



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

LEE COUNTY COMPREHENSIVE PLAN

And

ZONING HEARING AGENDA

Wednesday, June 8, 2016

9:30AM

CPA2016-00002

LEE PLAN MAP AMENDMENTS - TRANSMITTAL HEARING

DCI2015-00030

HILL TIDE ESTATES RPD

Z-16-007

DCI2015-00022

JAMAICA BAY MHPD

Z-16-004

NOTICE
OF PUBLIC HEARING

The Lee County Board of County Commissioners will hold public hearings on Wednesday, June 8, 2016 in the Board Chambers at 2120 Main Street, Ft. Myers, FL. Beginning at 9:30 a.m., the Board will consider a proposed amendment to the Lee County Comprehensive Plan (Lee Plan) and zoning applications for the following cases.

Lee County Comprehensive Plan Amendment

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

CPA2016-00002

LEE PLAN MAP AMENDMENTS

Amend the Lee Plan to incorporate updates to four Lee Plan Maps. The maps proposed for amendment include Map 3E: Airports, Seaports, Railways and Waterways; Map 3J: Evacuation Routes; Map 5: Coastal High Hazard Area; and Map 10 General Soils Map.

Zoning Cases

DCI2015-00030

HILL TIDE ESTATES RPD

Rezone 9.98± acres from Port to Residential Planned Development (RPD) to allow for the development of a maximum of 20 single-family detached dwelling units and accessory uses. Structures shall not exceed 38 feet in height (measured from average grade of the lot) or 42 feet (measured from mean sea level). Gasparilla Island Water Association, Inc. will provide central water and sanitary sewer services to the site. No development blasting is being requested.

Located at 890 Belcher Rd., Boca Grande Planning Community, Lee County, FL.

DCI2015-00022

JAMAICA BAY MHPD

Request to rezone 6.13± acres from AG-2 (Agriculture) to MHPD (Mobile Home Planned Development) to allow an 11 lot manufactured home subdivision and accessory uses to be developed on the abandoned Jamaica Bay wastewater treatment plant site. The project will connect to public potable water and sanitary sewer service. No development blasting is requested.

Located at 15235 S Tamiami Trl., South Fort Myers Planning Community, Lee County, FL.

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

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

Statements before the Board of County Commissioners regarding the zoning case will be strictly limited to testimony presented to the Hearing Examiner, testimony concerning the correctness of the findings of fact or conclusions of law contained in the record, or to allege the discovery of new, relevant information which was not available at the time of the hearing before the Hearing Examiner.

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

Persons with disabilities who need an accommodation to participate in the hearing should contact Jamie Baker at 1500 Monroe St., Ft. Myers, FL 33901 (239-533-8585 or at jl baker@leegov.com). To ensure availability of services, please request accommodation as soon as possible, but preferably five or more business days prior to event. Persons using a TDD may contact Jamie Baker through the Florida Relay Services, 711.

CPA2016-00002

**LEE PLAN MAP
UPDATE**

Summary Sheet

Lee Plan Map Amendments, CPA2016-02

Request: Amend the Lee Plan to incorporate updates to four Lee Plan Maps. The maps include Map 3E: Airports, Seaports, Railways and Waterways; Map 3J: Evacuation Routes; Map 5: Coastal High Hazard Area; and Map 10 General Soils Map. The updates are required to remain consistent with Chapter 163 of the Florida Statutes.

LPA Motion:

The LPA recommended that the Board of County Commissioners transmit the amendment as recommended by staff.

NOEL ANDRESS	<u>AYE</u>
JOHN CASSANI	<u>AYE</u>
DENNIS CHURCH	<u>AYE</u>
JIM GREEN	<u>ABSENT</u>
STAN STOUDE	<u>AYE</u>
ROGER STRELOW	<u>AYE</u>
GARY TASMAN	<u>ABSENT</u>

Staff Recommendation:

Staff recommends that the Board of County Commissioners *transmit* the amendment as proposed.

Public Concerns:

No members of the public addressed the Local Planning Agency concerning the proposed amendment.



**COMPREHENSIVE PLAN
AMENDMENT**

**CPA2016-02
LEE PLAN MAP UPDATE**

County-Initiated Amendment

**Board of County Commissioners
Transmittal Hearing Staff Report**

6/8/2016

**STAFF REPORT
COMPREHENSIVE PLAN AMENDMENT
CPA2016-02**

Text Amendment

Map Amendment

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

Staff Report Publication Date: April 15, 2016

**PART I
APPLICATION SUMMARY**

A. PROJECT NAME:

Lee Plan Map Update

B. APPLICANT:

Lee County Board of County Commissioners

C. REPRESENTATIVES:

Lee County Department of Community Development, Planning Section

D. PROPOSED LEE PLAN AMENDMENTS:

Amend the Lee Plan to incorporate updates to four Lee Plan Maps. The maps proposed for amendment include Map 3E: Airports, Seaports, Railways and Waterways; Map 3J: Evacuation Routes; Map 5: Coastal High Hazard Area; and Map 10 General Soils Map. The existing and proposed maps are attached to this report.

PART II
RECOMMENDATION AND FINDINGS OF FACT

A. RECOMMENDATION:

Staff recommends that the Board of County Commissioners *transmit* the proposed amendments.

B. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Board of County Commissioners initiated this amendment on February 16, 2016.
- No new maps, only revisions to existing maps, are proposed by this amendment.
- The maps included in the proposed amendment are required by Chapter 163 of the Florida Statutes, and the proposed amendment will ensure that the Lee Plan remains consistent with the Florida Statutes.
- The updated maps provide the most up-to-date data from the relevant agency for each map.

PART III
BACKGROUND and ANALYSIS

Florida State Statute 163.3177 requires that the Lee Plan include the subject maps. Several of the maps have been in the Lee Plan from its original adoption in 1984 and have not been updated in many years. In some cases, maps were intentionally left as black and white versions in order to facilitate ease of reproduction. Since that time, improved mapping software and techniques have made it possible to replace old, less useful maps with much more legible versions that are a great improvement on the originals. In other cases, the state or federal agency responsible for the information on the maps has provided more current or accurate data. Therefore, the four maps discussed below can now be replaced with more up-to-date versions.

MAP 3E: Airports, Seaports, Railways, and Waterways

Florida Statute 163.3177(6)(b)2.b states that Local governments within a metropolitan planning area must address aviation, rail, and seaport facilities. This map is consistent with this regulation by depicting the location of major transportation facilities for non-automobile travel modes. These facilities have been depicted in the Lee Plan since its adoption in 1984.

There are two changes to facilities on the proposed map. The first is the removal of the Port Boca Grande facility at the south end of Gasparilla Island. This property is no longer used as a major seaport and was recently changed from the Public Facilities to the Urban Community future land use category. It is currently in the process to be rezoned to a Residential Planned Development. The second change is based on the data provided by the Waterway Network. A waterway has been extended through San Carlos Bay to the

east of Sanibel Island. In addition, the map is being updated to include city limits as well as to improve legibility.

Map 3J: Evacuation Routes

Florida Statute 163.3177(6)(b)2.c requires that the Lee Plan address the capability to evacuate the coastal population before an impending natural disaster. Map 3J of the Lee Plan depicts the major evacuation routes from the coastal areas to inland highways, such as I-75 and US 41, as provided by the Southwest Florida Regional Planning Council. These routes were created to facilitate the evacuation of the coastal areas in the event of a predicted hurricane or tropical storm hazard. A version of this map has been in the Lee Plan since its original adoption in 1984.

Map 3J was last updated in the Lee Plan in 1995. The proposed map is based on the “Evacuation Transportation Analysis” performed by the Southwest Florida Regional Planning Council in 2015 as part of the Florida Statewide Regional Evacuation Study Program. Updates to Map 3J reflect new transportation facilities or facilities which now have greater capacity. In addition, due to changes in the data from the Southwest Florida Regional Planning Council, the proposed map no longer identifies “Recommended Traffic Control Points.” The map has also been updated to include city limits as well as to improve legibility.

MAP 5: Coastal High Hazard Area

Florida Statute 163.3177(6)(a)10.c(VI) requires that the Lee Plan include a map depicting coastal high-hazard areas (CHHA). The CHHA is defined in the Lee Plan as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. Lee Plan Map 5 depicts those areas within the Coastal High Hazard Area. The current CHHA map was amended in May 2009 as adopted by Lee County Ordinance 09-17. A new SLOSH model was published by the Southwest Florida Regional Planning Council in 2010.

The changes identified in the proposed map are largely due to improved modeling techniques and data collection such as the use of LIDAR. To better demonstrate the changes to the CHHA an additional map is attached that depicts the areas that have been added and the areas that will be removed from the CHHA. The additional map is for demonstrative purposes only and is not proposed to be adopted into the Lee Plan.

MAP 10: General Soils Map

Florida Statute 163.3177(6)(a)10.c(V) requires that the Lee Plan include a map depicting “minerals and soils.” Therefore, Map 10, depicting the general distribution of soil types within Lee County, is included in the Lee Plan. The data was primarily generated by the Natural Resource Conservation Service but several other federal and state agencies such as the Florida Department of Agriculture and The University of Florida were involved.

The data for this map was compiled in 1983 but is still accurate since it is a generalized map rather than a precise depiction of soil types. The proposed map is in color versus the current black and white map and therefore much more legible and a great improvement. No other changes are proposed to Map 10.

PART IV CONCLUSION

No new maps are proposed by this amendment. Only updates to existing maps that are already incorporated into the Lee Plan.

The proposed amendment will keep the Lee Plan up to date by incorporating the latest data and studies in the proposed maps and contribute towards maintaining as high a level of accuracy in the Lee Plan as possible. In addition, the proposed maps will be more legible and easier to use than the current versions.

Staff recommends that the Board of County Commissioners transmit the proposed amendment based on the findings of fact provided on Part II of this staff report.

PART V
LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: April 25, 2016

- A. LOCAL PLANNING AGENCY REVIEW:** Staff gave a brief presentation on the amendment. LPA members asked about the effect of changes in the Coastal High Hazard Area (CHHA) on flood insurance rates and construction regulations. Staff replied that flood insurance rates and construction regulations are controlled by FIRM maps and FEMA regulations rather than the CHHA. One member asked about the source of data for the waterways on Map 3E.

No members of the public spoke about the proposed amendment.

B. SUMMARY OF LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT:

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the amendment to the Lee Plan as proposed by staff.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the basis and recommended findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	<u> AYE </u>
JOHN CASSANI	<u> AYE </u>
DENNIS CHURCH	<u> AYE </u>
JIM GREEN	<u> ABSENT </u>
STAN STOUDE	<u> AYE </u>
ROGER STRELOW	<u> AYE </u>
GARY TASMAN	<u> ABSENT </u>

**PART VI
BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

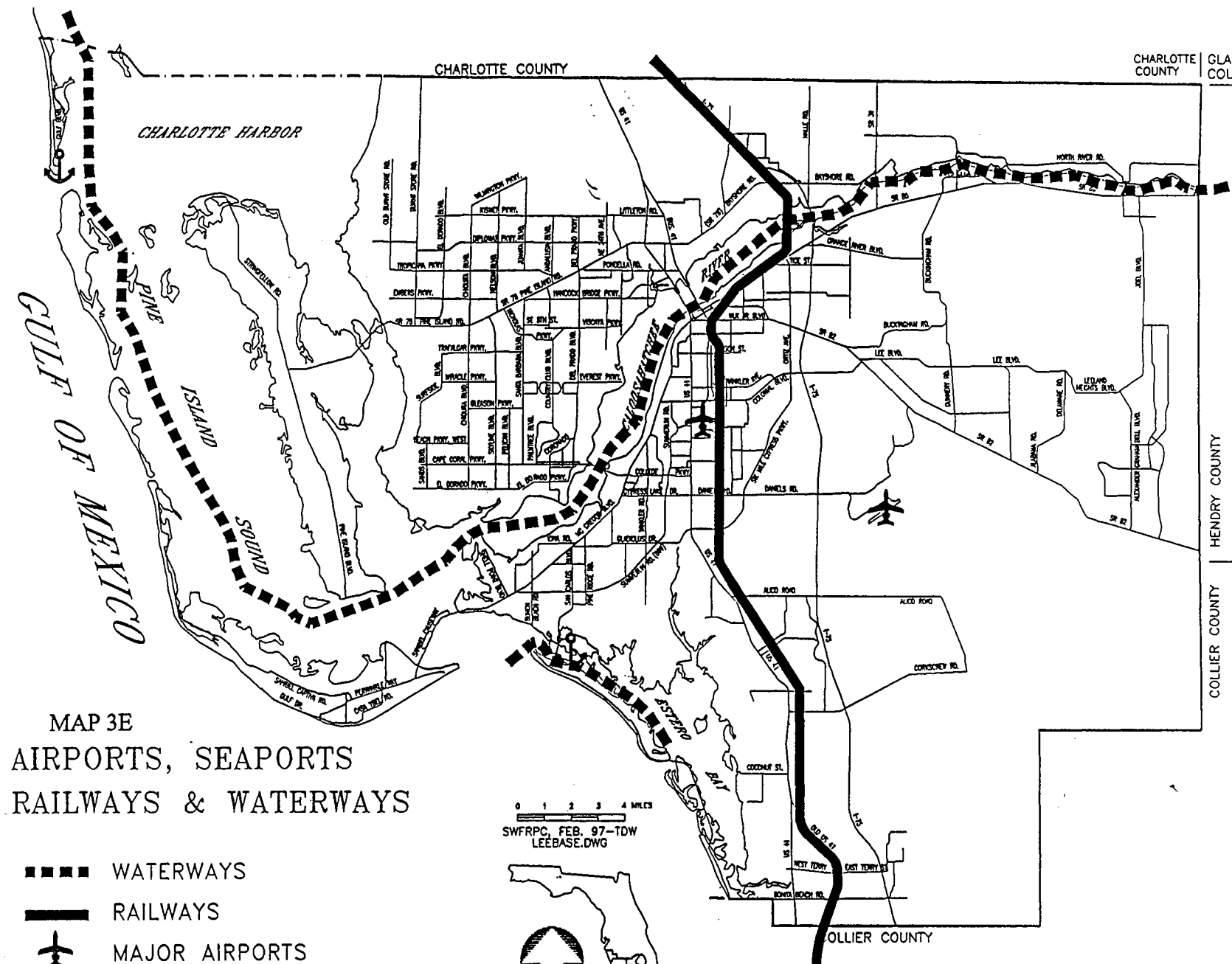
DATE OF TRANSMITTAL HEARING: June 8, 2016

- A. BOARD REVIEW:**
- B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**
 - 1. BOARD ACTION:**
 - 2. BASIS AND RECOMMENDED FINDINGS OF FACT:**
- C. VOTE:**

BRIAN HAMMAN	_____
LARRY KIKER	_____
FRANK MANN	_____
JOHN MANNING	_____
CECIL L. PENDERGRASS	_____

CHARLOTTE COUNTY
GLADES COUNTY

HENDRY COUNTY
COLLIER COUNTY



MAP 3E
AIRPORTS, SEAPORTS
RAILWAYS & WATERWAYS

0 1 2 3 4 MILES
SWFRPC, FEB. 97-TDW
LEEbase.DWG

- WATERWAYS
- RAILWAYS
- ✈ MAJOR AIRPORTS
- ⚓ MAJOR SEAPORTS



EXISTING

AIRPORTS, SEAPORTS, RAILWAYS & WATERWAYS

LEGEND

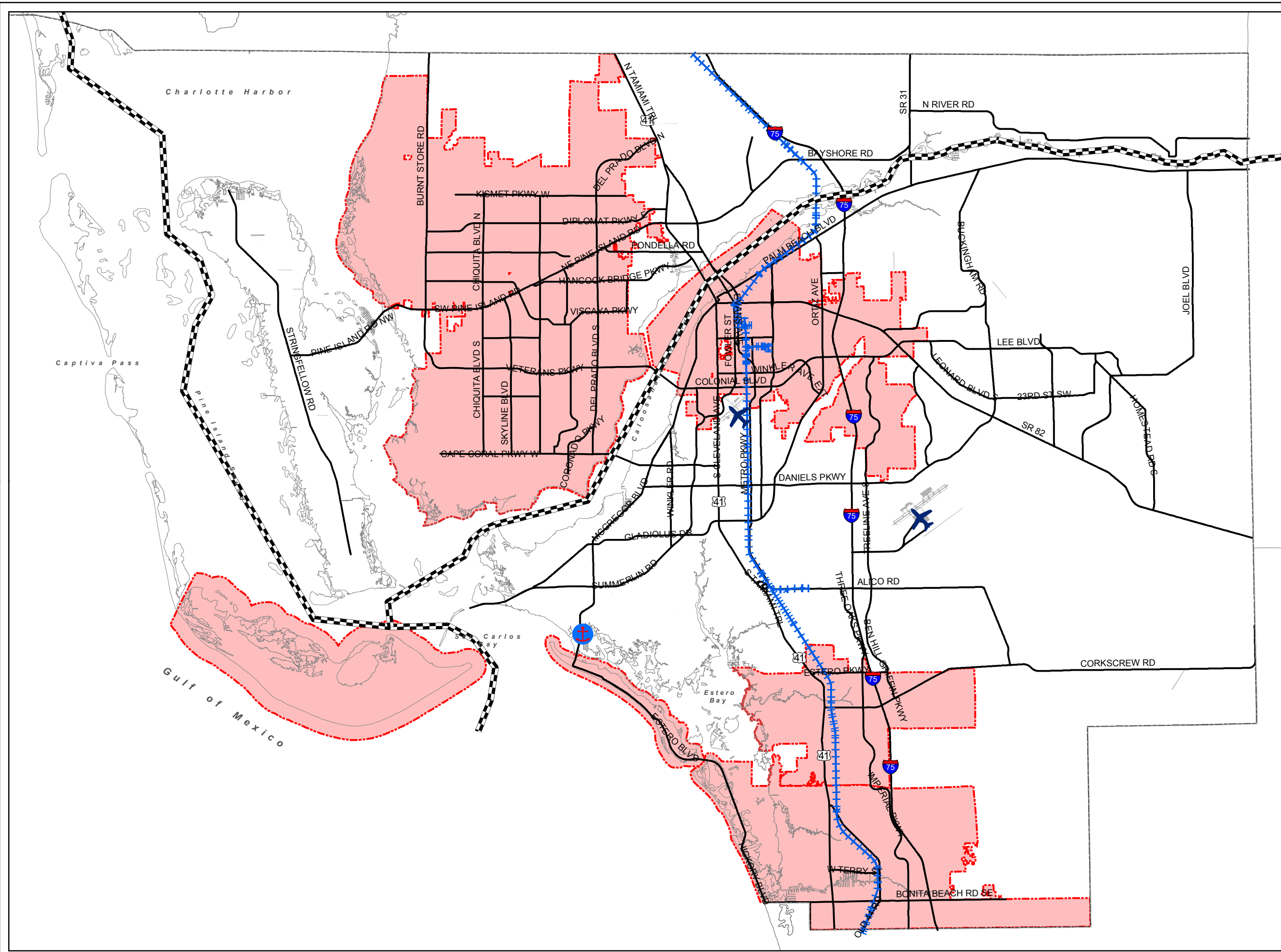
-  MAJOR AIRPORTS
-  MAJOR SEAPORTS
-  WATERWAYS
-  RAILWAYS
-  County Line
-  Major Roads
-  City Limits

PROPOSED






Waterway Source: The National Waterway Network
 Map Generated: April 2016
 City Limits current to date of map generation

Lee Plan Map 3E



LEE COUNTY EVACUATION ROUTES

LEGEND

-  EVACUATION ROUTES
-  County Line
-  City Limits

PROPOSED

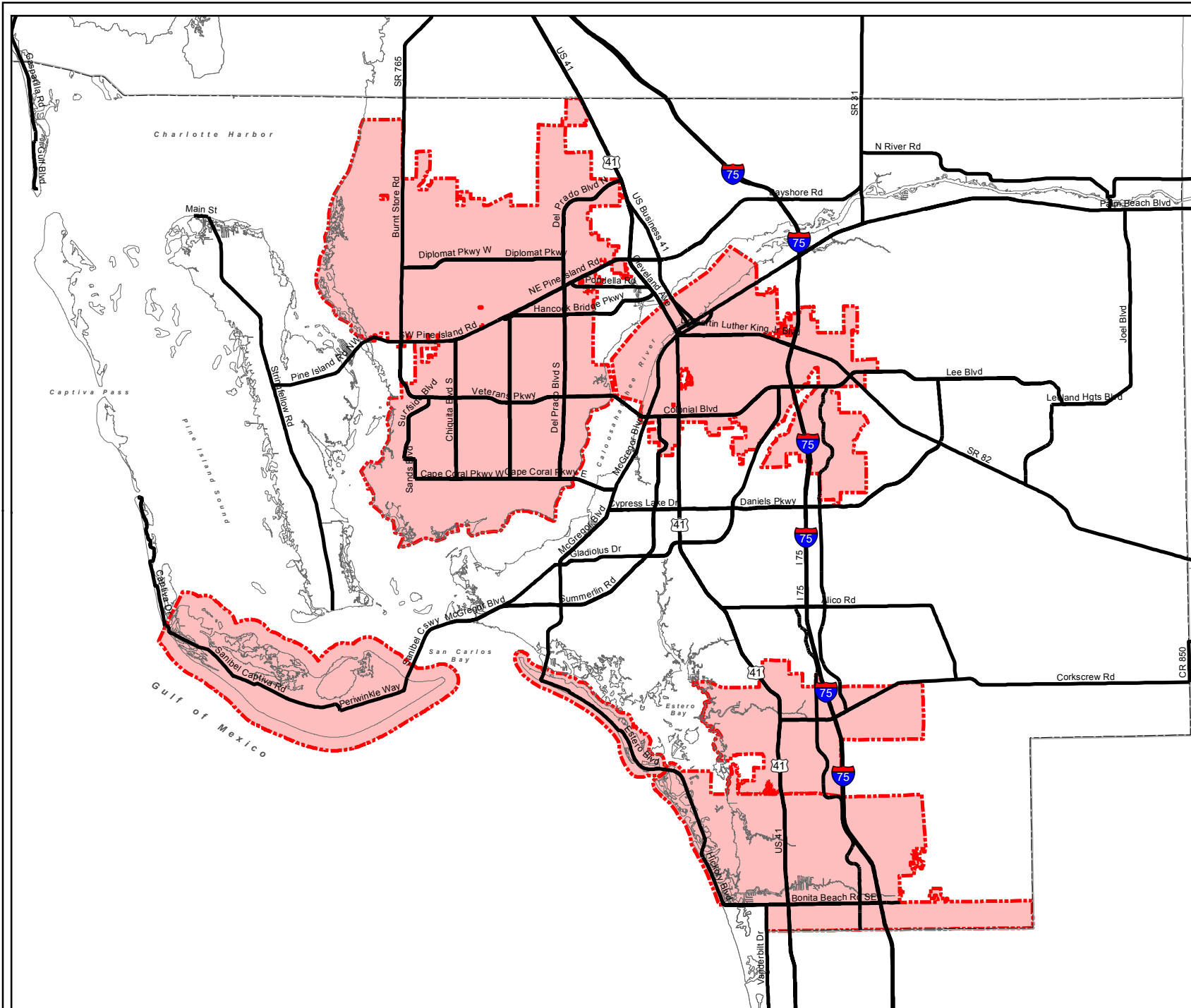


Source: Southwest Florida Regional Planning Council, CDM Smith, for Statewide Regional Evacuation Evacuation Study Program

Map Generated: April 2016
City Limits current to date of map generation



Prepared By: DCD/Planning

Lee Plan Map 3J

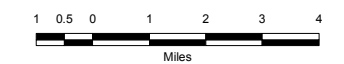


LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

Legend

-  City Limits
-  Coastal High Hazard Area

EXISTING

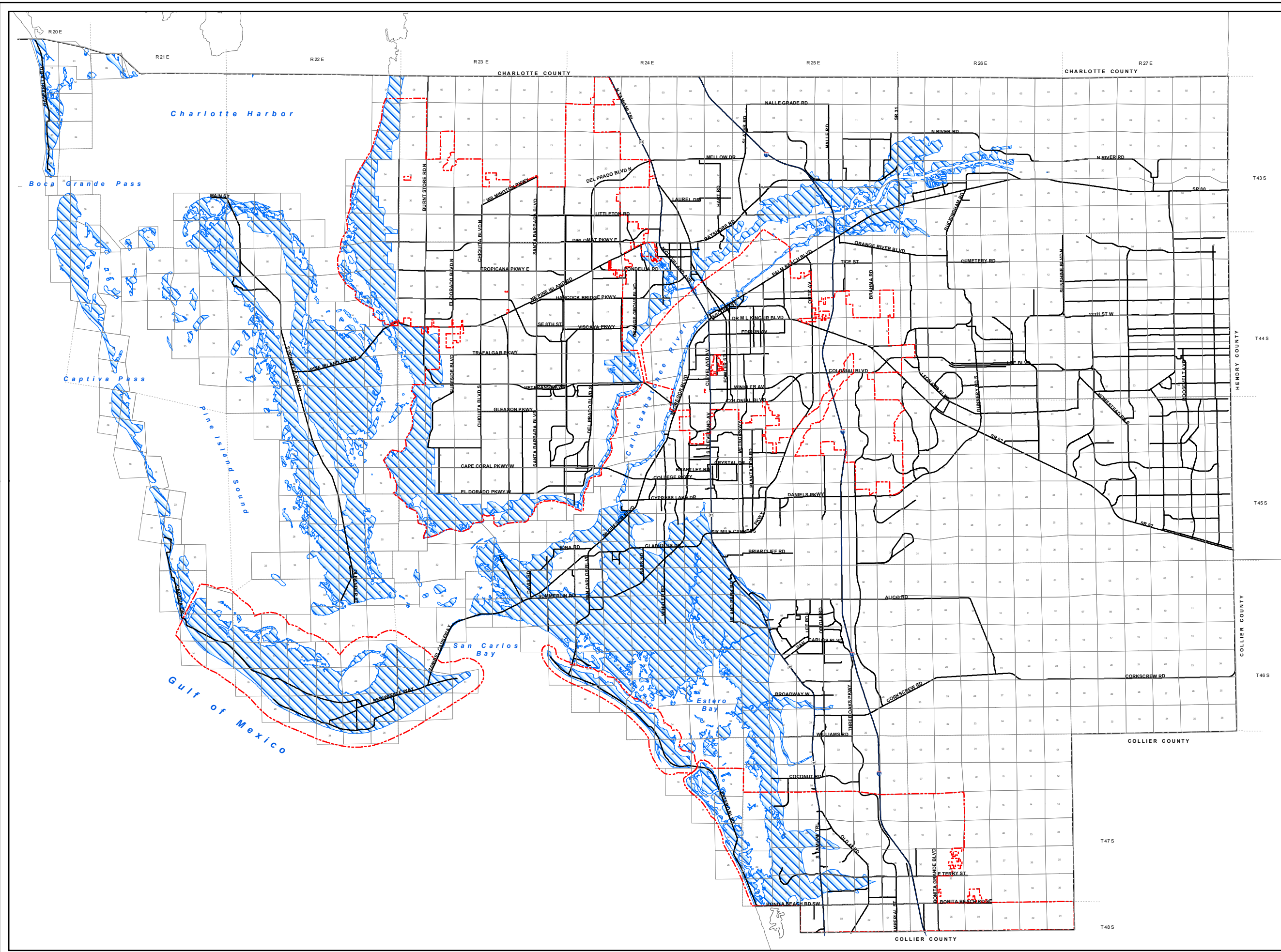


Source: SLOSH Model
(Sea, Lake, and Overland Surges from Hurricanes)
Run by Southwest Florida Regional Planning Council

Map Generated: May 2009
City Limits current to date of map generation






Last Amended: May 15, 2009
Amended by Ordinance No. 09-17

Lee Plan Map 5



LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

LEGEND

-  County Line
-  Major Roads
-  Minor Roads
-  Coastal High Hazard Area
-  City Limits

PROPOSED

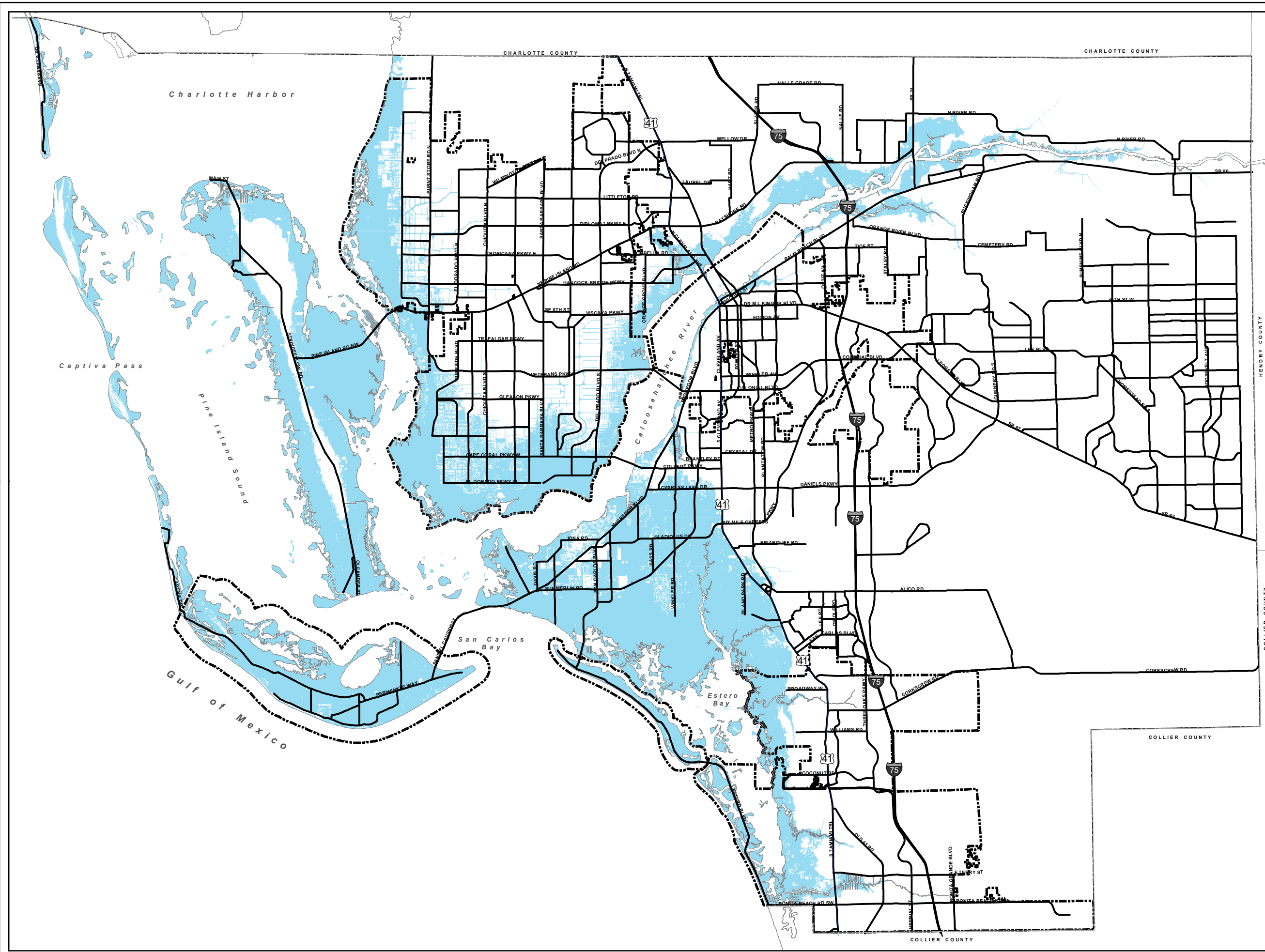


Source: 2010 Evacuation Study
Florida Statewide Regional Evacuation Study
Storm Tide Atlas for Lee County

Map Generated: April 2016
City Limits current to date of map generation

Amended By Ord. No. 09-17

Lee Plan Map 5



LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

LEGEND

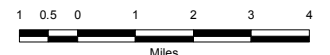
- County Line
- Major Roads
- Minor Roads
- ⊞ City Limits

CHHA Changes

- Removed
- Added
- No Change

CHANGES

*For Informational
Purposes Only
Will not be included
in Lee Plan*

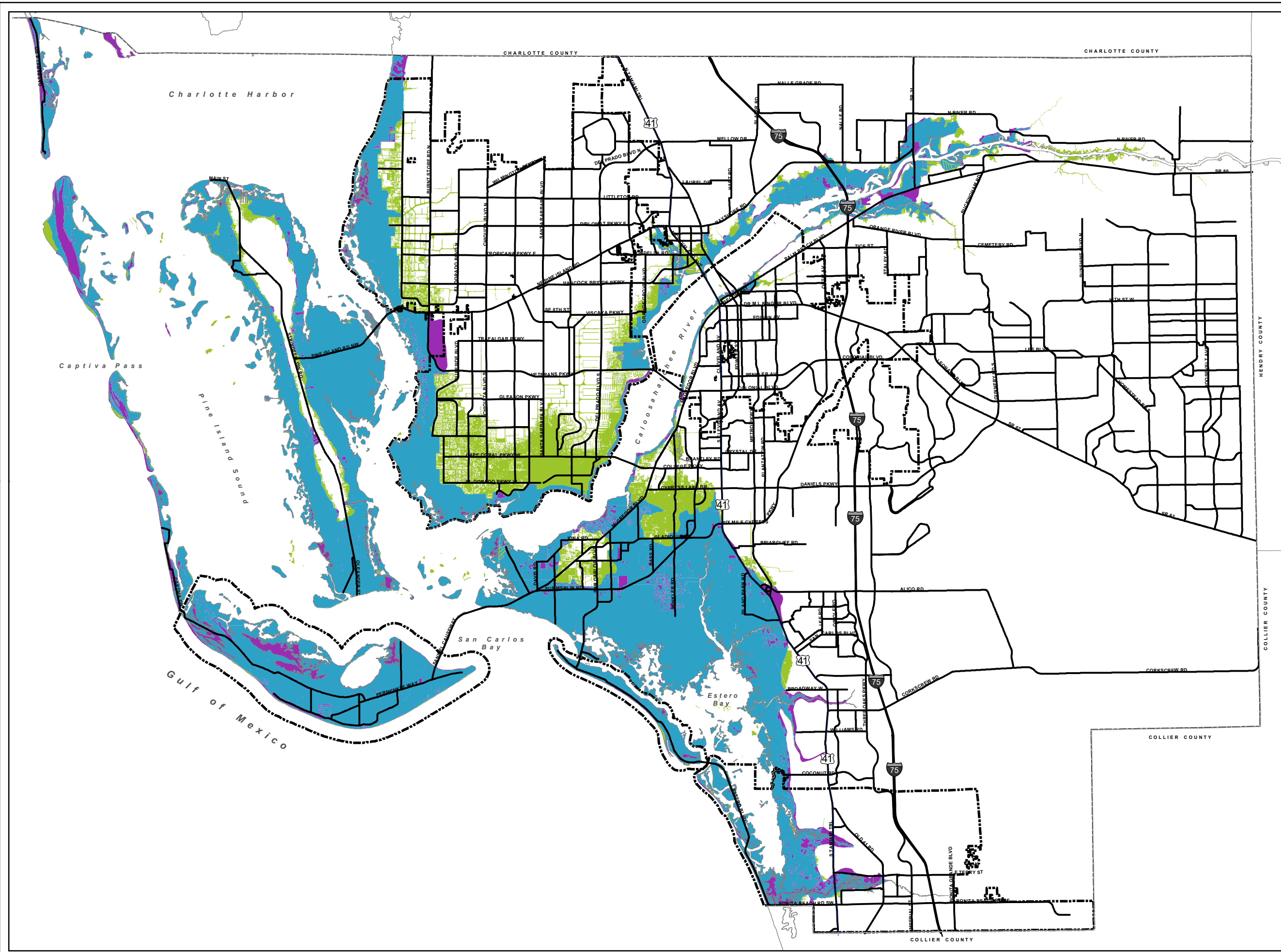


Source: 2010 Evacuation Study
Florida Statewide Regional Evacuation Study

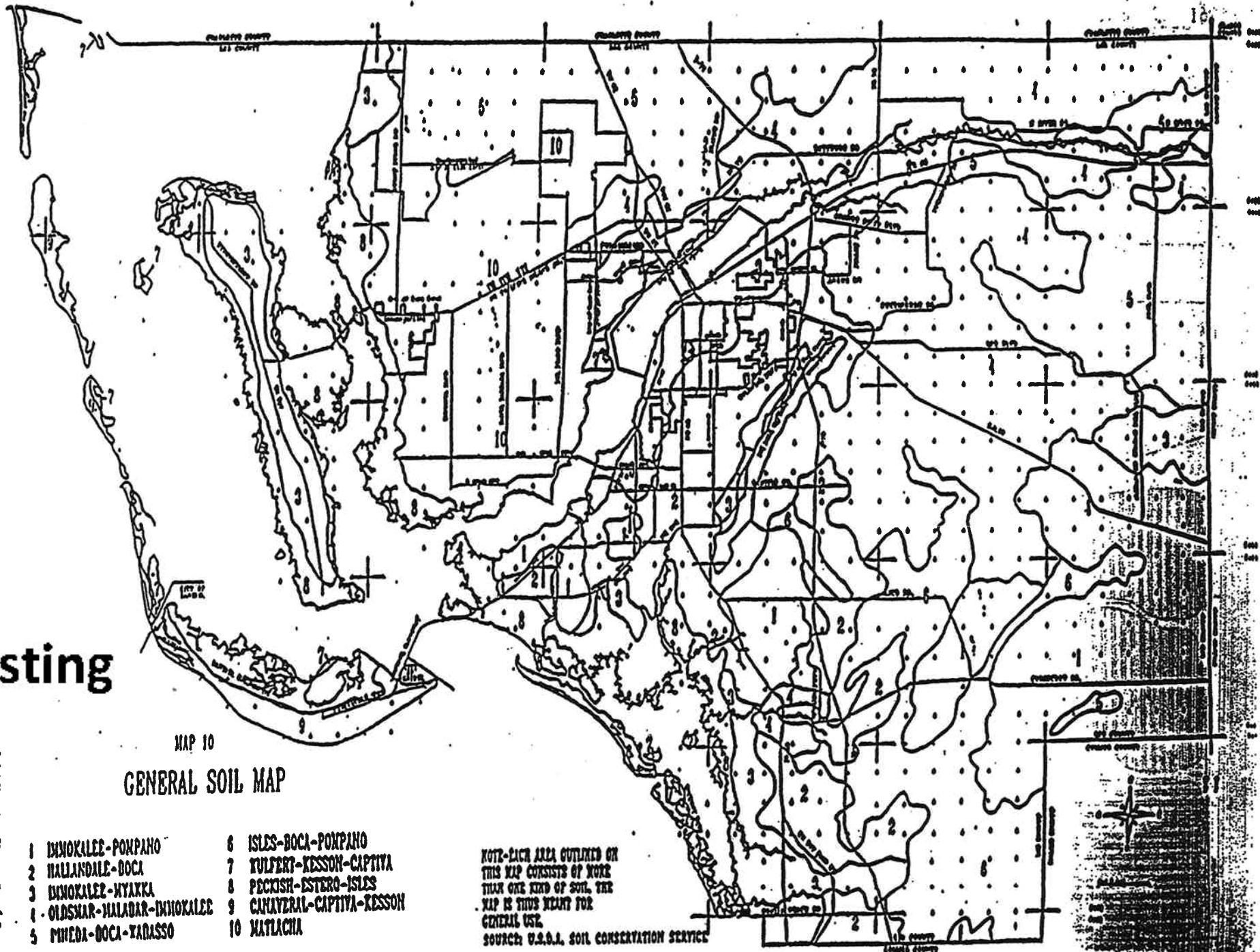
Map Generated: September 2014
City Limits current to date of map generation

Amended By Ord. No. 09-17

Lee Plan Map 5



Existing



MAP 10
GENERAL SOIL MAP

- | | | | |
|---|---------------------------|----|--------------------------|
| 1 | IMMOKALEE-POMPANO | 6 | ISLES-BOCA-POMPANO |
| 2 | HALLANDALE-BOCA | 7 | TULFERT-KESSON-CAPTIVA |
| 3 | IMMOKALEE-MYAKKA | 8 | PECKISH-ESTERO-ISLES |
| 4 | OLDSMAR-MALADAR-IMMOKALEE | 9 | CANAVERAL-CAPTIVA-KESSON |
| 5 | PIVEDA-BOCA-YANASSO | 10 | MATLACHA |

NOTE-EACH AREA OUTLINED ON THIS MAP CONSISTS OF MORE THAN ONE KIND OF SOIL. THE MAP IS THIS MEANT FOR GENERAL USE.
SOURCE: U.S.D.A. SOIL CONSERVATION SERVICE

AS ADOPTED
JANUARY 31, 1966

MAP 10 - Page 1 of 1

GENERAL SOILS MAP

Lee Plan Map 10



Map Generated: November 2014

Adopted By Ord. No. ??????

Proposed

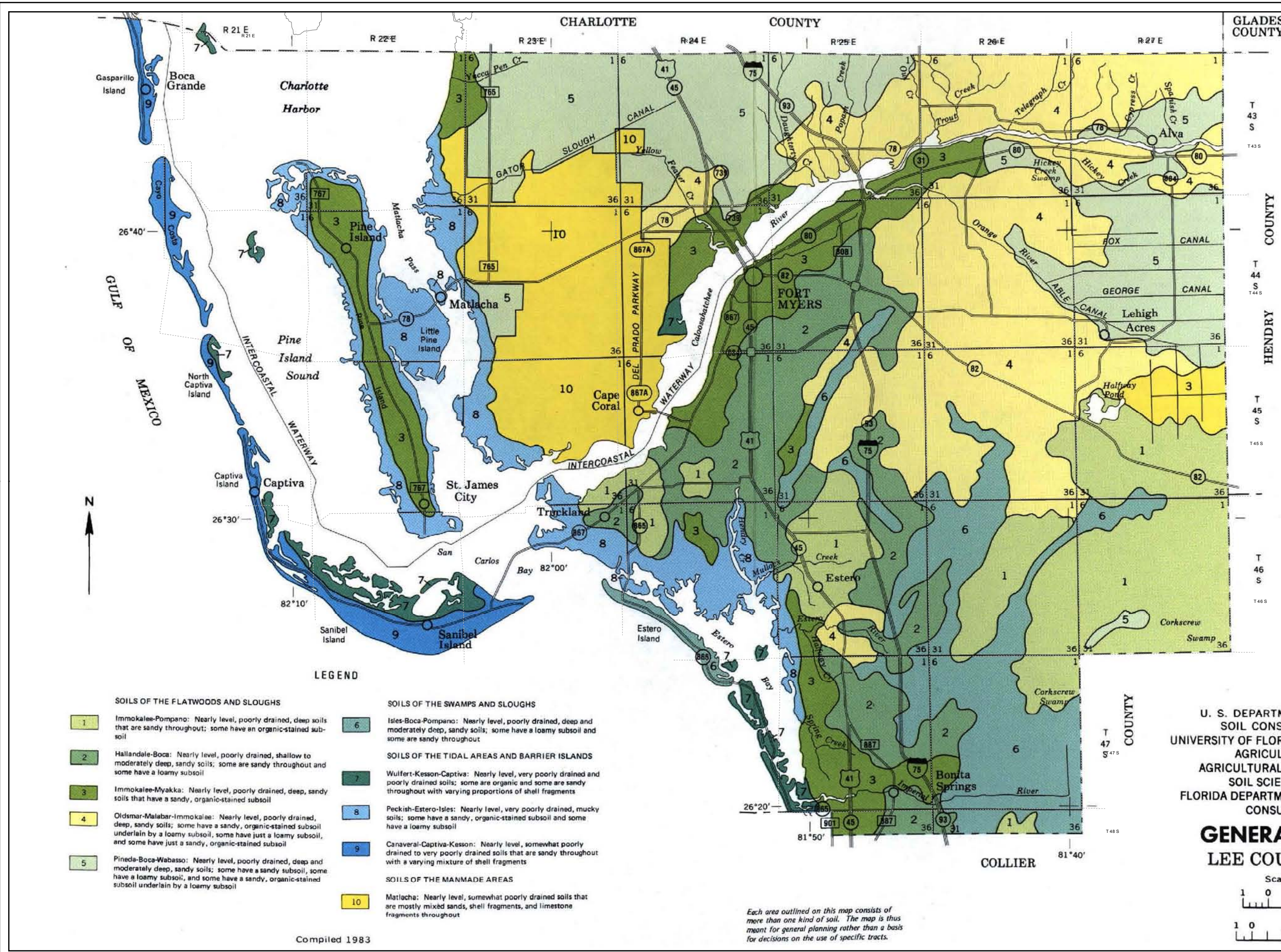
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
UNIVERSITY OF FLORIDA INSTITUTE OF FOOD AND
AGRICULTURAL SCIENCES
AGRICULTURAL EXPERIMENT STATIONS
SOIL SCIENCE DEPARTMENT
FLORIDA DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES

GENERAL SOIL MAP LEE COUNTY, FLORIDA

Scale 1:253,440



Each area outlined on this map consists of more than one kind of soil. The map is thus meant for general planning rather than a basis for decisions on the use of specific tracts.



LEGEND

SOILS OF THE FLATWOODS AND SLOUGHS

- 1 Immokalee-Pompano: Nearly level, poorly drained, deep soils that are sandy throughout; some have an organic-stained subsoil
- 2 Hallandale-Boca: Nearly level, poorly drained, shallow to moderately deep, sandy soils; some are sandy throughout and some have a loamy subsoil
- 3 Immokalee-Myakka: Nearly level, poorly drained, deep, sandy soils that have a sandy, organic-stained subsoil
- 4 Oldsmar-Malabar-Immokalee: Nearly level, poorly drained, deep, sandy soils; some have a sandy, organic-stained subsoil underlain by a loamy subsoil, some have just a loamy subsoil, and some have just a sandy, organic-stained subsoil
- 5 Pineda-Boca-Wabasso: Nearly level, poorly drained, deep and moderately deep, sandy soils; some have a sandy subsoil, some have a loamy subsoil, and some have a sandy, organic-stained subsoil underlain by a loamy subsoil

SOILS OF THE SWAMPS AND SLOUGHS

- 6 Isles-Boca-Pompano: Nearly level, poorly drained, deep and moderately deep, sandy soils; some have a loamy subsoil and some are sandy throughout

SOILS OF THE TIDAL AREAS AND BARRIER ISLANDS

- 7 Wulfert-Kesson-Captiva: Nearly level, very poorly drained and poorly drained soils; some are organic and some are sandy throughout with varying proportions of shell fragments
- 8 Peckish-Estero-Isles: Nearly level, very poorly drained, mucky soils; some have a sandy, organic-stained subsoil and some have a loamy subsoil
- 9 Canaveral-Captiva-Kesson: Nearly level, somewhat poorly drained to very poorly drained soils that are sandy throughout with a varying mixture of shell fragments

SOILS OF THE MANMADE AREAS

- 10 Matlacha: Nearly level, somewhat poorly drained soils that are mostly mixed sands, shell fragments, and limestone fragments throughout

Compiled 1983