projects ~~will be evaluated and ranked~~ according to the priorities adopted into this plan. Give Mmajor emphasis ~~will be given~~ to improving existing drainage facilities in and around future urban areas as shown on the Future Land Use Map, and to enhancing or restoring environmental quality. (EDITED) (Formerly 60.3.4)

POLICY 5.2.5: ~~The County will continue to i~~Identify and map flow-ways as part of the Lee County Surface Water Management Plan. The Plan provides a general depiction of watersheds and their trunk and major tributaries and has been expanded to some degree in the DRGR area. As new information is assembled, update the Plan ~~will be updated~~ for public use. Due to its magnitude and need for site specific information, not all flow-ways will be shown. (EDITED) (Formerly 60.5.4)

POLICY 5.2.6: ~~The County will continue to e~~Coordinate the review of flow-ways with the other regulatory agencies and assist in the development of incentives and ~~or~~ credits for implementation of regional surface water management systems that address flood protection, water quality/ environmental enhancement and water conservation. (EDITED) (Formerly 60.5.5)

POLICY 5.2.7: Develop a capital improvements program ~~to provide for supporting~~ the reconstruction and maintenance of all prioritized flowways ~~and include including~~ incentives for private participation. (EDITED) (Formerly 60.5.6)

Proposed Policies 5.2.2 through 5.2.7 are recommended to be edited for grammar.

Existing Objectives 60.4 and 60.5 and their policies (concerning critical areas and green infrastructure) are proposed to be relocated in the Conservation and Coastal Management Element

GOAL 6: PROTECTION OF WATER RESOURCES. ~~To p~~Protect the County's water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters. (EDITED) (Formerly Goal 61)

Proposed Goal 6 is recommended to be edited for grammar.

OBJECTIVE 6.1: ~~WATER SUPPLY PLANNING.~~ ~~All eCounty water supply planning will recognize include the recognition of surface water runoff as a possible resource and will consider integrating integrate the use of surface water runoff into any supply programs or strategy and strategies that results.~~ **SURFACE WATER.** Develop options to address surface water runoff as a resource within the County. (MODIFIED) (Formerly Objective 61.1)

Proposed Objective 6.1 has been recommended to be rewritten to better reflect the policies it contains. The original proposed language has been edited and moved under Proposed Objective 8.1 as a policy. This change is based on concerns by both the LPA and the CSAC. The LPA suggested that Proposed Goal 6 could be consolidated with Proposed Goal 8. The CSAC stated that Proposed Goals 6 and 8 may be redundant.

POLICY 6.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely, and will support allocations of the resource on the basis of 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality fresh water compatible with that a use, consistent with financial and technical constraints. (MODIFIED) (Formerly 61.1.1)

Proposed Policy 6.1.1 is recommended to be edited for grammar. The LPA recommended that item #2 be deleted as it is redundant with the Reclaimed Water section. Utilities staff noted that item 2 is already performed by the South Florida Water Management District.

POLICY 6.1.2: ~~The County will e~~Explore, and implement where financially and technically feasible, all existing options for storing and utilizing excess surface water runoff for human consumption and other uses. ~~Such e~~Options may include surface impoundments; back-pumping to reservoirs, to upland wetlands, or to ground storage; and ground storage by exfiltration systems or by aquifer storage and recovery systems. Maximum contaminant levels consistent with Florida DEP and USEPA regulations governing receiving waters will be met through treatment ~~as required~~. Define excess surface water runoff ~~will be defined~~ as ~~that~~ water not required to maintain or restore estuarine waters or other valued wetland systems. (EDITED) (Formerly Policy 61.1.2)

POLICY 6.1.3: In the event that the timing and volume of freshwater discharges necessary to maintain the health and productivity of estuaries and other wetlands cannot be determined or supported by existing scientific data, ~~the County will~~ sponsor, in collaboration with other agencies, institutions, and organizations, ~~adequate~~ research programs to make data available. (EDITED) (Formerly Policy 61.1.3)

Proposed Policy 6.1.4 (Formerly Policy 61.1.4) is recommended for no change. Existing Policy 61.1.5 is recommended to be edited for grammar and placed under Proposed Objective 6.2.

OBJECTIVE 6.2: WATERSHED PROTECTION Improve water quality in impaired water bodies and their watersheds in order to attain state and federal water quality standards. (ADDED)

Proposed Objective 6.2 is recommended for adoption. Addressing water quality on a watershed basis allows for a more comprehensive approach to water quality issues.

POLICY 6.2.1: Promote development practices that reduce the pollutant load within watersheds where the receiving body has failed to meet state water quality standards, been determined by a State of Florida assessment to be impaired, or determined by Lee County to have a declining water quality trend. (ADDED)

Proposed Policy 6.2.1 is recommended for adoption. This proposed policy addresses the general impact of development on water quality.

POLICY 6.2.2: Work Collaborate with the appropriate agencies to pursue funding a “mixing model” (freshwater flow into saltwater) as a management tool that will benefit

recreation, water quality, public health, etc. agencies and stakeholders to improve water quality in the Tidal Caloosahatchee River Watershed, to benefit public health, recreation and the associated ecosystem. (MODIFIED) (Formerly 61.1.5)

Proposed Policy 6.2.2 is recommended for amendment. The proposed additional language specifically names the subject area and replaces vague wording. It is also recommended to be edited for grammar.

POLICY 6.2.3: Promote the reduction of stormwater impacts from new development and redevelopment through the use of low impact development principles including: the reduction in impervious surfaces, use of swales, reduction of flow and volume of stormwater, and adherence to the principles of the Florida Yard and Neighborhood program. (ADDED)

Proposed Policy 6.2.3 is recommended for adoption. Use of low impact development principles will help reduce both stormwater flow and sources of runoff pollution. The LPA recommended deletion of the list of principles in order to increase the policy's inclusiveness.

POLICY 6.2.4: Identify, monitor and reduce non-point source pollution influences such as failing septic systems, misapplied fertilizer products, or other ground and surface water impacts. (ADDED)

Proposed Policy 6.2.4 is recommended for adoption. This will allow the County to better address a wider range of pollution sources. The CSAC stated that the policy should address potential for pollution from all septic systems and fertilizer and suggested the above deletions.

POLICY 6.2.5: Maintain regulations to permit Lee County inspectors to monitor water quality on construction sites with an active development order. (ADDED)

Proposed Policy 6.2.5 is recommended for adoption. This proposed policy will allow Natural Resources staff greater ability to address water quality in the County.

Existing Objective 61.2, 61.3, and their policies are recommended to be moved to the Conservation and Coastal Management Element.

GOAL 7: SOLID WASTE. ~~To ensure the health, safety, and general welfare of the citizens of Lee County by protecting~~ Protect the quality of the environment through the proper management and disposal of solid waste. (EDITED) (Formerly Goal 62)

Goal 7 is recommended to be edited for grammar.

OBJECTIVE 7.1: SOLID WASTE COLLECTION. Continue programs to segregate construction and demolition debris and to separate newspaper, aluminum cans, and ~~glass bottles for recycling~~ other appropriate recycling commodities using economical resource recovery practices. (~~Amended by Ordinance No. 94-30~~) (MODIFIED) (Formerly Objective 62.1)

Proposed Objective 7.1 is recommended for amendment in order to include a wider range of materials as part of recycling efforts. The LPA recommended inserting the word “appropriate” in order to allow the policy to be applied to a wider variety of resources.

POLICY 7.1.1: ~~Continue to m~~Monitor and enforce the county's mandatory garbage and solid waste collection regulations. ~~ordinance (Ordinance No. 86-14) and subsequent amending ordinance (Ordinance No. 86-38).~~ (EDITED) (Formerly Policy 62.1.1)

POLICY 7.1.2: ~~Design and implement~~ Maintain resource recovery and recycling programs for ~~glass,~~ paper, plastic, and nonferrous metal containers. (EDITED) (Formerly Policy 62.1.2)

POLICY 7.1.3: ~~Develop~~ Maintain programs ~~which will result in a~~ to decrease ~~in~~ the volume of materials in the solid waste stream requiring landfilling (i.e. ~~source separation~~ of materials which that can be reused or disposed of in another manner). (EDITED) (Formerly Policy 62.1.3)

POLICY 7.1.4: Develop programs ~~which will~~ to reduce the volume of roadside litter and the amount of illegal dumping in the unincorporated county. (EDITED) (Formerly Policy 62.1.4)

Proposed Policies 7.1.1 through 7.1.4 are recommended to be edited for grammar.

POLICY 7.1.5: Continue to research and implement methods to improve programs for solid waste collection, processing, and landfilling as well as recycling programs. (ADDED)

Proposed Policy 7.1.5 is recommended for adoption. The policy addresses the need for the County to continue to develop the most effective waste management techniques possible.

OBJECTIVE 7.2: SOLID WASTE DISPOSAL. Continue operation of ~~a~~ waste to energy and resource recovery facilities~~y~~ ~~and continue to explore means to reduce the volume of solid waste.~~ (MODIFIED) (Formerly Objective 62.2)

Proposed Objective 7.2 is recommended to be amended. The deleted language is already addressed by Proposed Policy 7.1.3.

POLICY 7.2.1: ~~The County will continue to s~~Study and implement as appropriate available disposal technologies and volume reduction by recycling and resource recovery. ~~to meet Objectives 62.1 and 62.2. Particular attention will be paid to~~ Focus on reducing the volume reduction of bulky and potentially recyclable items such as horticultural waste, rubber tires, appliances, etc. (EDITED) (Formerly Policy 62.2.1)

POLICY 7.2.2: ~~The County will continue to p~~Pursue a “clean community” campaign of education and information to reduce litter. ~~The county will s~~Solicit operational funds from major sources of litter materials such as fast-food franchises and convenience market operators. (EDITED) (Formerly Policy 62.2.2)

Proposed Policies 7.2.1 and 7.2.2 are recommended to be edited for grammar.

POLICY 7.2.3: ~~The County will p~~Pursue efforts to control the disposal of hazardous wastes. ~~The county will continue to i~~Identify and monitor the disposal activities of hazardous wastes generators through cooperative programs with state agencies. Pursue efforts to ensure compliance with state and federal hazardous waste treatment and disposal requirements. (EDITED) (Formerly Policy 62.2.3)

Proposed Policy 7.2.3 is recommended to be edited for grammar. The LPA recommended the additional language in order to bring County efforts into line with state and federal regulations.

POLICY 7.2.4: ~~The county will initiate~~ Maintain a local program to collect (and properly dispose of) small quantities of hazardous household chemical materials such as pesticides, paint, used motor oil, etc. (EDITED) (Formerly Policy 62.2.4)

POLICY 7.2.5: The minimum acceptable level-of-service standard for ~~availability of~~ solid waste disposal and resource recovery facilities ~~will be~~ is 7 pounds (or equivalent volume) per capita per day (see also ~~Policy 95.1.3~~ the Capital Improvements Element) (EDITED) (Formerly Policy 62.2.5)

Proposed Policies 7.2.4 and 7.2.5 are recommended to be edited for grammar.

POLICY 7.2.6: ~~The county will immediately construct a~~ Periodically evaluate the need for new landfill capacity to serve the entire county including ~~all~~ municipalities. (MODIFIED) (Formerly Policy 62.2.6)

Proposed Policy 7.2.6 is recommended for amendment because the County has constructed the facilities required by the existing language. It is also recommended to be edited for grammar.

POLICY 7.2.7: ~~Provide and verify~~ Maintain a program of responsible recycling of electronic waste and ensure dismantling procedures that promote proper health, environmental, worker, and data protection. Prohibit exportation of electronic waste (e-waste). (ADDED)

Proposed Policy 7.2.7 was originally recommended for adoption at the request of the CSAC. Portions of the language were subsequently deleted at the request of Solid Waste staff in order to allow more efficient and cost effective practices.

GOAL 8: GROUNDWATER. WATER SUPPLY. ~~To protect the County's groundwater supplies from those activities having the potential for depleting or degrading those supplies. Provide an adequate water supply to meet the County's need for potable water and protect this supply from depletion or degradation.~~ (Formerly Goal 63) (MODIFIED)

Recommend amendment of Proposed Goal 8. Under the proposed reorganization of utilities goals (Proposed Goals 8 through 11), the first issue is the supply of potable water for Lee County.

OBJECTIVE 8.1: WATER SUPPLY PLANNING. Identify projected demand for potable water and identify sources to meet these needs and plan for developing these resources. (ADDED)

Recommend adoption of Proposed Objective 8.1. This objective is proposed to contain policies addressing planning for future water needs within Lee County.

POLICY 8.1.1: Identify water ~~needs~~ demands consistent with projections of human population and the needs of natural systems in order to determine the future demands for groundwater. (EDITED) (Formerly Policy 63.2.3)

POLICY 8.1.2: ~~For To maximum~~ maximize the protection of groundwater resources, identify future wellfields and/or relocation site(s) for existing wellfields well in advance of need. Coordinate with SFWMD, other water suppliers, and DEP to avoid duplication and to assist in data collection and interchange. (EDITED) (Formerly Policy 63.2.1)

Proposed Policies 8.1.1 and 8.1.2 are recommended to be edited for grammar.

POLICY 8.1.3: Encourage utilities to consider alternative water sources to meet future demands for potable water and employ an Integrated Water Resource Management approach to potable water supply development. ~~Integrated Water Resource Management is the development of water resources that balances social and economic needs while ensuring the protection of ecosystems. Water supply and management decisions consider the effects of each use on the other taking into account the overall social and economic goals, including the achievement of sustainable development that is consistent with protection and restoration of the environment. Consideration is given to all water sources to be used in an integrated manner for future sustainable supply with consideration of fiscal responsibility, regulatory drivers and environmental stewardship.~~ (ADDED)

Proposed Policy 8.1.3 is recommended for adoption. This policy explains the basic principles of County water supply planning and Integrated Water Resource Management. The LPA recommended deleting the language after the first sentence, stating that it can be placed in the glossary instead. Planning and Utilities staff concur.

POLICY 8.1.4: ~~Lee County will continue to e~~Collect data from private suppliers of potable water, including reporting of water flows, storage capacity, pressures, number of customers, and committed future connections, and proposed expansion plans. ~~This data will be updated~~ Update the data on a yearly basis. (EDITED) (Formerly Policy 55.1.4)

Proposed Policy 8.1.4 is recommended to be edited for grammar.

POLICY 8.1.5: ~~POTABLE GROUNDWATER.~~ Base all future development and use of groundwater resources on determinations of the safe yield of the aquifer system(s) ~~in order not to impair~~ to avoid impairing the native groundwater quality or ~~create~~ creating other environmental damage. ~~Criteria for safe yield determinations will be determined by the SFWMD, the agency charged with permitting these activities.~~ Determinations and reviews will include the review of the alternative source aquifers. (MODIFIED) (Formerly Objective 63.2)

Proposed Policy 8.1.5 is recommended to be changed from an objective to a policy under the proposed reorganization. It is also recommended to be amended by including additional language that clarifies review requirements.

POLICY 8.1.6: ~~Lee County Division of Natural Resources in conjunction with Lee County Utilities will p~~Perform groundwater modeling and analysis for new development, as needed, to assess the potential impact of land use changes on the water resources of Lee the County. The analysis will focus on the following issues:

- ~~Adequacy~~ Availability of water ~~supply~~ supplies, including groundwater quality and water level draw-down.
- Avoidance of adverse impacts on natural systems from water supply withdrawals.

This does not substitute for site specific analysis necessary for new development but is available for the applicants use. (MODIFIED) (Formerly Policy 55.1.2)

Proposed Policy 8.1.6 is recommended to be amended to include language for clarity. It is also recommended to be edited for grammar.

POLICY 8.1.7: Lehigh Acres (as defined by outer boundaries of its Privately Funded Infrastructure overlay on the Future Land Use Map) is ~~hereby declared~~ a critical area for future potable water supply due to fluctuating water levels in the Sandstone aquifer. In response to this designation, ~~the county will~~ amend ~~current~~ regulations to ~~provide that~~ require new wells in Lehigh Acres ~~must to~~ be constructed to accommodate submersible pumps. ~~(Also see Policy 1.7.10 for new permit requirements for irrigation wells in Bonita Springs, and Policy 2.4.2 (Future Land Use) for special requirements for amendments to the Future Land Use Map.)~~ (MODIFIED) (Formerly Policy 54.1.9)

Proposed Policy 8.1.7 is recommended for amendment by deleting unnecessary and confusing references to other Lee Plan policies. It is also recommended to be edited for grammar.

POLICY 8.1.8: WATER SUPPLY CONCURRENCY. ~~Lee County will~~ incorporate water supply into the concurrency management system consistent with the requirements of ~~Section 163.3180(2) (a), F.S.~~ Florida Statutes. (EDITED) (Formerly Objective 53.2)

Proposed Objective 53.2 is recommended to be changed to Proposed Policy 8.1.8 under the proposed reorganization of utilities goals. It is placed under Proposed Objective 8.1 because it addresses water supply planning.

POLICY 8.1.9: ~~Lee County will actively~~ implement the Water Supply Facilities Work Plan as adopted ~~by the Board of County Commissioners~~ on February 25, 2009. ~~Lee County will~~ utilize the document as the County's work plan as the guide to water supply facility planning with a planning horizon through the year ~~2030~~ 2035. ~~A copy of the adopted~~ Maintain the Water Supply Facilities Work Plan ~~will be maintained and kept~~ on file by Lee County Utilities. (EDITED) (Formerly Policy 55.1.3)

Proposed Policy 8.1.9 is recommended to be edited for grammar.

POLICY 8.1.10: ~~The County will e~~Expand potable water facilities consistent with those improvements identified in Table 6, the 10 Year Water Supply Development Projects Table. Amend Table 6 will be amended as projects are completed and technological advancements in water supply facilities are made. Review Table 6 annually following adoption of the Lee County Capital Improvement Program (CIP) to determine if revision to the table is warranted based on projects included in the current CIP. (MODIFIED) (Formerly Policy 53.1.11)

Proposed Policy 8.1.10 is recommended for amendment. Annual review of future water supply projects is a necessary part of utilities management. The map and table numbers are yet to be determined.

POLICY 8.1.11: ~~County~~ Maintain development regulations ~~will be amended to specify that no~~ to prohibit the issuance of building permits under the Land Development Code will be issued in a franchised or certificated water service areas, or within Lee County Utilities' future service area, unless potable water supply will be available to meet current and projected growth demands, or surety is given that it will be available prior to occupancy. This policy does not exempt development of any size from meeting the levels of service required for concurrency under Policies ~~53.1.2~~ 9.1.2 above and ~~95.1.3~~ the Capital Improvements Element. (EDITED) (Formerly Policy 53.2.1)

Proposed Policy 8.1.11 is recommended to be edited for grammar.

POLICY 8.1.12: Pursue methods to use surface water runoff as a resource for water supplies for human use and the natural environment as outlined in Objective 6.1, Community Facilities and Services. (ADDED)

Proposed Policy 8.1.12 is recommended to be adopted to refer to policies addressing surface water management. This reflects the importance of surface water to Lee County Utilities Division in addition to the Natural Resources Division.

POLICY 8.1.13: County water supply planning will recognize surface water runoff as a possible resource and will integrate the use of surface water runoff into any supply programs and strategies. (ADDED) (Formerly 61.1.1)

Proposed Policy 8.1.13 is recommended to be adopted to allow the County to properly manage potentially under-utilized fresh water resources. This language was originally part of proposed Objective 6.1 but following the LPA hearing has been determined to be better suited for inclusion under Goal 8. New language for Proposed Objective 6.1 has been drafted to better reflect its policies.

OBJECTIVE 8.2: PREVENT DEGRADATION OF WATER SUPPLY. Protect the potable water supply from activities that may degrade that supply. (ADDED)

Proposed Objective 8.2 is recommended for adoption under the proposed reorganization in order to contain polices addressing water quality.

POLICY 8.2.1: WELLFIELD PROTECTION. ~~The county will m~~ Maintain a wellfield protection ordinance to provide regulations protecting the quality of water flowing into potable water wellfields. (EDITED) (Formerly Objective 63.1)

POLICY 8.2.2: ~~The wellfield protection ordinance will be amended whenever better technical data is developed and whenever additional potable wellfields are proposed. The~~ Division of Natural Resources will periodically review the Wellfield Protection Ordinance and update as necessary to reflect current conditions. (EDITED) (Formerly Policy 63.1.1)

POLICY 8.2.3: Require review and comment by a ~~The staff hydrogeologist will review and comment on all~~ development applications near public utility potable water wellfields, with particular attention to proposed land uses within a 10-year travel time from the wellheads. (EDITED) (Formerly Policy 63.1.2)

POLICY 8.2.4: Require review and comment by a ~~The staff hydrogeologist will review and comment on all~~ development applications proposed in the DR/GR area. (EDITED) (Formerly Policy 63.1.3)

Proposed Policies 8.2.1 through 8.2.4 are recommended to be edited for grammar.

POLICY 8.2.5: Collaborate with the Department Of Health, Department of Environmental Protection, and South Florida Water Management District ~~Institute a program to identify sources of groundwater pollutants, including saline intrusion, in Lee County and to map these (point and non-point) sources on a county-wide basis.~~ (MODIFIED) (Formerly Policy 63.2.2)

Proposed Policy 8.2.5 is recommended to be amended to list specific governmental agencies and to be edited for grammar.

POLICY 8.2.6: Expand current programs to identify and map the contamination potential of groundwater resources ~~for those areas of Lee County not currently under public~~ in areas under private ownership. (EDITED) (Formerly Policy 63.2.4)

POLICY 8.2.7: ~~Lee County, in~~ In cooperation with other agencies and the municipalities, ~~will budget to maintain its a current~~ program of plugging ~~non-valved, abandoned, or improperly-~~ased~~ constructed~~ artesian wells on a funding-available basis so that at least seventy five of these wells are plugged each year until such wells are eliminated. (EDITED) (Formerly Policy 63.2.5)

Proposed Policies 8.2.6 and 8.2.7 are recommended to be edited for grammar.

GOAL 9: POTABLE WATER AND SANITARY SEWER INFRASTRUCTURE. ~~To ensure the public health, welfare, and safety by the provision of~~ Provide high-quality central potable water service, sanitary sewer service, and wastewater treatment and disposal throughout the future urban areas of unincorporated Lee County, ~~and to e~~Ensure that the costs of providing facilities for the supply of potable water are is borne by those who benefit ~~from them.~~ (MODIFIED) (Formerly Goals 53 and 56)

Under the proposed reorganization, a single goal now addresses both potable water and sanitary sewer service. Proposed Goal 9 is recommended for amendment to include this change. The CSAC recommended the removal of “sewer” from the first sentence. However, Utilities staff have stated that it is needed for clarity. The LPA suggested that the county to address and explore decentralized water and waste water management. Although it may be possible to explore possible cases of decentralized operation, the current mode of operation by Lee County Utilities is through centralized systems that provide the benefit of economy of scale.

~~**GOAL 56: SANITARY SEWER INFRASTRUCTURE.** To protect the public health and environmental quality by encouraging and ensuring the provision of sanitary sewer service and wastewater treatment and disposal throughout the future urban areas of the unincorporated county and to Fort Myers Beach.~~

Existing Goal 56 is recommended for deletion because its language has been incorporated into Proposed Goal 9.

OBJECTIVE 9.1: LEVEL OF SERVICE STANDARDS. ~~The County will e~~Ensure the provision of acceptable levels of potable water and sanitary sewer treatment and disposal service throughout the future urban areas of the unincorporated county, either ~~directly~~ by Lee County Utilities, or ~~indirectly~~ through franchised utility companies. (MODIFIED) (Formerly Objectives 53.1 and 56.1)

Proposed Objective 9.1 is recommended for amendment to include language for both potable water and sanitary sewer systems. The additional language “treatment and disposal” was suggested by the LPA. The policy has also been edited for grammar.

~~**OBJECTIVE 56.1:** The County will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies.~~

Existing Objective 56.1 is recommended for deletion because its language has been incorporated into Proposed Objective 9.1.

~~**POLICY 9.1.1:** The Board of County Commissioners hereby establishes Establish service areas for the Lee County Utilities water and sanitary sewer systems, throughout which it will provide standard service as required by demand, and within which it will eChallenge applications by private water and sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and ~~Reject~~ all applications for a county franchise therein in the service area. These service areas are illustrated in Maps 6 and 7. ~~Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements.~~ (MODIFIED) (Formerly Policies 53.1.1 and 56.1.1)~~

Proposed Policy 9.1.1 is recommended for amendment to include language for both potable water and sanitary sewer systems. The LPA was concerned that this policy may be too inflexible and acts as a mandate. The policy could potentially force a developer to take excessive expenses in order to hook up to County utilities if their project is within County Water and Sewer Service areas. Planning and Utilities staff feel that a more flexible policy may be worked out in the future but for now the policy should be left as it is.

~~**POLICY 56.1.1:** The Board of County Commissioners hereby establishes service areas for the Fort Myers Beach/Iona sewer system, the South Fort Myers sewer system, the East Lee County sewer system, and the Matlacha sewer system throughout which it will provide standard service as required by demand, and within which it will challenge applications by private sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 7. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements.~~

Existing Policy 56.1.1 is recommended for deletion because its language has been incorporated into Proposed Policy 9.1.1.

~~**POLICY 9.1.2:** The minimum acceptable level-of-service standards (see Policy 95.1.3 Capital Improvements Element) for potable water and sanitary sewer connections ~~to Lee~~ that provide service in unincorporated Lee County Utilities will be:~~

~~An available 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 187.5 200 gallons per day and facilities serving only travel trailer residential structures must have a capacity of 150 100 gallons per day.~~

Potable Water

Treatment Capacity: 250 gallons per day per equivalent residential unit for peak month

200 gallons per day for mobile home residential unit for peak month

100 gallons per day for travel trailer residential unit for peak month

System Pressure: 40 pounds per square inch (wp PSI static) at the meter anywhere on the individual system (excluding fire flow conditions)

Sanitary Sewer

Available Basic Facility Capacity: 200 gallons per day per equivalent residential connection for the Peak Month

160 gallons per day for residential mobile home unit for the peak month

80 Gallons per day for travel trailer residential unit for peak month

(MODIFIED) (Formerly Policies 53.1.2, 53.1.4, and 56.1.2)

Under the proposed utility reorganization, Proposed Policy 9.1.2 is recommended for amendment. The levels of service from three existing policies are proposed to be listed in this single policy. It is noted that the relevant policy of the Capital Improvements Element should be amended to match this format for relevant standards.

~~POLICY 53.1.4:~~ ~~The Board of County Commissioners urges all utilities to construct and install sufficient treatment facilities and distribution systems that will meet or exceed the minimum acceptable service standards and with the capacity to deliver water at a pressure of 20 pounds per square inch (wp PSI static) at the meter anywhere on the individual system (excluding fire flow conditions). In addition, by September 30, 1994, all utilities are urged to deliver water pressure of 40 pounds per square inch (static~~

~~pressure, excluding fire flow conditions). Each utility is encouraged to advise the planning and engineering staffs of the county regarding system expansions or modifications to ensure coordination with other utilities and with all other issues of public interest and to prevent duplication of facilities and services.~~

~~**POLICY 56.1.2:** The minimum acceptable level of service standard (see Policy 95.1.3) for sanitary sewer connections to Lee County Utilities will be:~~

~~• available basic facility capacity (see glossary) to treat and dispose of a volume of wastewater equal to 200 gallons per day per equivalent residential connection (ERC) for the peak month, except that facilities serving only mobile home residential structures shall 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.~~

Existing Policies 53.1.4 and 56.1.2 are recommended for deletion because their language has been incorporated with Existing Policy 53.1.2 into Proposed Policy 9.1.2.

~~**POLICY 9.1.3:** The Board of County Commissioners encourages all private utilities to set a minimum acceptable level of service to be adopted herein for use in the concurrency management system within their respective franchised or certificated areas. After the effective date of this plan or September 1, 1989, whichever is later, if the county has not adopted such standards into this plan, the standards The minimal acceptable level of service standards adopted for the Lee County Utilities' water and sanitary sewer systems will apply ~~in~~ to those certificated or franchised areas of private utilities and will be used in enforcing concurrency regulations (see ~~Policy 95.1.3~~ the Capital Improvements Element).~~

~~After the deadline set above any private utility utilities that cannot meet the Level-of-Service standards set forth for Lee County Utilities will have the opportunity to may petition for a Plan Amendment for a revised Level-of-Service requirement for the specific private utility ~~plant~~ system if it can be proved that ~~such~~ the utility has sufficient plant and system capacity to ~~properly service it's~~ the franchised or /certificated area. The proof will be in the form of ~~properly documented daily~~ must include flow reports, occupancy rates or related statistical information, and ~~any other necessary information that may be pertinent information to the justification of the requested action, to establish a new individual Level Of Service standard.~~ This The data should must be for cover a period covering at least the last two prior years. (MODIFIED) (Formerly Policies 53.1.3 and 56.1.3)~~

Proposed Policy 9.1.3 recommended for amendment to reflect changes in the Florida Statutes regarding concurrency management. It is also recommended to be edited for grammar.

POLICY 9.1.4: ~~The county will e~~Encourage utilities to maintain or plan sufficient treatment capacity for near-term (2 5 years) availability to ~~provide~~ ensure capacity for unserved development surrounded by ~~existing~~ areas with sewer service. (EDITED) (Formerly Policy 56.2.3)

POLICY 9.1.5: ~~The Board of County Commissioners u~~Urges all utilities to construct and install sufficient treatment facilities and collection systems ~~that will to~~ meet or exceed the minimum acceptable service standards. ~~and with~~ These facilities will have the capacity to service the demand so generated and will meet or exceed the minimum requirements of the Department of Environmental Protection, the Department of Health and Rehabilitative Services, U.S. Environmental Protection Agency, or ~~any~~ local ordinances ~~which that~~ exceeds ~~the foregoing~~ those requirements. ~~Each utility is encouraged~~ Utilities to will advise ~~the planning and utility engineering staffs of~~ the county regarding of system expansions or modification to ensure coordination ~~with other utilities and with all other issues of public interest and to prevent duplication of facilities and services.~~ (EDITED) (Formerly Policy 56.1.4)

Proposed Policies 9.1.4 and 9.1.5 are recommended to be edited for grammar.

No change is recommended for Proposed Policy 9.1.6 (Formerly Policy 53.1.8).

POLICY 53.1.9: ~~New development will pay through appropriate financial mechanisms its fair share of the costs of providing standard potable water for that development.~~ (DELETE)

Existing Policy 53.1.9 is recommended for deletion because it is redundant with Proposed Policy 9.1.6

OBJECTIVE 9.2: CONNECTION REQUIREMENTS. ~~The County will m~~Maintain and enforce ~~such~~ ordinances ~~as are necessary~~ to require the connection of commercial and larger residential establishments to ~~such~~ public or private central utility systems when those systems are available for service. (EDITED) (Formerly Objective 56.2)

Proposed Objective 9.2 is recommended to be edited for grammar. Under the proposed reorganization of the utilities goals, Objective 9.2 contains those policies addressing the necessity of certain locations to connect to utilities.

POLICY 9.2.1: ~~No county development order under the Land Development Code for a residential development more intense than 2.5 dwelling units per gross acre, for a commercial development of more than 30,000 square feet of gross floor area, or for any~~

~~industrial plant of more than 30,000 square feet of gross floor area, will be issued in any franchised or certificated water service area, or within Lee County Utilities' future service area, unless potable water service, at the minimum acceptable level of service, is available at the property line, or surety is given that it will be installed prior to occupancy. This policy will in no way exempt any development of any size from meeting the levels of service required for concurrency under Policies 53.1.2 and 95.1.3. Maintain regulations that require residential development exceeding 2.5 dwelling units per gross acre and commercial or industrial development exceeding 30,000 square feet of gross floor area to connect to potable water service. Development located in franchise/certificated water service areas will connect to potable water service, if capacity is available at the minimum adopted levels of service, at the property line. (MODIFIED) (Formerly Policy 53.1.5)~~

Proposed Policy 9.2.1 is recommended for amendment to provide greater clarity.

~~**POLICY 53.1.10:** By 1999, county staff will formulate the study proposal to determine the appropriateness of requiring certain existing residential developments at a density equal to or in excess of 2.5 dwelling units per acre to connect to a potable water or sewer system, if available. The study will address the issue of health related problems and will include the collection and analysis of well samples to determine if there is an immediate health problem as well as a cost benefit analysis. This study proposal will include recommendations regarding which pre-platted communities and subdivisions should be required to connect to a potable water or sewer system, if available.~~

Existing Policy 53.1.10 is recommended for deletion because its language has been incorporated into Proposed Policy 9.2.1.

~~**POLICY 9.2.2:** County Maintain development regulations will be amended to specify that require no county development order under the Development Standards Ordinance for a residential development more intense than exceeding 2.5 dwelling units per gross acre, ~~or for any~~ and commercial or industrial development that generates more than 5,000 gallons of sewage per day, ~~will be issued in any that are located in~~ franchised/ ~~or~~ certificated sanitary sewer service area, ~~without a connection to such~~ to connect to service if capacity is available at the minimum ~~acceptable~~ adopted level of service ~~anywhere~~ within 1/4 mile of the development. Apply this standard to development that constitutes a change in use or intensity. This policy will in no way exempt any development of any size from meeting the levels of service required for concurrency under Policies 56.1.2 and 95.1.3. (EDITED) (Formerly Policy 56.1.5)~~

~~**POLICY 9.2.3:** Lee County Utilities will continue to ~~i~~Identify those properties within the Fort Myers Beach Fire Control District the sanitary sewer service areas that are not fully~~

connected to the wastewater collection system and require ~~them to connect~~ connection when central sewer is available in accordance with Policy 9.2.2. (EDITED) (Formerly Policy 56.1.9)

POLICY 9.2.4: It is ~~hereby declared that~~ in the interests of preserving public health and of preserving and enhancing environmental quality, it is ~~in the public interest~~ to abate and cease use of septic tanks and wastewater treatment package plants ~~where and~~ when central sewer is available. (EDITED) (Formerly Policy 56.2.1)

POLICY 9.2.5: ~~With the cooperation of the respective utility firms or agencies, the county will m~~Maintain a programs for the abatement of septic tanks and package plants in areas ~~in which~~ where sewer is ~~presently~~ available and in areas ~~encompassed by included in~~ assessment districts established for upgrading sewer availability. (EDITED) (Formerly Policy 56.2.2)

Proposed Policies 9.2.2 through 9.2.5 are recommended to be edited for grammar.

~~**POLICY 56.1.8:** County development regulations will be amended to specify that any change in use or intensity in an approved development order will be subject to compliance with Policy 56.1.5. (DELETED)~~

Existing Policy 56.1.8 is recommended to be deleted because the relevant development regulations have been adopted.

~~**POLICY 9.2.6:** No permit will be issued allowing any~~ Do not issue permits to allow a utility to use a public right-of-way or to cut a pavement in a public right-of-way to extend service outside of its certificated or franchised area or to extend service into an area allocated to another utility, ~~unless prior to obtaining written evidence that~~ the other utility concurs ~~in writing. This will be enforced~~ Enforce this policy along municipal and state rights-of-way by interlocal agreement and memorandum of agreement ~~as required.~~ (MODIFIED) (Formerly Policies 53.1.6 and 56.1.6)

Proposed Policy 9.2.6 is recommended for amendment so that language in existing Policy 56.1.6 can be incorporated with Existing Policy 53.1.6.

~~**POLICY 56.1.6:** No permit will be issued allowing any utility to use a public right of way or to cut a pavement in a public right of way to extend service outside of its certificated or franchised area or to extend service into an area allocated to another utility, unless the other utility concurs in writing. This will be enforced along municipal and state rights of way by interlocal agreement and memorandum of agreement as required.~~

~~**POLICY 56.1.7:** In allocating Industrial Development Revenue Bond capacity, the county will give highest priority to private sanitary sewer utilities proposing to construct basic facilities and/or to provide or upgrade infrastructure serving developed areas and antiquated subdivision undergoing redevelopment.~~

Existing Policy 56.1.6 is recommended for deletion because its language has been incorporated into Proposed Policy 9.2.6. Existing Policy 56.1.7 is recommended for deletion because its language has been incorporated into Proposed Policy 9.3.4.

OBJECTIVE 9.3: ORGANIZATION OF SERVICE AND FACILITY DELIVERY. To provide Facilitate greater local coordination of the activities of public and private utilities within the county. (EDITED) (Formerly Goals 55 and 58)

~~**GOAL 58: ORGANIZATION OF SERVICE AND FACILITY DELIVERY.** To provide greater local coordination of the activities of public and private utility facilities within the county.~~

Existing Goals 55 and 58 of the Lee Plan are recommended to be combined into a single objective (Proposed Objective 9.3) under the reorganized utilities goals. The language of the two goals is identical. Existing Goal 58 is recommended for deletion.

~~**OBJECTIVE 58.1:** Oversee sewer service delivery management through a joint effort between Lee County and the various private sector providers. Re-evaluate, as needed the effectiveness of this effort. (DELETED)~~

Existing Objective 58.1 is recommended for deletion because its single policy is being incorporated into Proposed Objective 9.3.

POLICY 9.3.1: Ensure an adequate, reliable, and economical supply of potable water and sanitary sewer service to meet the forecasted needs for all residents of Lee County through the year 2020 through regional planning and intergovernmental participation. (EDITED) (Formerly Objective 55.1)

POLICY 9.3.2: Lee County Utilities and Lee County Division of Natural Resources will plan and coordinate with other government agencies in the development of comprehensive plans as they relate to for wellfield protection, aquifer recharge, water supply, sanitary sewer service, and related capital facilities. (EDITED) (Formerly Policy 55.1.1)

POLICY 9.3.3: Provide greater local coordination of the activities of public and private utility facilities within the county. ~~Lee County will continue to collect by collecting and annually updating data from private potable water and sanitary sewer providers, including reporting of water flows, storage capacity, pressures, sewage flows, holding and treatment capacity, number of customers, committed future connections, and proposed expansion plans. Thereafter, this data will be updated on a yearly basis.~~ (EDITED)
(Formerly Policy 58.1.1)

Proposed Policy 9.3.1 is recommended to be edited for grammar and to remove outdated terminology. Proposed Policies 9.3.2 and 9.3.3 are recommended to be edited for grammar.

POLICY 9.3.4: In allocating Industrial Development Revenue Bond capacity, the county will give priority to private water utility firms and private sanitary sewer utilities proposing to construct basic facilities and to provide or upgrade infrastructure serving developed areas and antiquated subdivisions undergoing redevelopment (Formerly Policies 53.1.7 and 56.1.7)

Proposed Policy 9.3.4 is proposed for amendment so that it may incorporate language from Existing Policy 56.1.7.

POLICY 9.3.5: ~~Priority in the use of~~ Give priority to Industrial Development Revenue Bonds or other mechanisms of public finance ~~will be given~~ to regulated private utilities ~~where~~ when not prohibited by ~~the Florida constitution or statutes~~ law in order to achieve these public ends. (Formerly Policy 54.1.8)

Proposed Policy 9.3.5 is recommended to be edited for grammar

POLICY 57.1.9: ~~Priority in the use of Industrial Development Revenue Bonds or other mechanisms of public finance will be given to regulated private utilities where not prohibited by the Florida constitution or statutes in order to achieve these public ends.~~

Existing Policy 57.1.9 is recommended for deletion as it is redundant with Proposed Policy 9.3.5.

GOAL 10: REGULATORY STANDARDS. Provide and maintain utility systems that meet or exceed federal, state and local ~~exceed~~ regulatory standards. (ADDED)

Proposed Goal 10 is recommended for adoption under the reorganized utilities goals. This goal contains language to address those regulatory standards not covered under Proposed Goal 9. The second “Exceed” is a scrivener’s error. The LPA made recommendations that are covered under the discussion for Policy 10.1.7.

OBJECTIVE 10.1: OPERATIONAL PRACTICES. Operate utility infrastructure, including potable water and wastewater systems to meet ~~or exceed~~ regulatory standards established by federal, state and local agencies. (ADDED)

Proposed Objective 10.1 is recommended for adoption under the reorganized utilities goals to contain policies addressing wastewater and related issues. The LPA recommended deleting the words, “or exceed.”

POLICY 10.1.1: Maintain and enforce the ordinances necessary to prevent discharges of inadequately treated wastewater and reduce wastewater effluent discharges. (ADDED)

Proposed Policy 10.1.1 is recommended for adoption in order to provide regulatory authority to address wastewater issues.

POLICY 10.1.2: ~~The County will continue to~~ Implement and enforce regulations to reduce the amount of effluent being discharged into surface waters. Promote the beneficial use of reclaimed water by encouraging its use and discouraging disposal through surface water discharge. (MODIFIED) (Formerly Policy 54.1.10)

Proposed Policies 10.1.2 is recommended to be edited for grammar.

POLICY 10.1.3: Continue enforcement of the Industrial Pretreatment Program. (ADDED)

Pretreatment of industrial wastes reduces the amount of material that enters the waste stream. Proposed Policy 10.1.3 is recommended for adoption in order to decrease the waste load for Lee County Utilities.

POLICY 10.1.4: ~~Consider~~ Promote programs to reduce the time and cost to treat wastewater ~~will be considered~~, including discouraging excessive use of garbage grinders or toxic discharges ~~which may stop or that~~ inhibit the treatment process. (EDITED) (Formerly Policy 57.1.2)

Proposed Policy 10.1.4 is originally recommended to be edited for grammar. “Consider” has been replace with “Promote” to align with the CSAC recommendation that this policy be strengthened.

POLICY 10.1.5: ~~The County will e~~Ensure that the disposal of grease and septage are either recycled as a beneficial product or disposed of properly. (EDITED) (Formerly Objective 56.3)

Proposed Policy 10.1.5 is recommended to be changed from an objective under the existing utilities goals to a policy under Proposed Objective 10.1 since it addresses wastewater. It is also recommended to be edited for grammar.

POLICY 10.1.6: Support and enforce the Grease Management Ordinance. (ADDED)

Grease is a difficult problem for wastewater treatment systems. Proposed Policy 10.1.6 is recommended for adoption in order to reduce this problem.

POLICY 10.1.7: ~~The County will maintain regulations that p~~Prohibit the disposal of grease and septage by landspreading or other means without ~~first being properly treated~~ proper treatment to ensure that these products are ~~either~~ recycled as a beneficial product or disposed of properly. (EDITED) (Formerly Policy 56.3.1)

The LPA recommended adopting a policy requiring the County to re-examine the issue of landspreading for grease and septage. There is currently no policy in place to determine the volume of septage or the economic feasibility of treating it. Utilities staff has stated that the issue is not under the purview of Lee County Utilities. Therefore, such a policy may be premature at this time. The policy is also recommended to be edited for grammar.

POLICY 10.1.8: Promote the beneficial use of bio-solids generated at domestic wastewater treatment facilities. Explore innovative regional solutions to providing for the beneficial use of bio-solids. (ADDED)

POLICY 10.1.9: Determine the feasibility of implementing a program of inspections for privately held and operated package plants and other wastewater treatment facilities. This program would include periodic reporting by the plant operators in addition to site inspections by County personnel. (ADDED)

POLICY 10.1.10: Determine the feasibility of a program of inspections for septic tanks. (ADDED)

Proposed Policy 10.1.8 is recommended for adoption in order to further reduce the amount of bio-solids that must be disposed. The LPA recommended that the facilities provide innovative solutions for handling septage. County wastewater treatment facilities do not treat septage (i.e., the contents of septic tanks). However, the Proposed Policy 10.1.8 has been edited to apply the LPA recommendation to wastewater treatment. Proposed Policies 10.1.9 and 10.1.10 are based

on recommendations by the LPA that the County monitor potential hazards arising from poorly operated package plants and septic tanks that have become potentially hazardous to groundwater quality. Natural Resources Staff concur that such programs would be beneficial to the County. However, at this time, the increased cost of such programs may be too great for the County to undertake. Policies 10.1.9 and 10.1.10 are proposed to determine if the County is able to take on the additional burden of monitoring both private package plants and/or septic tanks.

GOAL 11: WATER CONSERVATION ~~To~~ Ensure that future populations have access to potable water supplies and services at a reasonable price by using and encouraging conservation and resource management measures to reduce consumption of potable water. (EDITED) (Formerly Goal 54)

Proposed Goal 11 is recommended to be edited for grammar. Under the reorganized utilities goals it includes conservation polices for both potable and reclaimed water.

OBJECTIVE 11.1: Encourage the beneficial use of reclaimed water and provide incentives for its use.

Proposed Objective 11.1 is recommended to be adopted in order to create a single objective for existing policies regarding reclaim water use.

POLICY 11.1.1: Continue to encourage new and existing developments to utilize reclaimed water distribution systems, the Fort Myers Beach/Iona McGregor sewer system's dual water system. (MODIFIED) (Formerly Policy 54.1.11)

Proposed Policy 11.1.1 is recommended to be updated with new terminology. This policy is not to be confused with Proposed Policy 11.1.3. This policy encourages reclaimed water use in existing development whereas 11.1.3 requires reclaimed water use in new development.

POLICY 11.1.2: It is hereby declared that The conservation of potable water supply and facility capacity is of such importance to the orderly growth of the community that in order to ~~further provide incentive for~~ incentivize its use, ~~reuse reclaimed water may be provided at a price significantly lower than finished potable water (the residual costs of operation being will be~~ reuse reclaimed water may be provided at a price significantly lower than finished potable water (the residual costs of operation will be charged to the sewer users as part of the cost of effluent disposal). (EDITED) (Formerly Policy 54.1.7)

Policy 11.1.2 recommended to be edited for grammar.

POLICY 11.1.3: Enforce ~~d~~Development regulations will continue to require that any that require new development ~~will pay the appropriate fees and to~~ connect to a re-use

~~reclaimed water system if such a system is near or adjacent to the development and has sufficient capacity. ~~surplus to supply~~ the development. Regulations will be amended further as follows:~~

- ~~• Where a significant modification is proposed to a major development subject to Chapter 10 of the Land Development Code, wastewater reuse reclaimed water systems will be required in the same manner as for new developments.~~
- ~~• The County will require by ordinance the connection of specified existing development to a utility wastewater distribution system when one is available near or adjacent to the property.~~

~~(MODIFIED) (Formerly Policy 54.1.6)~~

Proposed Policy 11.1.3 is recommended for amendment. Portions of the policy are recommended for deletion because the required changes to development regulations have already been adopted. The LPA has recommended that the term “near” be better defined. Utilities staff have recommended keeping the language as it is in order to provide flexibility for staff in the application of this policy. The term “capacity” has also been incorporated as it more accurately reflects the issue of water supply.

POLICY 11.1.4: ~~Require Development regulations will continue to require that any development will to pay the appropriate fees and connect to a reuse reclaimed water system if such a system is near or adjacent to the development and has sufficient ~~surplus to supply~~ capacity for the development (EDITED) (Formerly Policy 57.1.5)~~

Proposed Policy 11.1.4 is recommended to be updated to include new terminology. The CSAC recommends removal of “Surplus to.” Utilities staff had no objection to this change. The LPA has recommended that the term “near” be better defined. Utilities staff have recommended keeping the language as it is in order to provide flexibility for staff in the application of this policy. The term “capacity” has also been incorporated as it more accurately reflects the issue of water supply.

POLICY 11.1.5: ~~In the design of each new wastewater treatment plant, the county will dispose of effluent through reuse water systems Design and construct new wastewater treatment plants to be water reclamation facilities producing reclaimed water for beneficial use. (EDITED) (Formerly Policy 57.1.4)~~

Policy 11.1.5 is recommended to be edited for grammar.

No change is recommended for policy 11.1.6 (Formerly Policy 57.1.6)

POLICY 11.1.7: To ensure its effectiveness as an effluent disposal system, ~~reuse~~ reclaimed water may be provided at cost. (EDITED) (Formerly Policy 57.1.7)

POLICY 11.1.8: In order to ensure the equitable distribution of the costs of a ~~reuse~~ reclaimed water system, the costs of operation not covered by the commodity charge should fall to the sewer users as a charge for effluent disposal. (EDITED) (Formerly Policy 57.1.8)

Proposed Policies 11.1.7 and 11.1.8 are recommended to be updated to include new terminology.

POLICY 11.1.9: Wastewater utilities are encouraged to utilize available technologies that allow for maximizing the use of reclaimed water. (ADDED)

Policy 11.1.9 is recommended to be adopted to increase the use of reclaimed water in Lee County.

OBJECTIVE 11.2: ~~The County will e~~Continue its programs in education, technical advice, demonstration, rate revisions, and reuse to reduce potable water consumption and the consumption of large volumes of potentially potable water. ~~Water consumption per Equivalent Residential Unit will be decreased by 2.5% annually through the year 2000.~~ (EDITED) (Formerly Objective 54.1)

Under the proposed utilities reorganization, Proposed Objective 11.2 is recommended to be adopted to include those policies that address the conservation of potable water.

POLICY 11.2.1: Using the personnel and resources of various county agencies, ~~Lee County will~~ continue to offer a program of public information and education. ~~This p~~Programs should include the use of print media, advertising, and public service announcements on radio and television highlighting and advocating various strategies of water conservation, including, ~~but not limited to:~~

- ~~• creating incentives for “gray” water systems or other recycling activities;~~
- ~~adopting~~ incentives for household and commercial use of appliances and ultralow volume plumbing fixtures with low water consumption rates;
- advising householders to reduce water use;
- ~~• creating a demand for low water use appliances by publishing ratings of water use efficiency for appliances analogous to the energy efficiency ratings for electrical appliances;~~
- advocating the cost-effective use of appliances and water: i.e. run only full loads or use low water settings when appropriate;
- encouraging the building or grounds manager, including the individual householder, to maintain the maintenance of water systems, i.e. timely repair of

- dripping faucets, leaking water closets, broken or maladjusted sprinkler heads, etc.;
- installing alternatives to spray irrigation devices for lawns and grounds management such as drip or seep systems, or at least attending to the ambient humidity and evapo-transpiration rates in controlling sprinkler systems;
 - require the installation of a “rain sensor device” or “automatic switch” on all new irrigation systems on County facilities which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred pursuant to Section 373.62, F.S.;
 - encouraging the use of drought-tolerant ground covers and shrubbery according to the principles of “xeriscape” “Florida Friendly” (~~see glossary and Objective 117.2~~) and demonstrating the uses of native vegetation in landscaping; and
 - ~~generally~~ encouraging the thoughtful use of water ~~in all necessary activities.~~
- (MODIFIED) (Formerly Policy 54.1.1)

Policy 11.2.1 is recommended to be updated to include new terminology and to be edited for grammar. The list of water conservation strategies is recommended to be amended so that it will address potable water only. Reclaimed water strategies are located in Proposed Policy 11.3.2.

POLICY 11.2.2: Promote water conservation through the use of incentives, ~~and~~ ~~e~~Evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets. (EDITED) (Formerly Policy 54.1.12)

Policy 11.2.2 is recommended to be edited for grammar. One LPA member noted that new metering technology is being introduced that gives home owners greater detail in their water use. The LPA member suggested that the Lee Plan include a policy to recognize this technology. However, listing specific technologies such as improved meters is too detailed for a county-wide comprehensive plan. Such measures are already included implicitly under policies such as 11.2.1 and 11.2.2.

POLICY 11.2.3: Promote and enforce the Water Conservation Ordinance limiting residential irrigation to two days per week. (ADDED)

Proposed Policy 11.2.3 is recommended for adoption in order to reduce the demand for potable water.

POLICY 11.2.4: ~~The Board of County Commissioners will p~~Periodically re-examine the “step rate” structure for the Lee County Utilities water systems ~~which~~ that encourages water conservation by requiring that the commodity charge (basic monthly charge less readiness to serve fee and capital debt contribution) above a specified amount of water

use increase continuously or by specified increments for that increased use of water. (MODIFIED) (Formerly Policy 54.1.4)

Proposed Policies 11.2.4 is recommended to be edited for grammar.

POLICY 11.2.5: ~~The Board of County Commissioners will~~ encourage privately operated potable water utilities with a franchise granted by the County to adopt a “conservation” rate structure for ~~users in~~ their respective service areas and employ water conservation programs as described in Policy 11.2.1. (MODIFIED) (Formerly Policy 54.1.5)

Proposed Policy 11.2.5 is recommended to include language to reference conservation programs under the proposed Objective 11.1. It is also recommended to be edited for grammar.

POLICY 11.2.6: ~~The Board of County Commissioners will~~ encourage privately operated sanitary sewer utilities to adopt a “conservation” rate structure ~~for users in their respective service areas.~~ (EDITED) (Formerly Policy 57.1.3)

Policy 11.2.6 is recommended to be edited for grammar.

OBJECTIVE 11.3: RESOURCE MANAGEMENT. ~~To~~ further the public health and protect environmental quality by using and encouraging conservation and resource management measures to reduce consumption of potable water and subsequent generation of wastewater. (EDITED) (Formerly Goal 57)

Existing Goal 57 is recommended to become an objective. Under the recommended reorganization of utilities goals, Proposed Objective 11.3 has been created to contain existing policies that address wastewater and reclaimed water. It is also recommended to be edited for grammar.

POLICY 11.3.1: ~~The County will~~ continue its programs in education, technical advice, demonstration, rate revisions, and reuse to reduce per-capita water consumption and subsequent wastewater generation. (EDITED) (Formerly Objective 57.1)

Proposed Objective 57.1 is recommended to be changed to a policy in order to better fit within the reorganized utilities goals. It is placed under the Resource Management objective as it addresses reclaimed water. It is also recommended to be edited for grammar.

POLICY 11.3.2: Using ~~the personnel and~~ resources of various county agencies, ~~Lee County will continue to~~ design programs of public information and education to reduce

demands on sewer facilities and natural systems. ~~This programs should~~ will include ~~the use of~~ print media, advertising, and public service announcements on radio and television highlighting and advocating various strategies to reduce demand for wastewater services, including, but not limited to:

- creating incentives for “~~gray~~-reclaimed water” systems or other recycling activities;
- ~~adopting incentives for household and commercial use of appliances with low water consumption rates;~~
- advising householders to reduce water use;
- ~~supporting various aspects of the concurrent water conservation program, particularly reliance on appliances and fixtures that use less water and maximizing the cost effective use of those appliances;~~
- providing information on proper maintenance of septic tanks and package plants; and
- ~~generally~~ encouraging the thoughtful use of water in ~~all necessary activities that generate wastewater.~~(MODIFIED) (Formerly Policy 57.1.1)

The identified items in proposed Policy 11.3.2 addressing potable water are recommended for deletion as they are addressed by policy 11.2.1.

POLICY 11.3.3: In developing and implementing local landscape regulations including the preservation, reforestation, and wetlands restoration requirements, give preference ~~will be given~~ to native species which are adapted to the region's climatic regime. (EDITED) (Formerly Policy 54.1.2)

Policy 11.3.3 recommended to be edited for grammar.

POLICY 11.3.4: ~~Xerie~~ Emphasize the use of Florida Friendly landscaping, ~~stressing and~~ the use of native vegetation, ~~is to be emphasized~~ through modifications to the county's development regulations and through direct action while landscaping county-owned projects. Enact and maintain ordinances consistent with Florida Statutes requiring the use of Florida-Friendly landscaping as a water conservation or water quality protection or restoration measure. (MODIFIED) (Formerly Policy 54.1.3)

The recommended changes in Proposed Policy 11.3.4 will increase the level of water conservation by reducing the demand for water for landscaping needs.

Goal 65, concerning fire protection, has been moved to the proposed Community Safety and Wellbeing Element.

Goal 68, concerning emergency medical services, has been moved to the proposed Community Safety and Wellbeing Element.

Goal 69, concerning pollution control, has been moved to the proposed Community Safety and Wellbeing Element.

Goal 70, concerning law enforcement, has been moved to the proposed Community Safety and Wellbeing Element.

Goal 71, concerning energy conservation, has been moved to the proposed Form and Character Element.

C. STAFF RECOMMENDATION

County staff recommends that the Board of County Commissioners **transmit** the proposed Community Facilities and Services Element of the Lee Plan.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: July 30, 2012
DATE OF SECOND PUBLIC HEARING: January 27, 2014

A. LOCAL PLANNING AGENCY REVIEW

Planning staff gave a brief presentation on the proposed amendment. A member of the public spoke on the amendment raising concern over the level of service standard for water pressure. He also expressed concern over how the levels of service stated in proposed Policy 1.1.2 would be implemented in Lehigh Acres. Utilities staff responded that the listed levels of service were adequate for that area.

The LPA suggested modifications to 29 Goals, Objectives, and Policies in the proposed element. Some of the suggestions were approved by a motion while others were simply stated to staff. These suggestions have been incorporated into Part II. B of this report along with a fuller discussion under each policy recommended for change. Most of these changes have also been incorporated into Attachment 1. These are the recommended changes:

Objective 1.1: Change to “Provision of Services. Provide community facilities and services in a way that sustainably meets public needs including social and economic viability and environmental protection.”

Policy 1.1.1: Suggest redrafting this policy to act as a “guiding principal.”

Policy 1.1.2: Change “highest” to “most intense.”

Policy 1.1.4: Insert “in so far as practicable” and “implement green principles and.”

Objective 1.3: Change “character” to “function.”

Policy 1.3.2: Insert “developed to provide flexibility of use and operation.”

Policy 1.3.3: Change to “The cost and capacity of Public facilities and services within the rural and coastal context will be designed with full consideration of their unique community character and function.”

Policy 3.1.4: Add “and information regarding current and future multi-modal site accessibility.”

Policy 3.1.5: Add “Proactively.”

Policy 3.2.7: Add “and maintain high visibility.”

Policy 3.4.9: Suggested expanding the policy to include additional subjects for education.

Goal 5: Add “Transportation” to title.

Policy 5.2.1 part C: Add language similar to “Bring into compliance.”

Objective 6.1: Possibly consolidate with Objective 8.1; Remove the word “possible.”

Policy 6.2.3: Either list all principals or none in this policy.
Objective 7.1: suggest inserting “appropriate” in front of “other.”
Policy 7.2.3: Suggested changing language to “Pursue efforts to ensure compliance with state and federal hazardous waste treatment and disposal requirements.”
Policy 7.2.7: suggested deleting “and verify” and the second sentence.
Policy 8.1.3: Suggested moving all language after the first sentence to the Glossary.
Goal 9: Suggested replacing “sewer” with “Sewage”; Add “consistent with applicable state and federal standards” after “Disposal”; Add “and treatment and disposal” after “sanitary sewer”; encourage decentralized sanitation and wastewater treatment.
Objective 9.1: Suggested adding “and treatment and disposal” after “sanitary sewer.”
Policy 9.1.1: Suggested changing the language so this it is not a mandate.
Goal 10: Noted a need for additional policies addressing volume of septage, required reporting by private package plants, and maintenance of septic tanks.
Objective 10.1: Suggested deletion of “or exceed.”
Policy 10.1.7: suggested an additional policy to examine landspreading practices.
Policy 10.1.8: suggested encouraging use of innovative solutions for septage.
Policy 11.1.3: Suggested defining the word “near.”
Policy 11.1.4: Same as 11.1.3.
Policy 11.2.2: Suggested a policy to better meter water usage.

On August 1, 2012, the Community Sustainability Advisory Committee provided recommendations on the proposed Community Facilities and Services element. Changes to proposed language based on recommendations by the CSAC have been incorporated into Part II.B of this report. The changes have also been incorporated into Attachment 1. In summary, there are 17 Goals, Objectives, or Policies for which the CSAC has recommended changes. These are the recommended changes:

Objective 1.1: Change “Sustainability” to “Resource Allocation and Service Provision.”
Policy 1.1.4: Include “ongoing”; remove “and recycling”; include language addressing operational sustainability; add policy to develop green regulations.
Policy 1.1.5: Add policy to create regulations for defining green standards.
Objective 1.2: Include “sustainable”; include language concerning the needs of the public.
Objective 1.3: Revise to include additional language for health, safety, and savings.
Policy 2.1.4: Replace “Consider” with “Require.”
Policy 3.1.6: Include language to concerning shared resources.
Policy 3.4.9: Remove either “Support” or “Promote.”
Policy 4.1.6: Include “By 2015, develop standards to provide”; Include reference policy for Coastal Element.
Objective 5.1: Include “planning and design.”

- Goal 6: Review this goal and policies for redundancy.
- Policy 6.2.4: Remove “failing” and “misapplied.”
- Policy 7.2.7: Do not remove “Verify.”
- Goal 8: Review this goal and policies for redundancy.
- Goal 9: Recommend rewording.
- Goal 10: remove second “exceed.”
- Policy 10.1.4: Recommend strengthening policy.
- Policy 11.1.4: Remove “surplus to.”

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommends that the board **transmit** the proposed document with the recommended changes.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:**
 With the exception of the recommended changes, the LPA concurs with the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	AYE

WAYNE DALTRY	AYE

JIM GREEN	AYE

MITCH HUTCHCRAFT	AYE

RONALD INGE	AYE

ANN PIERCE	AYE

ROGER STRELOW	AYE

COMMUNITY FACILITIES AND SERVICES

The intent of the Community Facilities and Services Element is to describe how, when and where public facilities and services are to be provided in Lee County. The public facilities addressed in this element include Lee County schools, libraries, solid waste processing and disposal sites, and potable water and sanitary sewer facilities such as water and sewage treatment plants. County services addressed in this element include the provision of stormwater management, water conservation, and potable water and sanitary sewer service. This element uses criteria such as transportation systems, community character, long-term costs, energy efficiency, development patterns and compatibility with surrounding communities to address these facilities and services. (ADDED)

GOAL 1: COMMUNITY FACILITIES AND SERVICES. Provide and maintain appropriate levels of community facilities and services for the benefit of current and future citizens and visitors. These facilities and services include schools, libraries, potable water and sanitary sewer service, solid waste collection and disposal, stormwater and surface water management. (ADDED)

OBJECTIVE 1.1: PROVISION OF SERVICES. Provide community facilities and services in a way that sustainably meets public needs including social and economic viability and environmental protection.

POLICY 1.1.1: The presence of community facilities will not be used as the sole justification for increasing levels of development in rural areas to urban or suburban levels. (ADDED)

POLICY 1.1.2: Urban areas will receive the most intense levels of service from, and access to, community facilities. Suburban areas will receive lower levels of service and rural areas will receive the lowest levels of access to community facilities. (ADDED)

POLICY 1.1.3: Incorporate Community facilities as part of mixed use centers and integrate them into the design of the center. (ADDED)

POLICY 1.1.4: Incorporate sustainable practices as far as practicable in the design and operation of community facilities. These facilities will implement green principles and use recycled or “green” products to the greatest extent possible and will use environmentally-friendly construction techniques which emphasize recycling and waste reduction. (ADDED) (LDC)

POLICY 1.1.5: By 2015, develop and maintain regulations to define and determine green standards for future community facility development and redevelopment.

OBJECTIVE 1.2: NEEDS OF THE PUBLIC. Community facilities and services will meet the needs of the public in an efficient and sustainable manner that ensures that the needs of the public remain the county’s priority. (ADDED)

POLICY 1.2.1: The construction and maintenance of community facilities and services as identified in this element will be provided for by the implementation of the Capital Improvement Plan. (ADDED)

POLICY 1.2.2: Locate community facilities and services in areas that support compact development patterns, a healthy mix of public and private uses, and conservation of resources. (ADDED)

POLICY 1.2.3: Locate community facilities and services in conformance with the land use and transportation strategies identified in the Future Land Use, Transportation, Capital Improvements, Communities, Conservation and Coastal Management, and Community Safety and Well Being elements of the Lee Plan. (ADDED)

POLICY 1.2.4: Encourage the integration of appropriately scaled and designed community facilities and services within future mixed use areas, activity centers, and other appropriate locations identified within this plan. (ADDED)

OBJECTIVE 1.3: ENHANCE COMMUNITIES. Use community facilities and services to enhance the community function of the urban, suburban, rural and coastal contexts. These facilities will also promote efficiency, health, and long-term cost savings. (ADDED)

POLICY 1.3.1: Community facilities and services will be of a scale and design appropriate to their context within Lee County's coastal, urban, suburban, and rural communities. (ADDED)

POLICY 1.3.2: Public facilities and services will be developed to provide flexibility of use and operation to maximize their service capacity and efficiency. (ADDED) (LDC)

POLICY 1.3.3 The cost and capacity of Public facilities and services within the rural and coastal context will be designed with full consideration of their unique community character and function. (ADDED) (LDC)

POLICY 1.3.4 Allow the public opportunities to comment on and shape the construction, expansion, development and maintenance of public facilities and services in and around their communities. (ADDED)

GOAL 2: LIBRARIES. Increase the availability of information services by increasing the capabilities of the Lee County Library System to outreach to its constituents. Ensure that library services are provided in a manner that is responsive to the needs of the community and targeted residents. (MODIFIED) (Formerly Goal 64)

OBJECTIVE 2.1: ACCESSIBILITY. Ensure that library services, programs and facilities are accessible. (ADDED)

POLICY: 2.1.1: Ensure that there is an equitable distribution of libraries, of varied sizes, throughout the County, based on an identified average travel distance for residents and area population. (ADDED)

POLICY 2.1.2: Establish a balance between physical and virtual services. Increase focus on virtual services rather than building new, or expanding current, library facilities. (ADDED)

POLICY 2.1.3: Monitor library performance to ensure that community needs are satisfied through:

1. On-going customer satisfaction surveys; and
2. Periodic surveys of the service and information needs and preferences of current and future library users. (ADDED)

POLICY 2.1.4: Bicycle and pedestrian facilities and access to the street networks and transit routes will be required for future facility site design where practicable. Libraries will connect to bicycle and pedestrian facilities in mixed-use, urban, and suburban areas. (ADDED) (LDC)

OBJECTIVE 2.2: SERVICES AND RESOURCES. Ensure that the library's content and services are efficiently managed. (ADDED)

POLICY 2.2.1: Expand and develop the collection of electronic resources. (ADDED)

POLICY 2.2.2: By 2015, the circulation of electronic resources of the Lee County Library System will reach 1,000,000 items annually. (ADDED)

POLICY 2.2.3: Expand the model of increased partnership with the community as modeled by the Fort Myers Regional Library. Focus on personal activities with community organizations and individuals, with less emphasis on the book warehouse function. (ADDED)

GOAL 3: EDUCATION AND PUBLIC SCHOOL FACILITIES. Assist the School District and other providers of education (where appropriate) with the planning, development and siting of new schools to offer a high quality educational environment, accessibility for all students, and school capacity to accommodate enrollment demand. (EDITED) (Formerly Goals 66 and 67)

OBJECTIVE 3.1: SCHOOL LOCATION PLANNING. Cooperate with the Lee County School District and representatives of private and parochial school associations to ensure school locations are consistent with county growth policies and the needs of the future population. (EDITED) (Formerly Objective 66.1)

POLICY 3.1.1: Collaborate with the School District, representatives of private and parochial school associations, and other interested institutions, for the location and development of educational systems consistent with Florida statutes and the policies of this plan. (EDITED) (Formerly Policy 66.1.1)

POLICY 3.1.2: Educational institutions will comply with the policies of this plan and the LDC where not pre-empted by state statutes or administrative rules. (EDITED) (Formerly Policy 66.1.2)

POLICY 3.1.3: Maintain and regularly update a school impact fee. (EDITED) (Formerly Policy 66.1.3)

POLICY 3.1.4: Together with the School District, assist developers considering school site contributions with information on land availability, use and parcel data. Current and future multi-modal site accessibility will also be considered. (EDITED) (Formerly Policy 66.1.4) (LDC)

POLICY 3.1.5: Proactively coordinate with the State Board of Regents on development of the Florida Gulf Coast University through the Campus Master Plan process, the required Development Agreement, and other means of intergovernmental coordination. (EDITED) (Formerly Policy 66.1.5)

POLICY 3.1.6: Seek opportunities for adjacent school sites or the collocation of public facilities and resources, such as parks, libraries, and community centers, with public schools. (EDITED) (Formerly Policy 66.1.6)

POLICY 3.1.7: Assist the School District in the development of siting criteria that encourages the location of public schools in close proximity to urban residential areas. (EDITED) (Formerly Policy 66.2.4)

OBJECTIVE 3.2: LAND USE COMPATIBILITY. Encourage the siting of schools to comply with policies aimed at land use and transportation compatibility. (EDITED) (Formerly Objective 66.3)

POLICY 3.2.1: Protect the integrity of schools so that educational functions are not disrupted by the intrusion of incompatible land uses. Prohibit school sites that will be exposed to physical constraints, hazards, or nuisances detrimental to the health and safety of students and to the operation of the school. This policy does not preclude the location of schools in infill areas and being appropriately integrated into existing neighborhoods surrounded by residential, commercial, community facilities, natural preserves and other compatible uses. (MODIFIED) (Formerly Policies 66.3.1 and 66.3.10)

POLICY 3.2.2: Cooperate with the School District in the planning and selection of future school sites and the development of mutually acceptable guidelines for site selection. (EDITED) (Formerly Policy 66.3.2)

POLICY 3.2.3: Encourage the acquisition of school sites appropriate to their neighborhoods while still accommodating projected increases in enrollment. (EDITED) (Formerly Policy 66.3.3)

POLICY 3.2.4: Encourage the location of neighborhood elementary schools within walking distance of the residential areas. (EDITED) (Formerly Policy 66.3.6)

POLICY 3.2.5: Require new residential developments to provide pedestrian and bicycle access for school children. (EDITED) (Formerly Policy 66.3.7)

POLICY 3.2.6: Remove or reduce barriers to pedestrian and bicycle access for school children. (ADDED)

POLICY 3.2.7: Reduce hazardous walking conditions and improve walkability to schools, by implementing the following strategies with the school district:

1. Require new development adjacent to school properties to provide a right of way and a direct safe access path for pedestrian travel to existing and planned school sites and to connect to the neighborhood's existing and proposed pedestrian improvements;
2. Ensure continuous pedestrian access to public schools by constructing facilities to address hazardous walking conditions. Include the construction of pedestrian access in the schedule of capital improvements adopted each fiscal year;
3. Evaluate school zones to consider safe crossing of children walking along transportation facilities and prioritize areas for sidewalk and walkability improvements to increase the ability of children to walk safely to school and wherever possible show preference for routes that do not run along transportation facilities and have high visibility; and
4. Coordinate existing and planned public school facilities with the plans for supporting infrastructure to assure safe access and walkability to schools, including sidewalks, crosswalks, and bicycle paths, and where appropriate or warranted, street lighting, traffic calming, and pedestrian crossing signalization.
5. Identify school sites that are highly walkable.
6. Identify locations for school sites where walking distances for students can be shortened and barriers to pedestrian access to schools can be removed.
7. Participate in and promote the Safe Routes to School program. (MODIFIED) (Formerly Policy 67.3.7)

POLICY 3.2.8: Encourage the selection of School sites in advance of the developments they are intended to serve and based upon planned densities and development patterns. (EDITED) (Formerly Policy 66.3.1) (Formerly Policy 66.3.8)

POLICY 3.2.9: When possible, elementary schools must have access to local or collector streets; secondary schools must have access to a collector or arterial street. (EDITED) (Formerly Policy 66.3.9)

POLICY 3.2.10: Prohibit the location of schools in the areas designated on the Future Land Use Map as *Airport Noise Zone B* or within other high noise impact areas. Additionally, in accordance with Florida Statutes, prohibit the construction of a public or private school within areas extending five miles along the extended centerline of a runway (either existing or proposed) with a width one half the length of the runway. Grant exceptions approving construction of educational facilities in these areas only after specific findings of the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting the location." (EDITED) (Formerly Policy 66.3.11)

POLICY 3.2.11: Promote smaller, geographically-diversified neighborhood school campuses that are incorporated into community plans. (EDITED) (Formerly Policy 66.3.13)

OBJECTIVE 3.3: COORDINATION AND COOPERATION. New public schools will be consistent with the future land use map designation, will be co-located with other appropriate public facilities (when possible), and will have supporting infrastructure. (EDITED) (Formerly Objective 67.3)

POLICY 3.3.1: Collaborate with economic development agencies, the School District, Florida Southwestern State College, Florida Gulf Coast University, and other relevant educational institutions to achieve shared economic goals. (MODIFIED) (Formerly Objective 66.2)

POLICY 3.3.2: Continue programs to allocate responsibility and costs for supporting the use of schools as emergency shelters. (EDITED) (Formerly Policy 66.2.1)

POLICY 3.3.3: Provide technical information to the School District to assist in identifying suitable sites for new schools. (EDITED) (Formerly Policy 66.2.2)

POLICY 3.3.4: Collaborate with the School District when planning and making decisions regarding population projections. In order to maximize the benefits to be gained from joint planning efforts, coordinate with the School District to base respective plans on consistent projections of the amount, type, and distribution of population growth and student enrollment. (EDITED) (Formerly Policy 66.2.3)

POLICY 3.3.5: Jointly determine with the School District the need for and timing of on-site and off-site improvements to support new school facilities. The County and the School District will explore opportunities for shared funding of necessary infrastructure improvements. (EDITED) (Formerly Policy 67.3.1)

POLICY 3.3.6: Enter into interlocal agreements with the School District to identify the timing, location, and parties responsible for constructing, operating, and maintaining off-site improvements necessary to support new school facilities. (EDITED) (Formerly Policy 67.3.2)

POLICY 3.3.7: The County, in conjunction with the School District, will seek opportunities to co-locate public facilities with schools, such as parks, libraries, and community centers, as the need for these facilities is identified. The County will also explore the co-location and shared use of school and governmental facilities for health care and social services. (NO CHANGE) (Formerly Policy 67.3.3)

POLICY 3.3.8: Forward applications for rezonings and comprehensive plan amendments that increase density on the Future Land Use Map to the School District for review. Inform the School District of the effect of proposed amendments upon school capacity. (EDITED) (Formerly Policy 67.3.4)

POLICY 3.3.9: The School District will periodically review education and public school facilities goals, objectives and policies and present proposed modifications to staff for initial comments and input. The School District will be the lead agency and applicant for amendments to education and public school facilities goals, objectives and policies. (EDITED) (Formerly Policy 67.3.5)

POLICY 3.3.10: In collaboration with the School District and the municipalities, identify issues relating to public school emergency preparedness, including:

1. Determination of evacuation zones, evacuation routes, and shelter locations.
2. Design and use of public schools as emergency shelters.
3. Designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events. (EDITED) (Formerly Policy 67.3.6)

OBJECTIVE 3.4: ADEQUATE SCHOOL FACILITIES. Establish and maintain level of service standards for public schools to ensure adequate school capacity for existing and expected High School, Middle School, Elementary School, and Special Purpose students. Lee Plan Map, Map (*TBD*), depicts existing and planned School District facilities in Lee County. (EDITED) (Formerly Objective 67.1)

POLICY 3.4.1: Maintain a regulatory Level of Service of 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes for elementary, middle, and high schools, as well as special purpose facilities, based upon Permanent Florida Inventory School Houses (FISH) capacity.

For purposes of this policy, a “measurable programmatic change” means a change to the operation of a school and measurable capacity impacts including, but not limited to, double sessions, floating teachers, year-round schools, and special educational programs.

Relocatable classrooms may be utilized to maintain the LOS on a temporary basis when construction to increase capacity is planned and in process. The temporary capacity provided by relocatables may not exceed 20% of the Permanent FISH Capacity and may be used for a period not to exceed three years.

Relocatables may be used to accommodate special education programs and to provide temporary classrooms while a portion of an existing school is under renovation. (EDITED) (Formerly Policy 67.1.1)

POLICY 3.4.2: Modifications to the public school LOS standards must be accomplished by amending the Lee Plan and the most current School Concurrency Interlocal Agreement. (EDITED) (Formerly Policy 67.1.2)

POLICY 3.4.3: Adopt the School Board’s current School Choice Zone boundaries as Concurrency Service Areas (CSAs). Exclude multizone magnet schools and Special Purpose Facilities from CSAs. Measure concurrency for new development against capacity in the 3 Student Assignment Zones (West Zone, East Zone, and South Zone) depicted on Map (*TBD*). Add Special Purpose Facility capacity to the total CSA capacity as these facilities potentially provide service to students from all CSAs. (EDITED) (Formerly Policy 67.1.3)

POLICY 3.4.4: In collaboration with the School District, annually identify available school capacity as part of the concurrency management report. The report will identify total school capacity. Total school capacity includes existing capacity and the capacity created by school improvements programmed in the first three years of an adopted School District Capital Improvement Program. The School District will annually transmit to the County: a copy of the adopted School Capital Improvement Program; student

enrollment by school type by CSA; and, capacity information by school type by CSA. (EDITED) (Formerly Policy 67.2.2)

POLICY 3.4.5: Review residential local development order requests against the available total capacity by school type identified in the annual concurrency report. If capacity is available or mitigation has been agreed to by the County and the School District, a concurrency certificate may be issued, valid for three years. No concurrency certificate will be issued if capacity is not available and there has not been agreement on mitigation. Maintain provisions in the Land Development Code for the renewal of concurrency certificates. (EDITED) (Formerly Policy 67.2.3)

POLICY 3.4.6: The following residential uses are exempt from the requirements of school concurrency:

1. Single family lots with final plat approval prior to November 7, 2008.
2. Multi-family residential development with a final development order and concurrency certificate issued prior to November 7, 2008 and the final development order and concurrency certificate are valid and active.
3. Amendments to existing residential development approvals that do not increase the number of residential units or change the type of residential units.
4. Other residential uses that do not generate school-age children. For example, licensed Adult or Assisted Living Facilities or age-restricted residential developments prohibiting persons under the age of 18 from residing there as permanent residents.
5. Developments of Regional Impact approved pursuant to *Chapter 380*, Florida Statutes prior to July 1, 2005, but only as to the number of residential units authorized in the DRI Development Order. (EDITED) (Formerly Policy 67.2.5)

POLICY 3.4.7: The number of projected students from a proposed residential development will be calculated using the student generation rate for the unit type identified in the most recently adopted School Impact Fee Update Study. The projected number of students is the product of the number of residential units multiplied by the student generation rate for each unit type. (EDITED) (Formerly Policy 67.2.6)

POLICY 3.4.8: The School District Capital Improvement Program will prioritize projects that eliminate existing school facility deficiencies and projects that are needed to meet future level of service standards. (MODIFIED) (Formerly Policy 67.4.1)

POLICY 3.4.9: Support a three-tiered program of land use education including environmental issues targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of the County's special land use issues such as economic and environmental characteristics. This includes coordinated community education and outreach programs to foster the construction and implementation of environmental projects, such as filter marshes, land acquisition, and local mitigation opportunities. (MODIFIED) (Formerly Policy 66.4.1)

GOAL 4: SURFACE WATER MANAGEMENT FOR PROTECTION OF LIFE AND PROPERTY. Reduce the hazards to life, health, and property created by flooding due to rainfall in a manner consistent with the community's criteria for the preservation of environmental values and the conservation of natural resources. (EDITED) (Formerly Goal 59)

OBJECTIVE 4.1: Develop surface water management plans, an up-to-date body of technical information, regulatory mechanisms, and facilities to improve the protection of real property from stormwater flooding, while preserving and/or enhancing the natural environment (land) and natural resources (water). (EDITED) (Formerly Objective 59.1)

POLICY 4.1.1: Update and implement the comprehensive county-wide surface water management master plan, with attention to issues of regional water quality and environmental integrity. (EDITED) (Formerly Policy 59.1.1)

POLICY 4.1.2: Establish and utilize criteria derived from technical data underlying the surface water management plan, to identify floodways and other areas of special flood risk not already identified by the Federal Flood Hazard Map and Flood Insurance Study. (EDITED) (Formerly Policy 59.1.2)

POLICY 4.1.3: Update flood plain regulations in accordance with the 2012 Flood Insurance Rate Map (FIRM) and other available sources by 2015. (EDITED) (Formerly Policy 59.1.3)

POLICY 4.1.4: Develop, update, and improve technical information, with the assistance of the U.S.D.A. Natural Resources Conservation Service, United States Geological Survey, Federal Emergency Management Agency, South Florida Water Management District, and other agencies, to better determine the current flooding risks associated with severe rainfall events. (EDITED) (Formerly Policy 59.1.4)

POLICY 4.1.5: Through land use and engineering regulations, control the introduction of obstructions or impediments within floodways. (EDITED) (Formerly Policy 59.1.5)

POLICY 4.1.6: By 2015, develop standards to provide for construction of artificial drainageways compatible with natural flow ways and provide for the reduction of the risk of flood damage to new development. (EDITED) (Formerly Policy 59.1.6)

POLICY 4.1.7: Limit priorities in public investment in surface water management facilities to new or expanded facilities serving the future urban areas, existing development, public facilities, and the maintenance of existing infrastructure; and outside the future urban areas, only to the prevention or reversal of environmental degradation, or the alleviation of bona fide health and safety emergencies. (EDITED) (Formerly Policy 59.1.7)

POLICY 4.1.8: Monitor water quality in the Imperial River and navigational access and tidal flushing through New Pass and Big Hickory Pass. (EDITED) (Formerly Policy 59.1.8)

GOAL 5: COORDINATION OF SURFACE WATER MANAGEMENT AND LAND USE PLANNING. Protect or improve the quality of receiving waters and surrounding natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development. (EDITED) (Formerly Goal 60)

OBJECTIVE 5.1: BASIN PROGRAM. Promote water management permitting on a basin-wide basis in addition to the current individual-site approach. (EDITED) (Formerly Objective 60.2)

POLICY 5.1.1: The Surface Water Management Master Plan will identify those basins (or sub-basins) which may be most suitable for basin-wide surface water management, based on:

- natural flow ways and drainage patterns;
- existing development patterns;
- land ownership patterns; and
- development potential based on the Future Land Use element of this plan.

(NO CHANGE) (Formerly Policy 60.2.1)

POLICY 5.1.2: Taxing/benefit districts or other financing mechanisms established pursuant to the Future Land Use Element of this plan will include an examination of the potential for basin-wide surface water management within the designated area. (EDITED) (Formerly Policy 60.2.2)

POLICY 5.1.3: By the end of 2015 the county will establish a dedicated funding source for the effective operation of the Stormwater Management System. (EDITED) (Formerly Policy 60.2.3)

OBJECTIVE 5.2: LEVEL-OF-SERVICE STANDARDS. Update the level of service standards established for basins using information from new basin studies. (MODIFIED) (Formerly Objective 60.3)

POLICY 5.2.1: The following surface water management standards are the minimum acceptable levels of service for unincorporated Lee County (see the Capital Improvements Element)

A. Stormwater Management:

1. Existing Infrastructure: The existing surface water management system in the unincorporated areas of the county is expected to prevent the flooding of designated evacuation routes from the 25-year, 3-day storm event (rainfall) for more than 24 hours;
2. Six Mile Cypress Watershed: The 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 will be safe from flooding from a 100-year, 3-day storm event (rainfall). The 100-year flood plain level and watershed boundaries are as established in Volume IV of the Six Mile Cypress Watershed Plan;

3. 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, Pages 10-5.]
4. The North Fort Myers Surface Water Management Plan developed in March 2010 and adopted by the Board of County Commissioners covers a 21-watershed area between US 41 and SR 31, north of the Caloosahatchee River. The proposed level of service for the area covered by the plan is as follows:
 - County roads must meet or exceed a 5-year, 24-hour storm event
 - Evacuation routes must meet or exceed a 25-year, 3-day storm event
 - Major collectors and arterial roadways must have no more than 6 inches of water for a 25-year, 3-day storm event
 - Finished floor elevations of structures must meet or exceed a 100-year, 3-day storm event
5. Gator Slough, Yellow Fever Creek, Yellow Fever Creek-East Branch, Powell Creek, Billy Creek, Whiskey Creek, Deep Lagoon, Cow Creek, Hendry Creek, Ten Mile Canal, and Imperial River Watersheds.

The level-of-service standard for the above watersheds will be that all arterial roads at their crossing of the trunk conveyances, as referenced in the Lee County Surface Water Management Master Plan, will be free of flooding from the 25-year, 3-day storm event (rainfall). This standard will not apply to Chiquita Boulevard because it is located within the City of Cape Coral.

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 will be safe from flooding from a 100-year, 3-day storm event (rainfall).

B. Regulation of Private and Public Development

Surface water management systems in new private and public developments (excluding widening of existing roads) must 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 in Chapters 17-3, 17-40, and 17-302, and rule 40E-4, F.A.C. New developments must be designed to avoid increased flooding of surrounding areas. Development must be designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to approximate the natural surface water systems in terms of rate, hydroperiod, basin and quality, and to eliminate the disruption of wetlands and flowways, whose preservation is deemed in the public interest.

C. Water Quality

Bring designated impaired water bodies into compliance with State and Federal water quality criteria in accordance with the Total Maximum Daily Load and NPDES programs as soon as feasible. (MODIFIED) (Formerly Policy 60.3.1)

POLICY 5.2.2: Maintain and annually update the CIP to provide for the needs of the surface water management program. (EDITED) (Formerly Policy 60.3.2)

POLICY 5.2.3: Base revised levels of service required to guide future investments in surface water management facilities on the recommendations of the Surface Water Management Master Plan, as updated, and establish procedures to keep current the levels of service, remaining capacity of existing facilities, and demand for new facilities. (EDITED) (Formerly Policy 60.3.3)

POLICY 5.2.4: Evaluate and rank Water management projects according to the priorities adopted into this plan. Give major emphasis to improving existing drainage facilities in and around future urban areas as shown on the Future Land Use Map, and to enhancing or restoring environmental quality. (EDITED) (Formerly Policy 60.3.4)

POLICY 5.2.5: Identify and map flow-ways as part of the Lee County Surface Water Management Plan. The Plan provides a general depiction of watersheds and their trunk and major tributaries and has been expanded to some degree in the DRGR area. As new information is assembled, update the Plan for public use. Due to its magnitude and need for site specific information, not all flow-ways will be shown. (EDITED) (Formerly Policy 60.5.4)

POLICY 5.2.6: Coordinate the review of flow-ways with the other regulatory agencies and assist in the development of incentives and credits for implementation of regional surface water management systems that address flood protection, water quality/ environmental enhancement and water conservation. (EDITED) (Formerly Policy 60.5.5)

POLICY 5.2.7: Develop a capital improvements program supporting the reconstruction and maintenance of prioritized flowways including incentives for private participation. (EDITED) (Formerly Policy 60.5.6)

GOAL 6: PROTECTION OF WATER RESOURCES. Protect water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters. (EDITED) (Formerly Goal 61)

OBJECTIVE 6.1: SURFACE WATER Develop options to address surface water runoff as a resource within the County. (MODIFIED) (Formerly Objective 61.1)

POLICY 6.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely, and will support allocations of the resource on the basis of ensuring sufficient water is available to maintain or restore valued natural systems. (EDITED) (Formerly Policy 61.1.1)

POLICY 6.1.2: Explore, and implement where financially and technically feasible, all existing options for storing and utilizing excess surface water runoff for human consumption and other uses. Options may include surface impoundments; back-pumping to reservoirs, to upland wetlands, or to ground storage; and ground storage by exfiltration systems or by aquifer storage and recovery systems. Maximum contaminant levels consistent with Florida DEP and USEPA regulations governing receiving waters will be met through treatment. Define excess surface water runoff as water not required to maintain or restore estuarine waters or other valued wetland systems. (EDITED) (Formerly Policy 61.1.2)

POLICY 6.1.3: In the event that the timing and volume of freshwater discharges necessary to maintain the health and productivity of estuaries and other wetlands cannot be determined or supported by existing scientific data, sponsor, in collaboration with other agencies, institutions, and organizations, research programs to make data available. (EDITED) (Formerly Policy 61.1.3)

POLICY 6.1.4: The County's Surface Water Management Master Plan will place particular emphasis on 1) routing surface water runoff from areas of excess to areas where additional subsurface storage is available; and 2) maintaining and increasing historic surface and groundwater levels in the Density Reduction/Groundwater Resource land use category. (NO CHANGE) (Formerly Policy 61.1.4)

OBJECTIVE 6.2: WATERSHED PROTECTION. Improve water quality in impaired water bodies and their watersheds in order to attain state and federal water quality standards. (ADDED)

POLICY 6.2.1: Promote development practices that reduce the pollutant load within watersheds where the receiving body has failed to meet state water quality standards, been determined by a State of Florida assessment to be impaired, or determined by Lee County to have a declining water quality trend. (ADDED)

POLICY 6.2.2: Collaborate with agencies and stakeholders to improve water quality in the Tidal Caloosahatchee River Watershed, to benefit public health, recreation and the associated ecosystem. (MODIFIED) (Formerly Policy 61.1.5)

POLICY 6.2.3: Promote the reduction of stormwater impacts from new development and redevelopment through the use of low impact development principles. (ADDED)

POLICY 6.2.4: Identify, monitor and reduce non-point source pollution influences such as septic systems, fertilizer products, or other ground and surface water impacts. (ADDED)

POLICY 6.2.5: Maintain regulations to permit Lee County inspectors to monitor water quality on construction sites with an active development order. (ADDED)

GOAL 7: SOLID WASTE. Protect the quality of the environment through the proper management and disposal of solid waste. (EDITED) (Formerly Goal 62)

OBJECTIVE 7.1: SOLID WASTE COLLECTION. Continue programs to segregate construction and demolition debris and to separate newspaper, aluminum cans, and other appropriate recycling commodities using economical resource recovery practices. (MODIFIED) (Formerly Objective 62.1)

POLICY 7.1.1: Monitor and enforce the county's mandatory garbage and solid waste collection regulations. (EDITED) (Formerly Policy 62.1.1)

POLICY 7.1.2: Maintain resource recovery and recycling programs for paper, plastic, and nonferrous metal containers. (EDITED) (Formerly Policy 62.1.2)

POLICY 7.1.3: Maintain programs to decrease the volume of materials in the solid waste stream requiring landfilling (i.e. separate materials that can be reused or disposed of in another manner). (EDITED) (Formerly Policy 62.1.3)

POLICY 7.1.4: Develop programs to reduce the volume of roadside litter and the amount of illegal dumping in the unincorporated county. (EDITED) (Formerly Policy 62.1.4)

POLICY 7.1.5: Continue to research and implement methods to improve programs for solid waste collection, processing, and landfilling as well as recycling programs. (ADDED)

OBJECTIVE 7.2: SOLID WASTE DISPOSAL. Continue operation of waste to energy and resource recovery facilities. (MODIFIED) (Formerly Objective 62.2)

POLICY 7.2.1: Study and implement disposal technologies and volume reduction by recycling and resource recovery. Focus on reducing the volume of bulky and potentially recyclable items such as horticultural waste, rubber tires, appliances, etc. (EDITED) (Formerly Policy 62.2.1)

POLICY 7.2.2: Pursue a "clean community" campaign of education and information to reduce litter. Solicit operational funds from major sources of litter materials such as fast-food franchises and convenience market operators. (EDITED) (Formerly Policy 62.2.2)

POLICY 7.2.3: Pursue efforts to control the disposal of hazardous wastes. Identify and monitor the disposal activities of hazardous wastes generators through cooperative programs with state agencies. Pursue efforts to ensure compliance with state and federal hazardous waste treatment and disposal requirements. (EDITED) (Formerly Policy 62.2.3)

POLICY 7.2.4: Maintain a local program to collect (and properly dispose of) small quantities of household chemical materials such as pesticides, paint, used motor oil, etc. (EDITED) (Formerly Policy 62.2.4)

POLICY 7.2.5: The minimum acceptable level-of-service standard for solid waste disposal and resource recovery facilities is 7 pounds (or equivalent volume) per capita per day (see also Capital Improvements Element). (EDITED) (Formerly Policy 62.2.5)

POLICY 7.2.6: Periodically evaluate the need for new landfill capacity to serve the entire county including municipalities. (MODIFIED) (Formerly Policy 62.2.6)

POLICY 7.2.7: Maintain a program of responsible recycling of electronic waste and ensure dismantling procedures that promote proper health, environmental, worker, and data protection. (ADDED)

GOAL 8: WATER SUPPLY. Provide an adequate water supply to meet the County's need for potable water and protect supply from depletion or degradation. (Formerly Goal 63) (MODIFIED)

OBJECTIVE 8.1: WATER SUPPLY PLANNING. Identify projected demand for potable water and identify sources to meet these needs and plan for developing these resources. (ADDED)

POLICY 8.1.1: Identify water demands consistent with projections of human population and the needs of natural systems to determine the future demands for groundwater. (EDITED) (Formerly Policy 63.2.3)

POLICY 8.1.2: To maximize the protection of groundwater resources, identify future wellfields and relocation site(s) for existing wellfields well in advance of need. Coordinate with SFWMD, other water suppliers, and DEP to avoid duplication and to assist in data collection and interchange. (EDITED) (Formerly Policy 63.2.1)

POLICY 8.1.3: Encourage utilities to consider alternative water sources to meet future demands for potable water and employ an Integrated Water Resource Management approach to potable water supply development. (ADDED)

POLICY 8.1.4: Collect data from private suppliers of potable water, including reporting of water flows, storage capacity, pressures, number of customers, committed future connections, and proposed expansion plans. Update the data on a yearly basis. (EDITED) (Formerly Policy 55.1.4)

POLICY 8.1.5: Base future development and use of groundwater resources on determinations of the safe yield of the aquifer system(s) to avoid impairing the native groundwater quality or creating other environmental damage. Determinations and reviews will include the review of the alternative source aquifers. (MODIFIED) (Formerly Objective 63.2)

POLICY 8.1.6: Perform groundwater modeling and analysis, as needed, to assess the potential impact of land use changes on the water resources of the County. The analysis will focus on the following issues:

- Availability of water supplies, including groundwater quality and water level draw-down.

- Avoidance of adverse impacts on natural systems from water supply withdrawals.

This does not substitute for site specific analysis necessary for new development but is available for the applicants use. (MODIFIED) (Formerly Policy 55.1.2)

POLICY 8.1.7: Lehigh Acres (as defined by outer boundaries of its Privately Funded Infrastructure overlay on the Future Land Use Map) is a critical area for future potable water supply due to fluctuating water levels in the Sandstone aquifer. In response to this designation, amend regulations to require new wells in Lehigh Acres to be constructed to accommodate submersible pumps. (MODIFIED) (Formerly Policy 54.1.9)

POLICY 8.1.8: Incorporate water supply into the concurrency management system consistent with the requirements of Florida Statutes. (EDITED) (Formerly Objective 53.2)

POLICY 8.1.9: Implement the Water Supply Facilities Work Plan adopted on February 25, 2009. Utilize the work plan as the guide to water supply facility planning with a planning horizon through the year 2035. Maintain the Water Supply Facilities Work Plan on file by Lee County Utilities. (EDITED) (Formerly Policy 55.1.3)

POLICY 8.1.10: Expand potable water facilities consistent with those improvements identified in Table 6, the 10 Year Water Supply Development Projects Table. Amend Table 6 as projects are completed and technological advancements in water supply facilities are made. Review Table 6 annually following adoption of the Capital Improvement Program (CIP) to determine if revision to the table is warranted based on projects included in the current CIP. (MODIFIED) (Formerly Policy 53.1.11)

POLICY 8.1.11: Maintain development regulations to prohibit the issuance of building permits in franchised or certificated water service areas, or within Lee Counties Utilities' future service areas, unless potable water supply will be available to meet current and projected growth demands, or surety is given that supply will be available prior to occupancy. This policy does not exempt development of any size from meeting the levels of service required for concurrency under Policies 9.1.2 above and the Capital Improvements element. (EDITED) (Formerly Policy 53.2.1)

POLICY 8.1.12: Pursue methods to use surface water runoff as a resource for water supplies for human use and the natural environment as outlined in Objective 6.1, Community Facilities and Services. (ADDED)

POLICY 8.1.13: County water supply planning will recognize surface water runoff as a possible resource and will integrate the use of surface water runoff into any supply programs and strategies. (ADDED) (Formerly 61.1.1)

OBJECTIVE 8.2: PREVENT DEGRADATION OF WATER SUPPLY. Protect the potable water supply from activities that may degrade that supply. (ADDED)

POLICY 8.2.1: WELLFIELD PROTECTION. Maintain a wellfield protection ordinance to provide regulations protecting the quality of water flowing into potable water wellfields. (EDITED) (Formerly Objective 63.1)

POLICY 8.2.2: The Division of Natural Resources will periodically review the Wellfield Protection Ordinance and update as necessary to reflect current conditions. (EDITED) (Formerly Policy 63.1.1)

POLICY 8.2.3: Require review and comment by a staff hydrogeologist on development applications near public utility potable water wellfields, with particular attention to proposed land uses within a 10-year travel time from the wellheads. (EDITED) (Formerly Policy 63.1.2)

POLICY 8.2.4: Require review and comment by a staff hydrogeologist on development applications proposed in the DR/GR area. (EDITED) (Formerly Policy 63.1.3)

POLICY 8.2.5: Collaborate with the Department Of Health, Department of Environmental Protection, and South Florida Water Management District to identify sources of groundwater pollutants, including saline intrusion, and map point and non-point sources on a county-wide basis. (MODIFIED) (Formerly Policy 63.2.2)

POLICY 8.2.6: Expand current programs to identify and map the contamination potential of groundwater resources in areas under private ownership. (EDITED) (Formerly Policy 63.2.4)

POLICY 8.2.7: In cooperation with other agencies and the municipalities, maintain a program of plugging abandoned or improperly constructed artesian wells on a funding-available basis. (EDITED) (Formerly Policy 63.2.5)

GOAL 9: POTABLE WATER AND SANITARY SEWER INFRASTRUCTURE. Provide high-quality central potable water service, sanitary sewer service, and wastewater treatment and disposal throughout the future urban areas of the unincorporated County. Ensure the cost of providing facilities is borne by those who benefit. (MODIFIED) (Formerly Goals 53 and 56)

OBJECTIVE 9.1: LEVEL OF SERVICE STANDARDS. Ensure acceptable levels of potable water and sanitary sewer treatment and disposal service throughout the future urban areas of the unincorporated county, either by Lee County Utilities, or through franchised utility companies. (MODIFIED) (Formerly Objectives 53.1 and 56.1)

POLICY 9.1.1: Establish service areas for the Lee County Utilities water and sanitary sewer systems. Challenge applications by private water and sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission. Reject applications for county franchises in the service area. These service areas are illustrated in Maps 6 and 7. (MODIFIED) (Formerly Policies 53.1.1 and 56.1.1)

POLICY 9.1.2: The minimum acceptable level-of-service standards (see the Capital Improvements Element) for potable water and sanitary sewer connections that provide service in unincorporated Lee County will be:

Potable Water

Treatment Capacity: 250 gallons per day per equivalent residential unit for peak month
200 gallons per day for mobile home residential unit for peak month
100 gallons per day for travel trailer residential unit for peak month

System Pressure: 40 pounds per square inch (wp PSI static) at the meter anywhere on the individual system (excluding fire flow conditions)

Sanitary Sewer

Available Basic Facility Capacity: 200 gallons per day per equivalent residential connection for the Peak Month
160 gallons per day for residential mobile home unit for the peak month
80 Gallons per day for travel trailer residential unit for the peak month

(MODIFIED) (Formerly Policies 53.1.2, 53.1.4, and 56.1.2)

POLICY 9.1.3: The minimal acceptable level of service standards adopted for the Lee County Utilities' water and sanitary sewer systems apply to certificated or franchised areas of private utilities and will be used in enforcing concurrency regulations (see the Capital Improvements Element).

Private utilities that cannot meet the Level-of- Service standards may petition for a Plan Amendment for a revised Level-of-Service requirement for the specific private utility system if it can be proved that the utility has sufficient plant and system capacity to service the franchised/certificated area. Proof must include flow reports, occupancy rates or related statistical information, and other pertinent information. The data must cover the last two prior years. (MODIFIED) (Formerly Policies 53.1.3 and 56.1.3)

POLICY 9.1.4: Encourage utilities to maintain or plan sufficient treatment capacity for near-term (5 years) availability to ensure capacity for unserved development surrounded by areas with sewer service. (EDITED) (Formerly Policy 56.2.3)

POLICY 9.1.5: Urge utilities to construct and install sufficient treatment facilities and collection systems to meet or exceed the minimum acceptable service standards. These facilities will have capacity to service the demand so generated and will meet or exceed the minimum requirements of the Department of Environmental Protection, the Department of Health and Rehabilitative Services, U.S. Environmental Protection Agency, or local ordinances that exceed those requirements. Utilities will advise the county of system expansions or modification to ensure coordination. (EDITED) (Formerly Policy 56.1.4)

POLICY 9.1.6: The costs of new or augmented potable water infrastructure that is developed by Lee County will be borne by those who benefit from the improved supply. (NO CHANGE) (Formerly Policy 53.1.8)

OBJECTIVE 9.2: CONNECTION REQUIREMENTS. Maintain and enforce ordinances to require the connection of commercial and larger residential establishments to public or private central utility systems when those systems are available for service. (EDITED) (Formerly Objective 56.2)

POLICY 9.2.1: Maintain regulations that require residential development exceeding 2.5 dwelling units per gross acre and commercial or industrial development exceeding 30,000 square feet of gross floor area to connect to potable water service. Development located in franchise/certificated water service areas will connect to potable water service, if capacity is available at the minimum adopted levels of service, at the property line. (MODIFIED) (Formerly Policy 53.1.5)

POLICY 9.2.2: Maintain regulations that require residential development exceeding 2.5 dwelling units per gross acre, and commercial or industrial development that generates more than 5,000 gallons of sewage per day, that are located in franchised/certificated sanitary sewer service area, to connect to service if capacity is available at the minimum adopted level of service within 1/4 mile of the development. Apply this standard to development that constitutes a change in use or intensity. (EDITED) (Formerly Policy 56.1.5)

POLICY 9.2.3: Identify properties within the sanitary sewer service areas that are not fully connected to the wastewater collection system and require connection when central sewer is available in accordance with Policy 9.2.2. (MODIFIED) (Formerly Policy 56.1.9)

POLICY 9.2.4: It is in the interest of preserving public health and of preserving and enhancing environmental quality, to abate and cease use of septic tanks and wastewater treatment package plants when central sewer is available. (EDITED) (Formerly Policy 56.2.1)

POLICY 9.2.5: Maintain programs for the abatement of septic tanks and package plants in areas where sewer is available and in areas included in assessment districts established for upgrading sewer availability. (EDITED) (Formerly Policy 56.2.2)

POLICY 9.2.6: Do not issue permits to allow a utility to use a public right-of-way or to cut a pavement in a public right-of-way to extend service outside of its certificated or franchised area or to extend service into an area allocated to another utility, prior to obtaining written evidence that the other utility concurs. Enforce this policy along municipal and state rights-of-way by interlocal agreement and memorandum of agreement. (MODIFIED) (Formerly Policies 53.1.6 and 56.1.6)

OBJECTIVE 9.3: ORGANIZATION OF SERVICE AND FACILITY DELIVERY. Facilitate greater local coordination of the activities of public and private utilities within the county. (EDITED) (Formerly Goals 55 and 58)

POLICY 9.3.1: Ensure an adequate, reliable, and economical supply of potable water and sanitary sewer service to meet the forecasted needs for residents through regional planning and intergovernmental participation. (EDITED) (Formerly Objective 55.1)

POLICY 9.3.2: Plan and coordinate with other government agencies in the development of comprehensive plans for wellfield protection, aquifer recharge, water supply, sanitary sewer service, and related capital facilities. (EDITED) (Formerly Policy 55.1.1)

POLICY 9.3.3: Provide greater local coordination of the activities of public and private utility facilities within the county, by collecting and annually updating data from private potable water and sanitary sewer providers, including water flows, storage capacity, pressures, sewage flows, holding and treatment capacity, number of customers, committed future connections, and expansion plans. (EDITED) (Formerly Policy 58.1.1)

POLICY 9.3.4: In allocating Industrial Development Revenue Bond capacity, the county will give priority to private water utility firms and private sanitary sewer utilities proposing to construct basic facilities and to provide or upgrade infrastructure serving developed areas and antiquated subdivisions undergoing redevelopment (MODIFIED) (Formerly Policies 53.1.7 and 56.1.7)

POLICY 9.3.5: Give priority to Industrial Development Revenue Bonds or other mechanisms of public finance to regulated private utilities when not prohibited by law in order to achieve these public ends. (EDITED) (Formerly Policy 54.1.8)

GOAL 10: REGULATORY STANDARDS. Provide and maintain utility systems that meet or exceed federal, state and local regulatory standards. (ADDED)

OBJECTIVE 10.1: OPERATIONAL PRACTICES. Operate utility infrastructure, including potable water and wastewater systems to meet regulatory standards established by federal, state and local agencies. (ADDED)

POLICY 10.1.1: Maintain and enforce the ordinances necessary to prevent discharges of inadequately treated wastewater and reduce wastewater effluent discharges. (ADDED)

POLICY 10.1.2: Implement and enforce regulations to reduce the amount of effluent discharged into surface waters. Promote the beneficial use of reclaimed water by encouraging its use and discouraging disposal through surface water discharge. (MODIFIED) (Formerly Policy 54.1.10)

POLICY 10.1.3: Continue enforcement of the Industrial Pretreatment Program. (ADDED)

POLICY 10.1.4: Promote programs to reduce the time and cost to treat wastewater, including discouraging excessive use of garbage grinders or toxic discharges that inhibit the treatment process. (EDITED) (Formerly Policy 57.1.2)

POLICY 10.1.5: Ensure that the disposal of grease and septage are either recycled as a beneficial product or disposed of properly. (EDITED) (Formerly Objective 56.3)

POLICY 10.1.6: Support and enforce the Grease Management Ordinance. (ADDED)

POLICY 10.1.7: Prohibit the disposal of grease and septage by landspreading or other means without proper treatment to ensure that the products are recycled as a beneficial product or disposed of properly. (EDITED) (Formerly Policy 56.3.1)

POLICY 10.1.8: Promote the beneficial use of bio-solids generated at domestic wastewater treatment facilities. Explore innovative regional solutions to providing for the beneficial use of bio-solids. (ADDED)

POLICY 10.1.9: Determine the feasibility of implementing a program of inspections for privately held and operated package plants and other wastewater treatment facilities. This program would include periodic reporting by the plant operators in addition to site inspections by County personnel. (ADDED)

POLICY 10.1.10: Determine the feasibility of a program of inspections for septic tanks. (ADDED)

GOAL 11: WATER CONSERVATION. Ensure future populations have access to potable water supplies and services at a reasonable price by using and encouraging conservation and resource management measures to reduce consumption of potable water. (EDITED) (Formerly Goal 54)

OBJECTIVE 11.1: Encourage the beneficial use of reclaimed water and provide incentives for its use. (ADDED)

POLICY 11.1.1: Encourage existing developments to utilize reclaimed water distribution systems. (MODIFIED) (Formerly Policy 54.1.11)

POLICY 11.1.2: The conservation of potable water supply and facility capacity is of such importance to the orderly growth of the community that in order to incentivize its use, reclaimed water may be provided at a price significantly lower than finished potable water (the residual costs of operation will be charged to the sewer users as part of the cost of effluent disposal). (EDITED) (Formerly Policy 54.1.7)

POLICY 11.1.3: Enforce development regulations that require new development to connect to a reclaimed water system if a system is near the development and has sufficient capacity. (MODIFIED) (Formerly Policy 54.1.6)

POLICY 11.1.4: Require development to pay the fees and connect to a reclaimed water system if a system is near or adjacent to the development and has sufficient capacity for the development. (EDITED) (Formerly Policy 57.1.5)

POLICY 11.1.5: Design and construct new wastewater treatment plants to be water reclamation facilities producing reclaimed water for beneficial use. (MODIFIED) (Formerly Policy 57.1.4)

POLICY 11.1.6: On-site sewer plants serving new golf course communities must be designed to reuse effluent for irrigation purposes. (NO CHANGE) (Formerly Policy 57.1.6)

POLICY 11.1.7: To ensure its effectiveness as an effluent disposal system, reclaimed water may be provided at cost. (EDITED) (Formerly Policy 57.1.7)

POLICY 11.1.8: To ensure the equitable distribution of the costs of a reclaimed water system, the costs of operation not covered by the commodity charge should fall to the sewer users as a charge for effluent disposal. (EDITED) (Formerly Policy 57.1.8)

POLICY 11.1.9: Wastewater utilities are encouraged to utilize available technologies that allow for maximizing the use of reclaimed water. (ADDED)

OBJECTIVE 11.2: Continue programs in education, technical advice, demonstration, rate revisions, and reuse to reduce potable water consumption and the consumption of large volumes of potentially potable water. (EDITED) (Formerly Objective 54.1)

POLICY 11.2.1: Using the personnel and resources of various county agencies, continue to offer a program of public information and education. Programs should include the use of print media, advertising, and public service announcements on radio and television highlighting and advocating various strategies of water conservation, including:

- Incentives for household and commercial use of appliances and ultralow volume plumbing fixtures with low water consumption rates;
- advising householders to reduce water use;
- advocating the cost-effective use of appliances and water: i.e. run only full loads or use low water settings when appropriate;
- encouraging maintenance of water systems, i.e. timely repair of dripping faucets, leaking water closets, broken or maladjusted sprinkler heads, etc.;
- installing alternatives to spray irrigation devices for lawns and grounds management such as drip or seep systems, or at least attending to the ambient humidity and evapo-transpiration rates in controlling sprinkler systems;
- require the installation of a “rain sensor device” or “automatic switch” on all new irrigation systems on County facilities which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred pursuant to Section 373.62, F.S.;
- encouraging the use of drought-tolerant ground covers and shrubbery according to the principles of “Florida Friendly” and demonstrating the uses of native vegetation in landscaping; and
- encouraging the thoughtful use of water. (MODIFIED) (Formerly Policy 54.1.1)

POLICY 11.2.2: Promote water conservation through incentives. Evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets. (EDITED) (Formerly Policy 54.1.12)

POLICY 11.2.3: Promote and enforce the Water Conservation Ordinance limiting residential irrigation to two days per week. (ADDED)

POLICY 11.2.4: Periodically re-examine the “step rate” structure for the Lee County Utilities water systems that encourages water conservation by requiring that the commodity charge (basic monthly charge less readiness to serve fee and capital debt contribution) above a specified amount of water use increase continuously or by specified increments for that increased use of water. (EDITED) (Formerly Policy 54.1.4)

POLICY 11.2.5: Encourage privately operated potable water utilities with a franchise granted by the County to adopt a “conservation” rate structure for their respective service areas and employ water conservation programs described in Policy 11.2.1. (MODIFIED) (Formerly Policy 54.1.5)

POLICY 11.2.6: Encourage privately operated sanitary sewer utilities to adopt a “conservation” rate structure. (MODIFIED) (Formerly Policy 57.1.3)

OBJECTIVE 11.3: RESOURCE MANAGEMENT. Further the public health and protect environmental quality by using and encouraging conservation and resource management measures to reduce consumption of potable water and subsequent generation of wastewater. (EDITED) (Formerly Goal 57)

POLICY 11.3.1: Continue programs in education, technical advice, demonstration, rate revisions, and reuse to reduce per-capita water consumption and subsequent wastewater generation. (EDITED) (Formerly Objective 57.1)

POLICY 11.3.2: Using resources of various county agencies, design programs of public information and education to reduce demands on sewer facilities and natural systems. Programs will include print media, advertising, and public service announcements on radio and television highlighting and advocating various strategies to reduce demand for wastewater services, including, but not limited to:

- creating incentives for “reclaimed water” systems or other recycling activities;
- advising householders to reduce water use;
- providing information on proper maintenance of septic tanks and package plants; and
- encouraging the thoughtful use of water.

(MODIFIED) (Formerly Policy 57.1.1)

POLICY 11.3.3: In developing and implementing local landscape regulations including the preservation, reforestation, and wetlands restoration requirements, give preference to native species which are adapted to the region's climatic regime. (EDITED) (Formerly Policy 54.1.2)

POLICY 11.3.4: Emphasize the use of Florida Friendly landscaping, and the use of native vegetation, through modifications to the development regulations and through direct action while landscaping county-owned projects. Enact and maintain ordinances consistent with Florida Statutes requiring the use of

Florida-Friendly landscaping as a water conservation or water quality protection or restoration measure.
(MODIFIED) (Formerly Policy 54.1.3)