



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

LEE COUNTY COMPREHENSIVE PLAN

and

ZONING HEARING AGENDA

Wednesday, August 17, 2016

9:30AM

CPA2016-00002

LEE PLAN MAP AMENDMENTS – ADOPTION

DCI2015-00031

SANDY KEY RPD

**Z-16-011**

## NOTICE OF PUBLIC HEARING

The Lee County Board of County Commissioners will hold a public hearing at 9:30 am on Wednesday, August 17, 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 a zoning application 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 Case

DCI2015-00031

### SANDY KEY RPD

Amend the existing Residential Planned Development approved per Lee County Zoning Resolution Number Z-07-064 to increase the residential density from 33 dwelling units to 50, and to add two-family attached type of dwelling unit to the approved schedule of uses. The development will connect to public potable water and sanitary sewer service. Development blasting is not requested.

Located at the southwest corner of Cook Road and Sandy Key Lane, Iona/McGregor 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 case, 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](mailto: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  
AMENDMENTS

# **Summary Sheet**

## **Lee Plan Map Amendments**

### **CPA2016-02**

**Request:** Amend the Lee Plan to incorporate updates to four Lee Plan Maps:

- 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, F.S.

**Transmittal Hearing:**

The Board of County Commissioners voted 5-0 to transmit the proposed map amendments on June 8, 2016.

Two members of the public spoke regarding the revisions to Map 3E. Both members of the public were satisfied with the proposed map transmitted by the BoCC.

**State Reviewing Agency Objections, Recommendations, and Comments:**

Lee County received responses from the following review agencies addressing the transmitted amendment: Florida Departments of Education, Environmental Protection, and Economic Opportunity; the Florida Fish and Wildlife Conservation Commission; the Southwest Florida Regional Planning Council; and the South Florida Water Management District. There were no objections to the proposed amendments.

Please note that in order to address concerns of the public, a revised Map 3E is proposed for adoption.

**Staff Recommendation:**

Staff recommends that the Board of County Commissioners **adopt** the amendments to the Lee Plan as they were transmitted to the state except with a revised Map 3E.



**LEE COUNTY ORDINANCE NO. \_\_\_\_\_**  
Lee Plan Map Amendments  
(CPA2016-00002)

**AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “LEE PLAN,” ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE LEE PLAN MAP AMENDMENTS (CPA2016-00002) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAPS; LEGAL EFFECT OF “THE LEE PLAN”; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.**

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

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

WHEREAS, the Lee County Local Planning Agency (“LPA”) held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on April 25, 2016; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on June 8, 2016. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Lee Plan Map Amendments (CPA2016-00002) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the June 8, 2016 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies’ written comments; and,

WHEREAS, on August 17, 2016, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

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

## SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Lee Plan Map Amendments Ordinance (CPA2016-00002)."**

## SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends 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. known as Lee Plan Map Amendments (CPA2016-00002).

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

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

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

## SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

## SECTION FIVE: GEOGRAPHIC APPLICABILITY

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

## SECTION SIX: SEVERABILITY

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

## SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

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

## SECTION EIGHT: EFFECTIVE DATE

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

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

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

DONE AND ADOPTED this 17<sup>th</sup> day of August, 2016.

ATTEST:  
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF  
COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

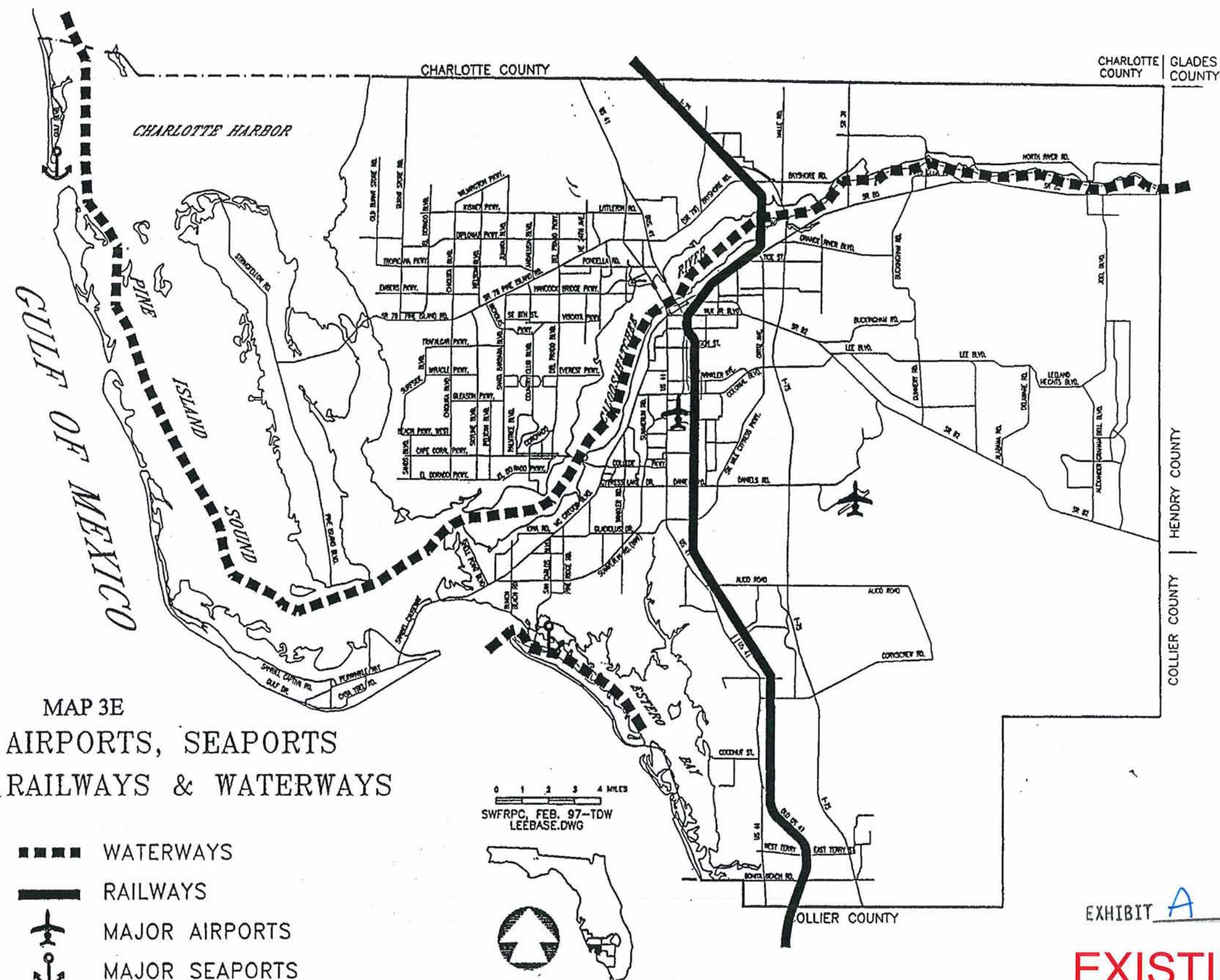
BY: \_\_\_\_\_  
Franklin B. Mann, Chair

DATE: \_\_\_\_\_

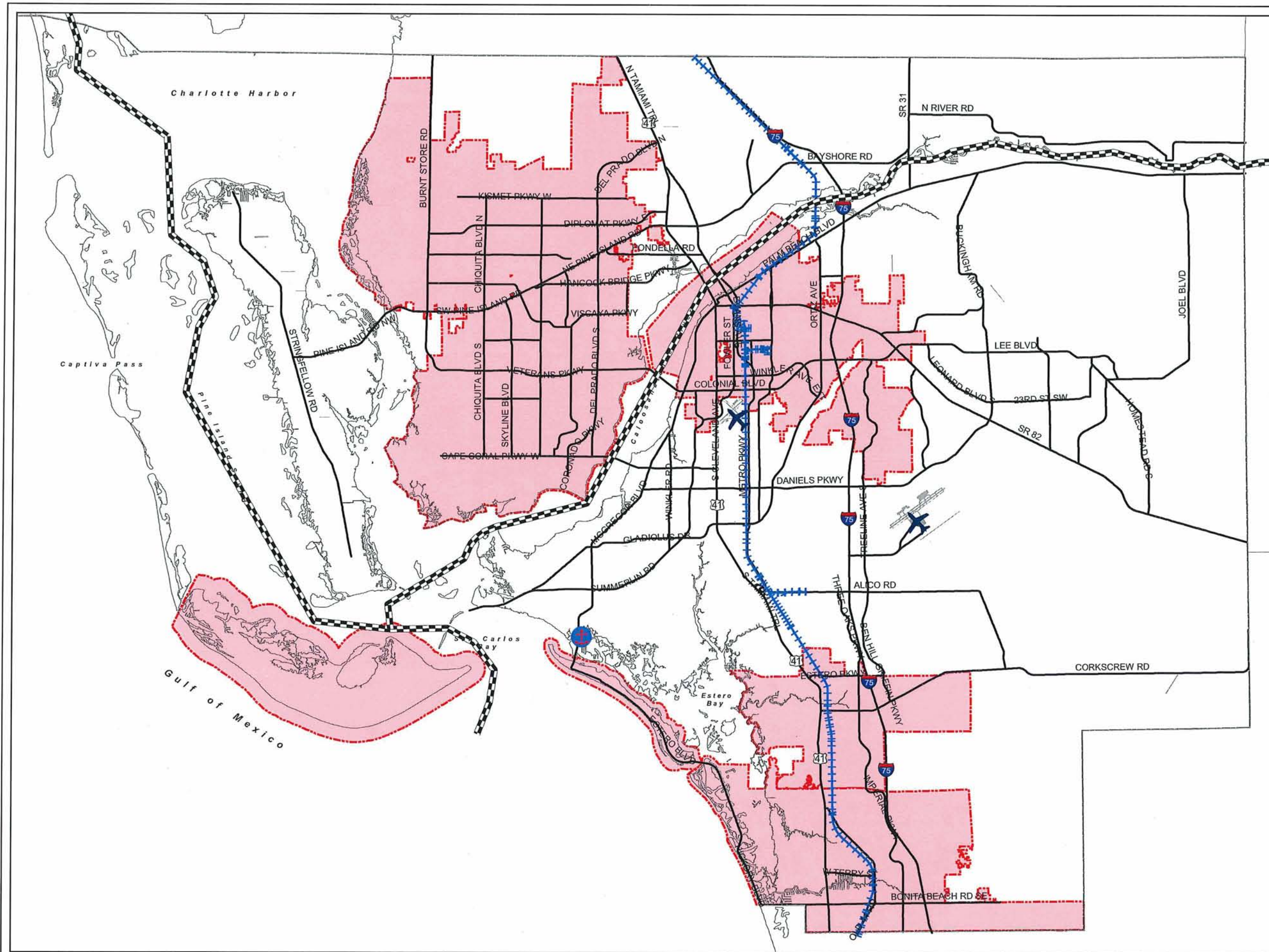
Approved as to Form for the  
Reliance of Lee County Only

\_\_\_\_\_  
County Attorney's Office

Exhibit A: Adopted revisions to Map 3E, Airports, Seaports, Railways and Waterways  
Exhibit B: Adopted revisions to Map 3J, Evacuation Routes  
Exhibit C: Adopted revisions to Map 5, Coastal High Hazard Area  
Exhibit D: Adopted revisions to Map 10, General Soils Map





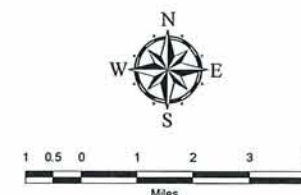


# AIRPORTS, SEAPORTS, RAILWAYS & WATERWAYS

## LEGEND

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

EXHIBIT A  
**PROPOSED**



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

Lee Plan Map 3E



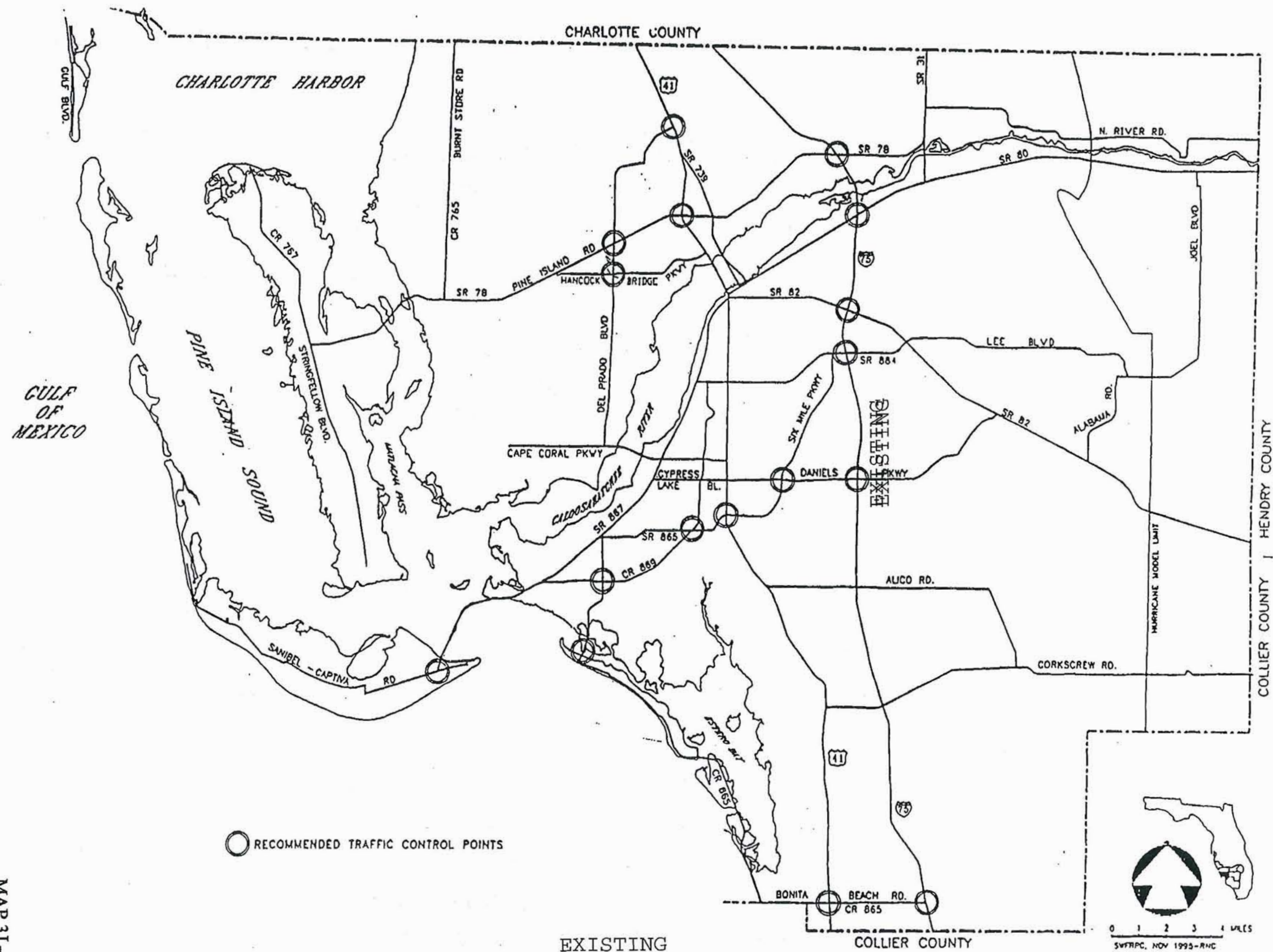
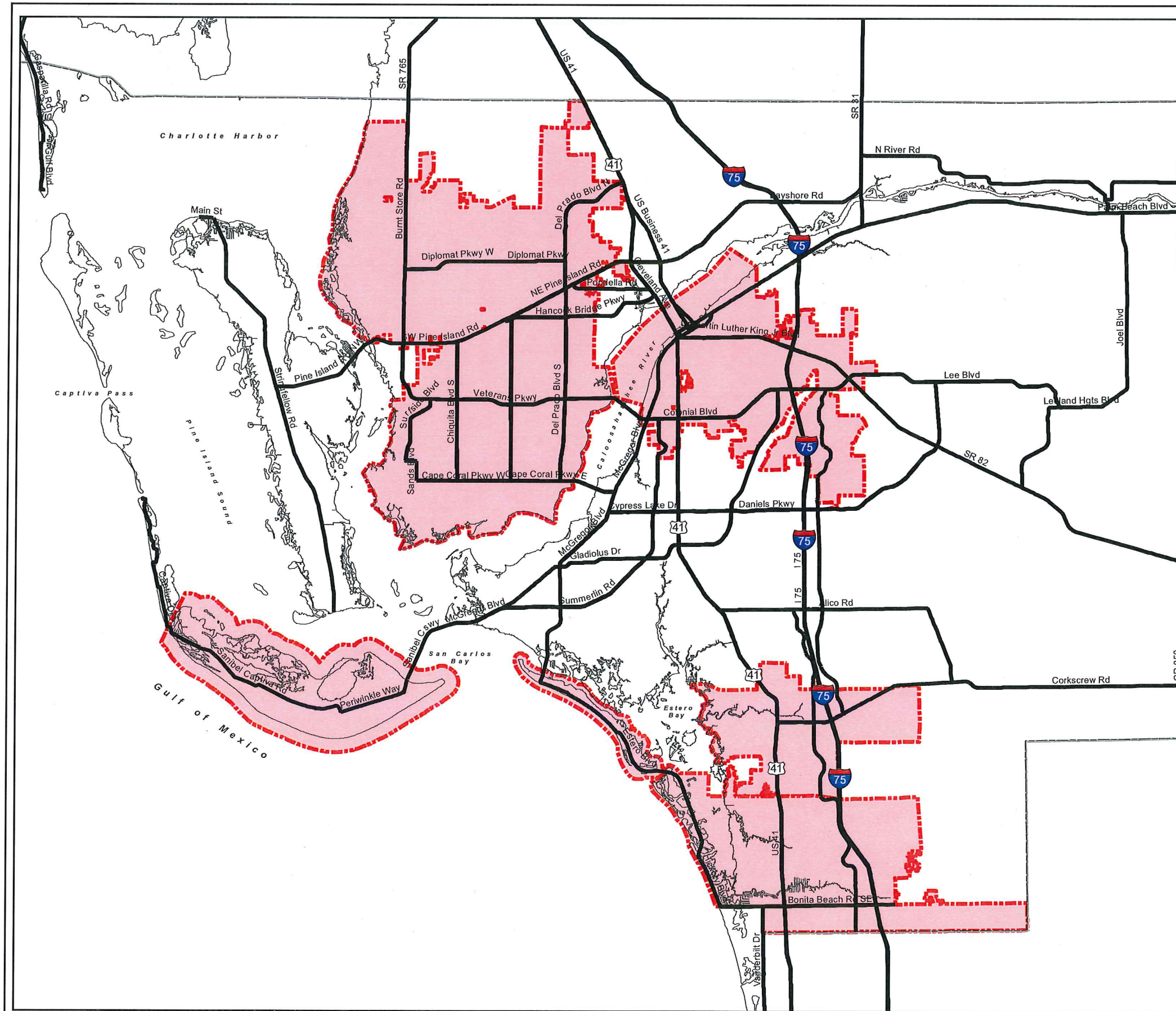


EXHIBIT B

**EXISTING**

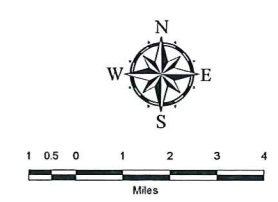




# LEE COUNTY EVACUATION ROUTES

- LEGEND**
- EVACUATION ROUTES
  - County Line
  - City Limits

EXHIBIT **B**  
PROPOSED



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

EXHIBIT C  
**EXISTING**

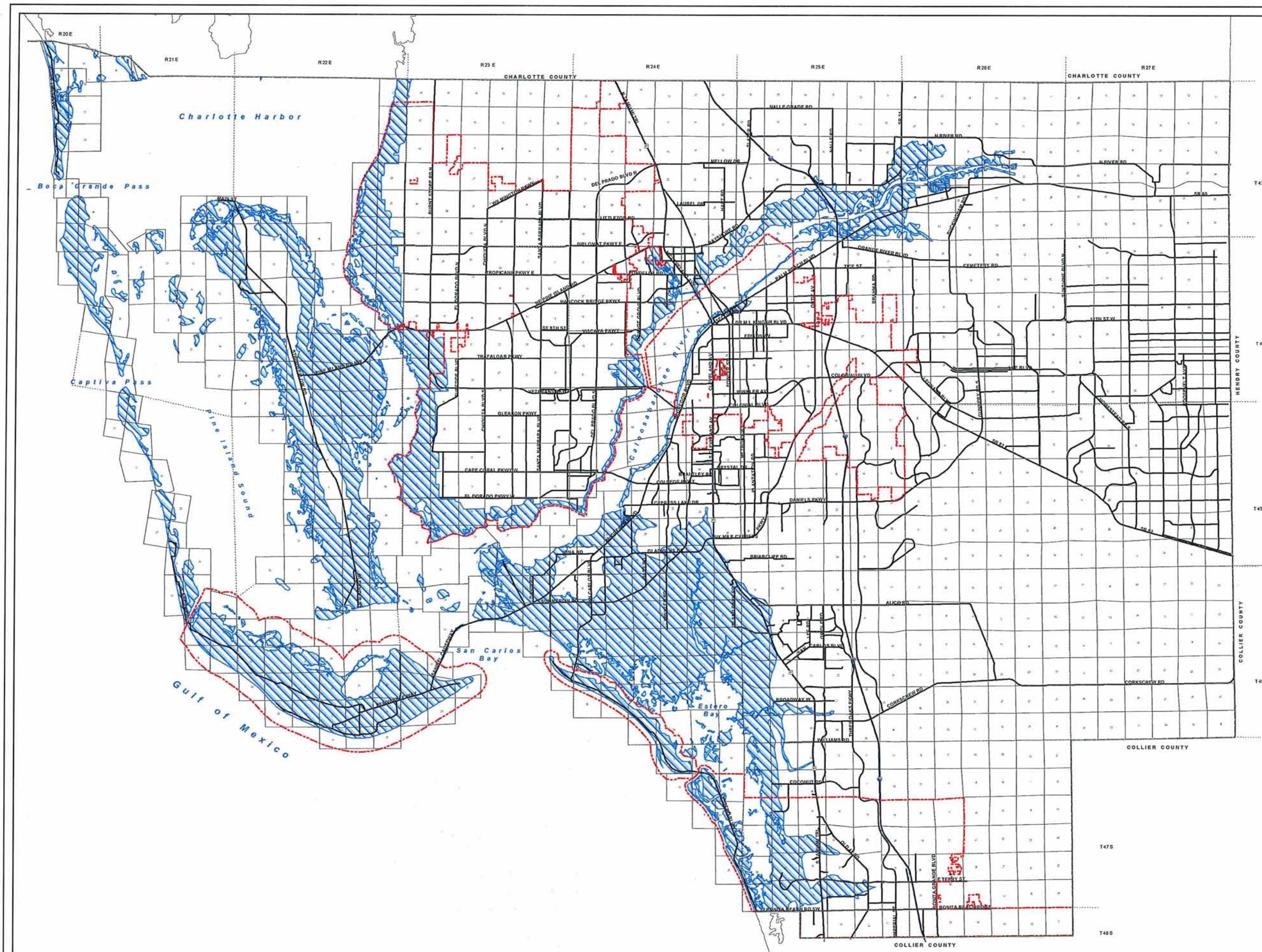


Source: SLOSH Model  
(Sea, Lake, and Overland Surges from Hurricanes)  
Run by Southwest Florida Regional Planning Council

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

EXHIBIT C  
**PROPOSED**



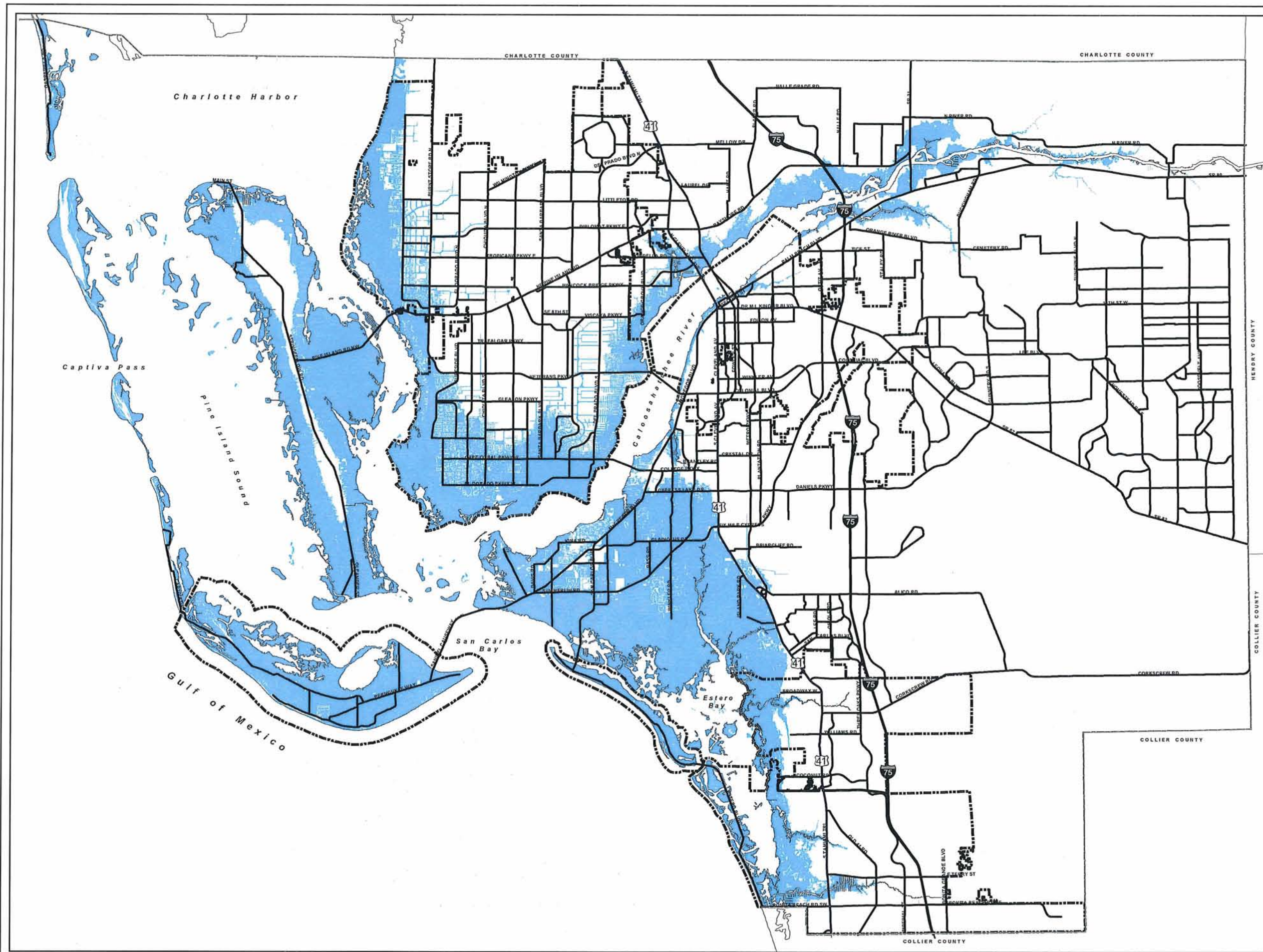
Source: 2010 Evacuation Study  
Florida Statewide Regional Evacuation Study  
Storm Tide Atlas for Lee County

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

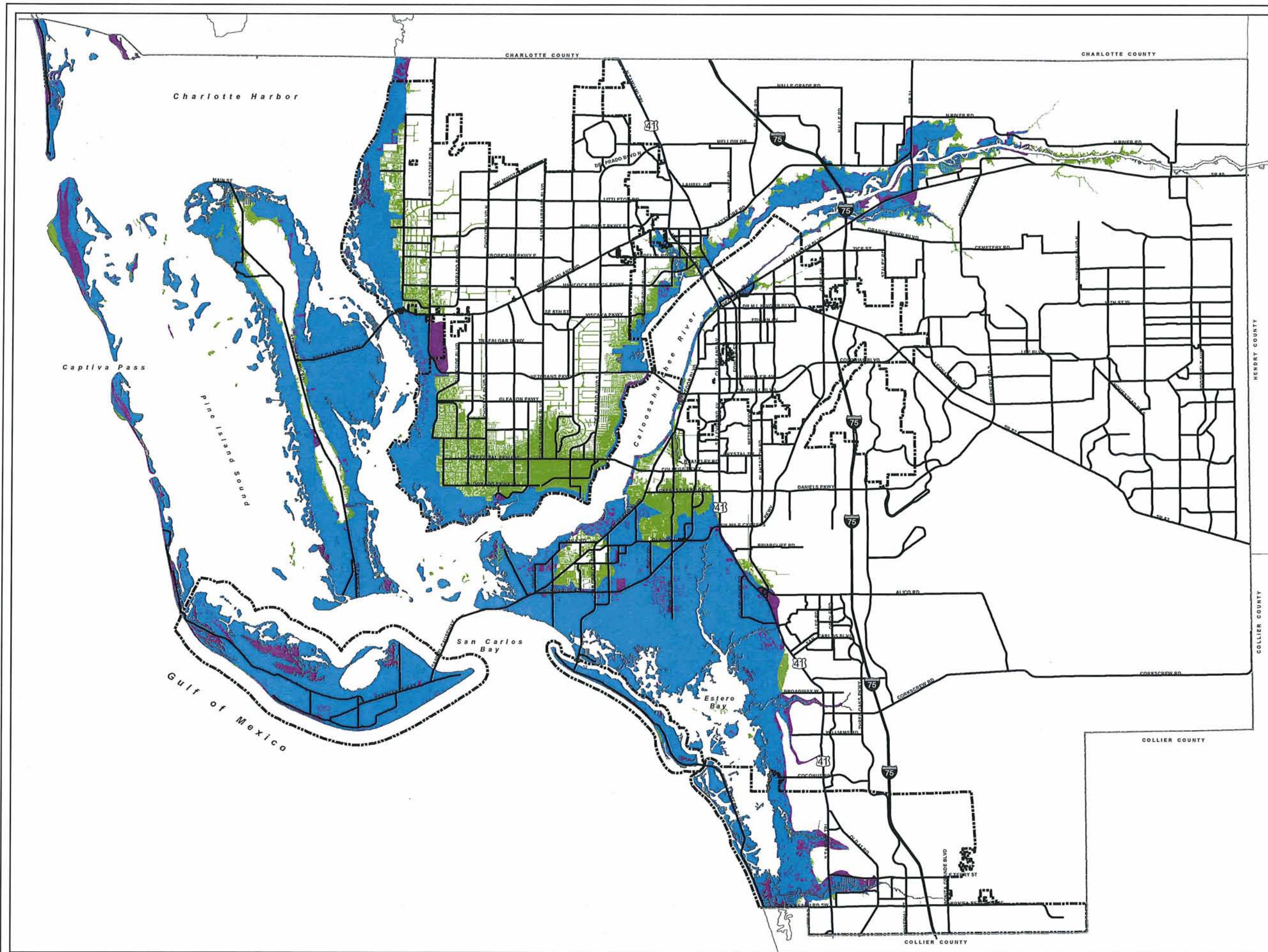
Amended By Ord. No. 09-17

**Lee Plan Map 5**

Prepared By: Lee County Department of Community Development/Planning







# 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



EXHIBIT D

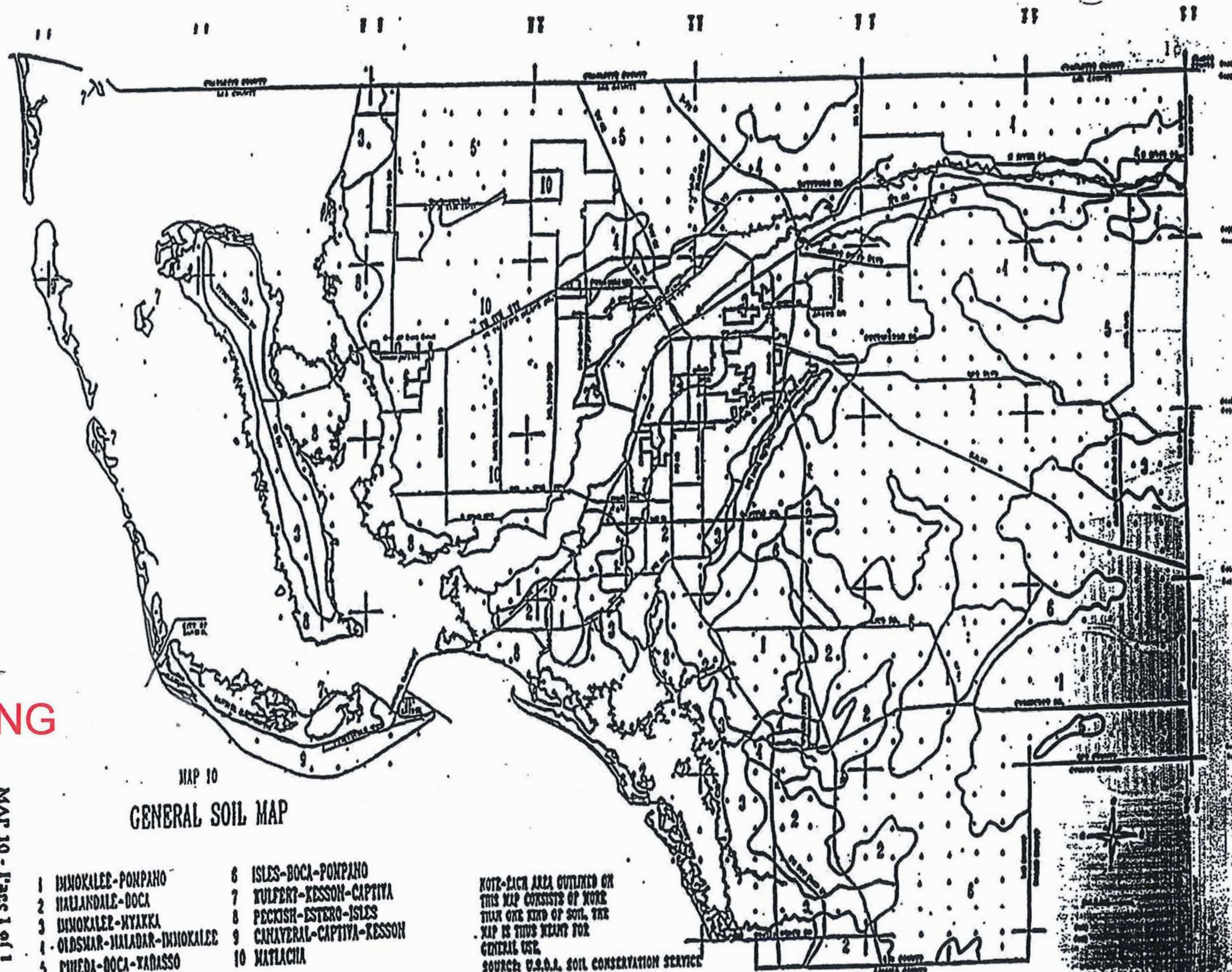
EXISTING

MAP 10 - Page 1 of 1

MAP 10  
GENERAL SOIL MAP

- |                               |                            |
|-------------------------------|----------------------------|
| 1 IMMOKALEE-PONPAHO           | 6 ISLES-BOCA-PONPAHO       |
| 2 HALLANDALE-BOCA             | 7 KULPERT-KESSON-CAPTIVA   |
| 3 IMMOKALEE-MYAKKA            | 8 PECKISH-ESTERO-ISLES     |
| 4 OLDSMAR-HALLANDAR-IMMOKALEE | 9 CAHAYERAL-CAPTIVA-KESSON |
| 5 PINEDA-BOCA-YANASSO         | 10 MATLACHIA               |

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 ADAPTED  
JANUARY 30, 1965



# GENERAL SOILS MAP

Lee Plan Map 10



Map Generated: November 2014

Adopted By Ord. No. ?????

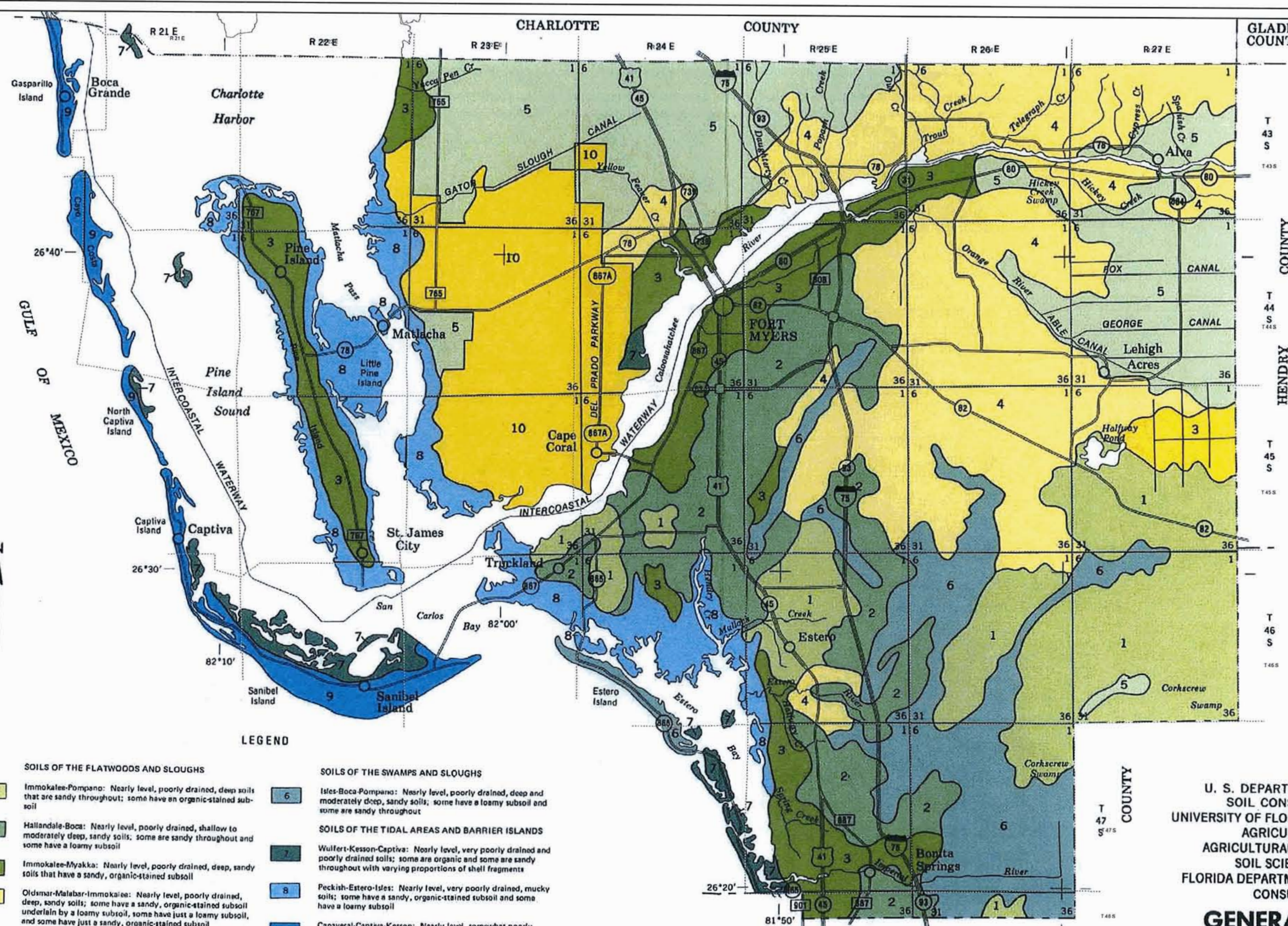
EXHIBIT **D**  
**Proposed**

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  
1 0 1 2 3 4 Miles  
1 0 4 8 Km

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 Oldmar-Malebar-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 Wulfer-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 Matlocha: Nearly level, somewhat poorly drained soils that are mostly mixed sands, shell fragments, and limestone fragments throughout

Compiled 1983





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## **COMPREHENSIVE PLAN AMENDMENT**

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# **CPA2016-02 LEE PLAN MAP UPDATE**

**County-Initiated Amendment**

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

**8/17/2016**

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

☐

Text Amendment

☒

Map Amendment

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

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:**

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

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

**DATE OF TRANSMITTAL HEARING:** June 8, 2016

**A. BOARD REVIEW:**

Staff gave a brief presentation and made a recommendation that the BOCC transmit the proposed amendment. One Board member asked for details about the proposed revision to Map 3E.

Two members of the public spoke regarding the revisions to Map 3E. Both members of the public were satisfied with the proposed map distributed at the meeting.

**A motion was made that the BOCC transmit the proposed amendments as recommended by staff. The motion was called and passed 5-0**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

The Board of County Commissioners ***transmitted*** the proposed amendment as recommended by staff and the Local Planning Agency.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The Board of County Commissioners accepted the findings of fact as advanced by staff and the Local Planning Agency.

**C. VOTE:**

<b>BRIAN HAMMAN</b>	<u><b>AYE</b></u>
<b>LARRY KIKER</b>	<u><b>AYE</b></u>
<b>FRANK MANN</b>	<u><b>AYE</b></u>
<b>JOHN MANNING</b>	<u><b>AYE</b></u>
<b>CECIL L. PENDERGRASS</b>	<u><b>AYE</b></u>

**PART VII**  
**OBJECTIONS, RECOMMENDATIONS AND COMMENTS**  
**FROM STATE REVIEWING AGENCIES**

DATE OF REVIEWING AGENCY COMMENTS: Due by July 15, 2016

**A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:**

Lee County received responses from the following review agencies addressing the transmitted amendment: Florida Departments of Education; Environmental Protection; and Economic Opportunity; the Florida Fish and Wildlife Conservation Commission; the Southwest Florida Regional Planning Council; and the South Florida Water Management District. All correspondence from the state reviewing agencies has been attached to this staff report.

There were no objections to the proposed amendments.

**B. STAFF RECOMMENDATION**

Staff recommends that the Board of County Commissioners ***adopt*** the amendments to the Lee Plan as transmitted.

**PART VIII**  
**BOARD OF COUNTY COMMISSIONERS**  
**HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF PUBLIC HEARING: August 17, 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**

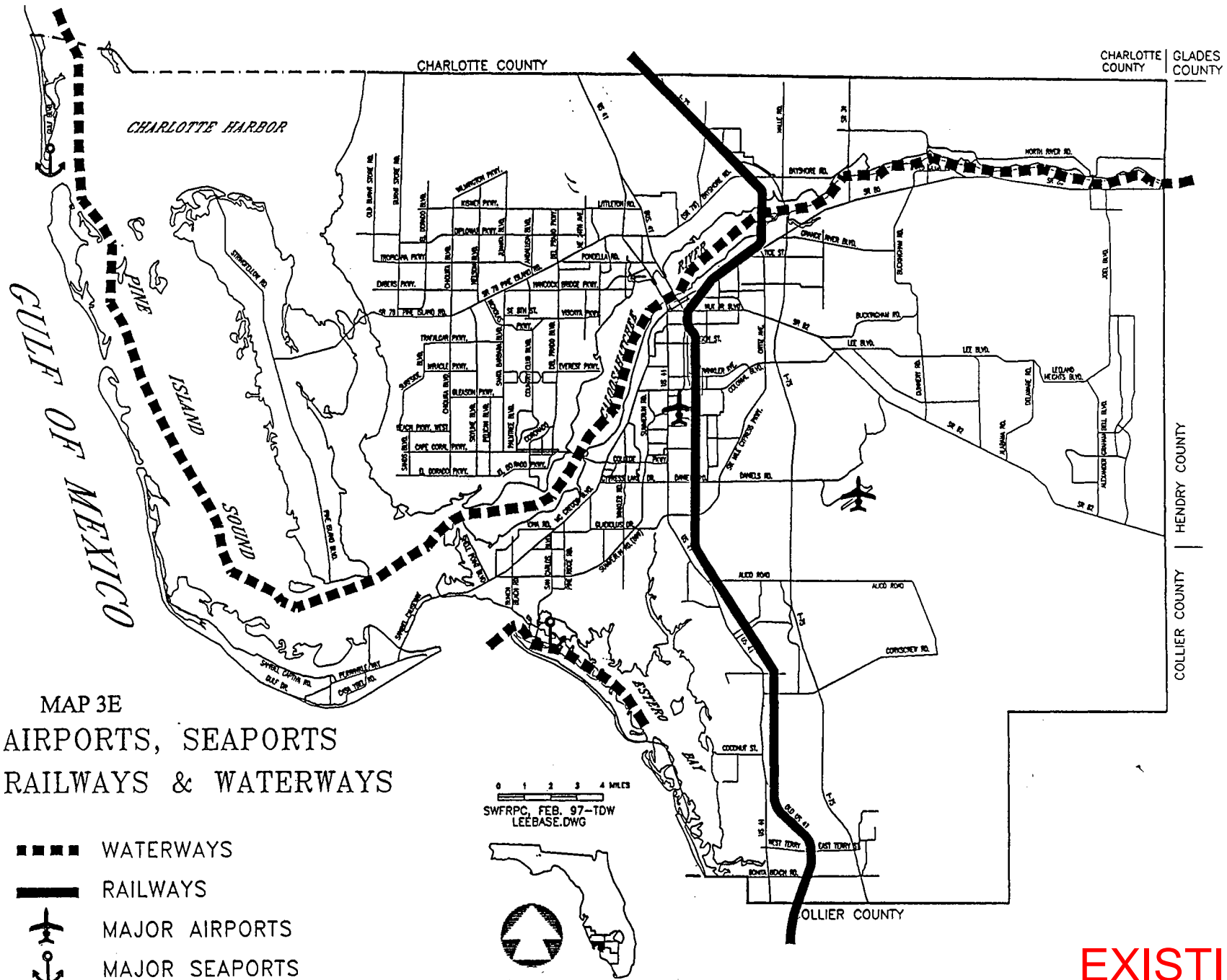
\_\_\_\_\_

**JOHN MANNING**

\_\_\_\_\_

**CECIL L PENDERGRASS**

\_\_\_\_\_

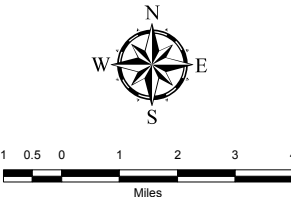


# AIRPORTS, SEAPORTS, RAILWAYS & WATERWAYS

## LEGEND

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

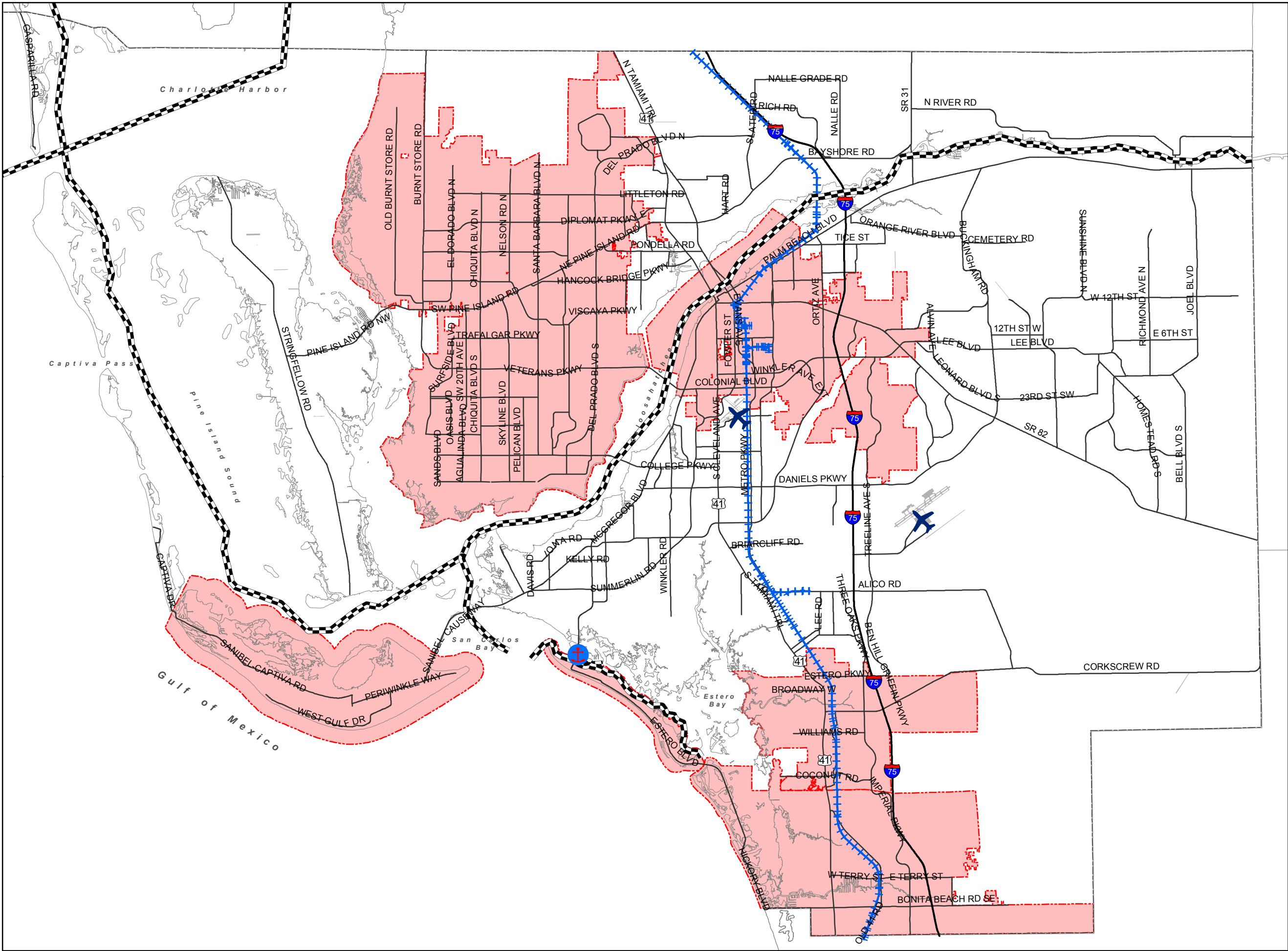
PROPOSED



Waterway Sources:  
The National Waterway Network,  
The National Oceanic and Atmospheric Administration  
(NOAA), and  
Town of Fort Myers Beach Channel Marker data  
Compiled by Lee County DCD/Planning

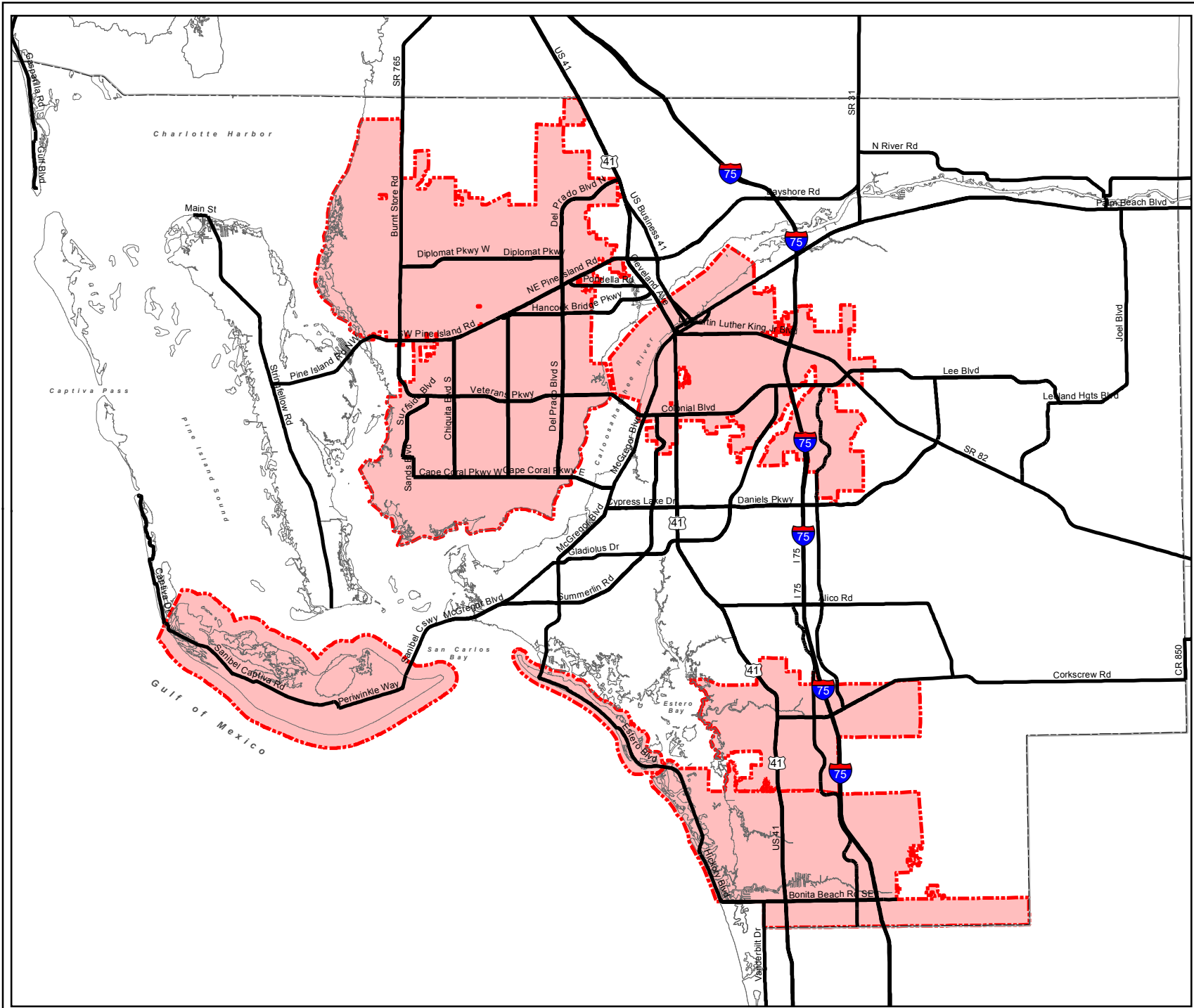
Map Generated: July 2016  
City Limits current to date of map generation

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

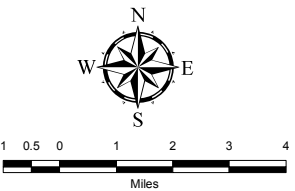
Lee Plan Map 3J

# LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

## Legend

-  City Limits
-  Coastal High Hazard Area

EXISTING

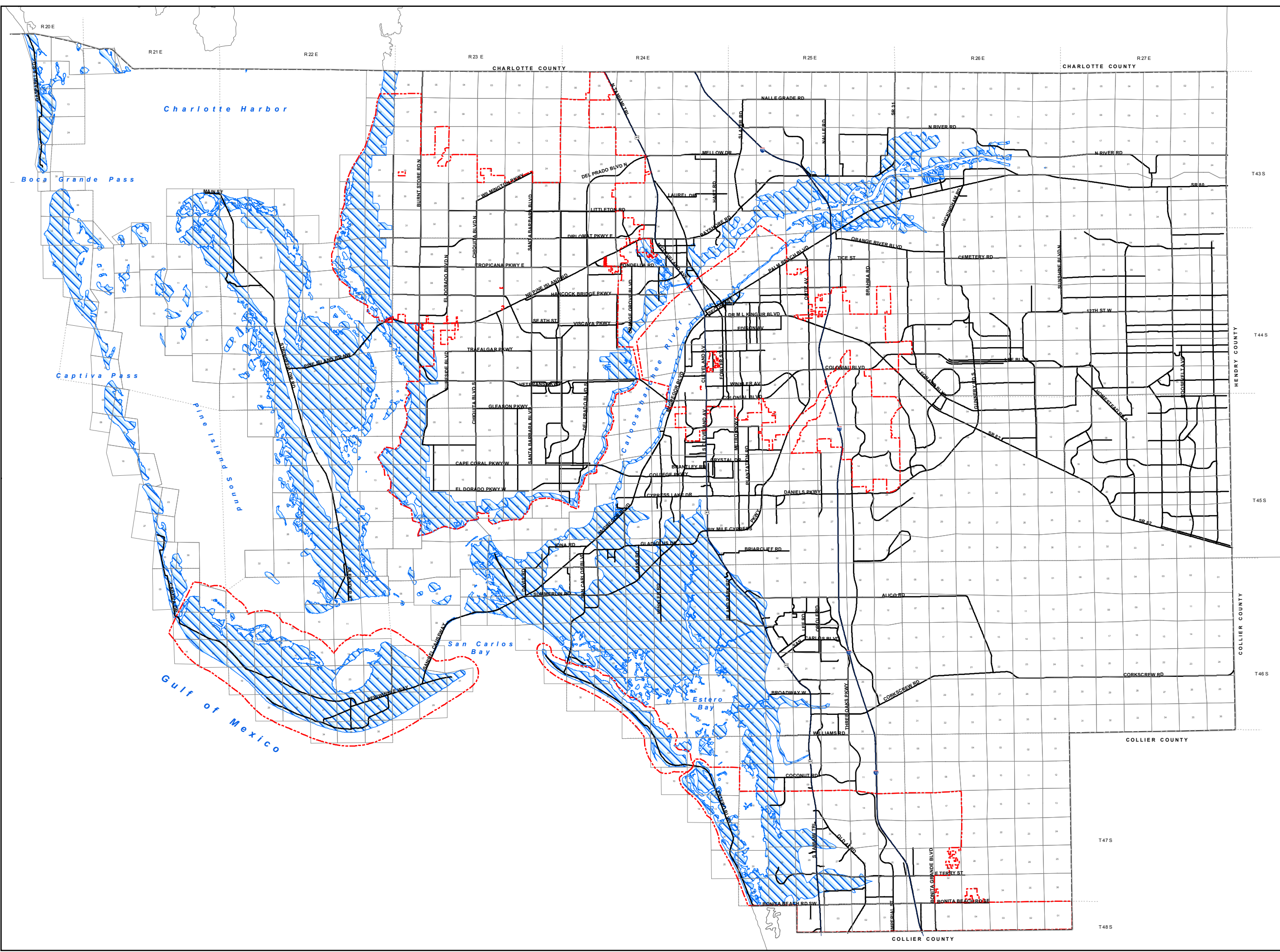


Source: SLOSH Model  
(Sea, Lake, and Overland Surges from Hurricanes)  
Run by Southwest Florida Regional Planning Council

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



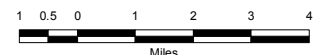


# LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

## LEGEND

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

**PROPOSED**



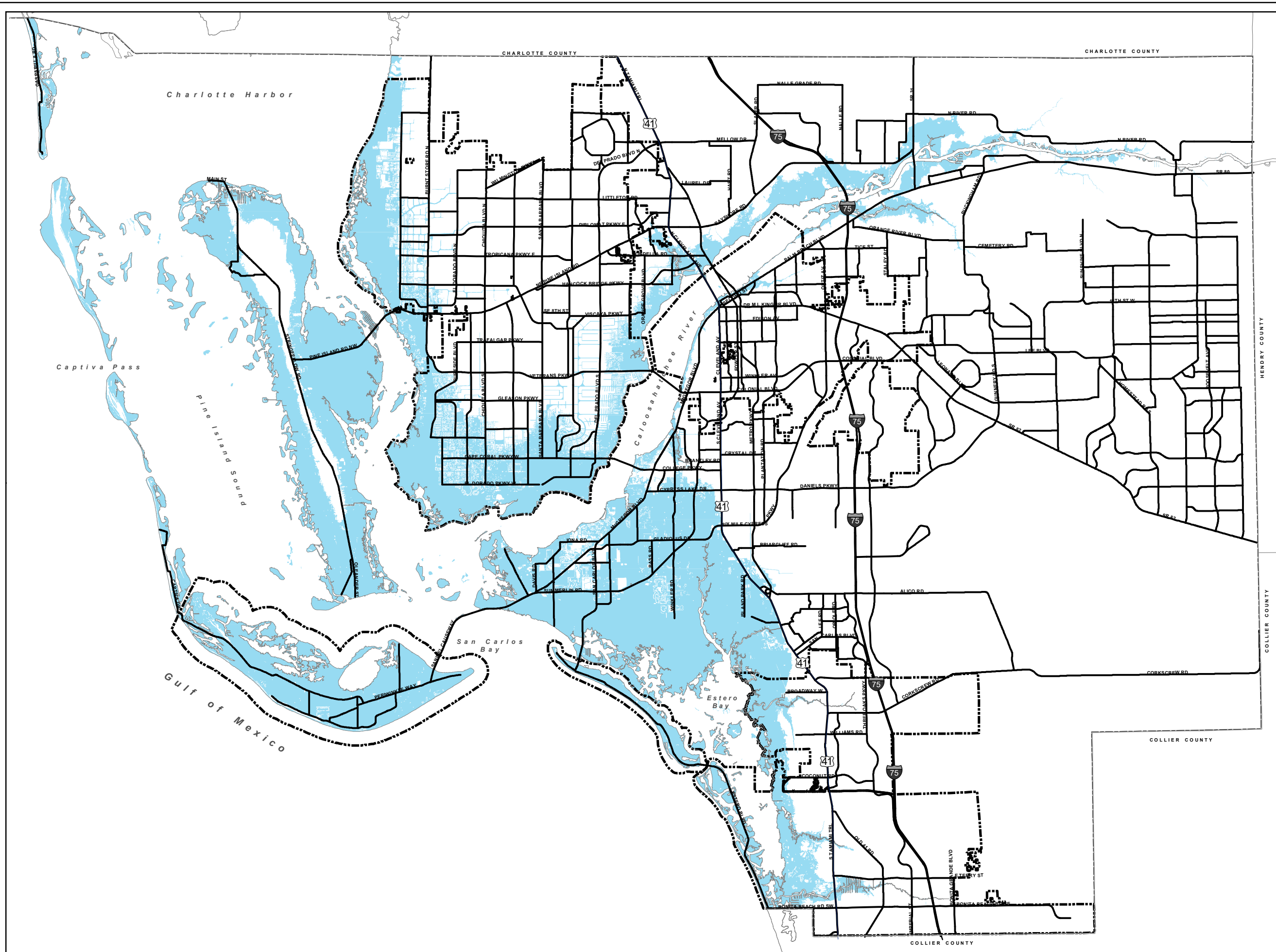
Source: 2010 Evacuation Study  
Florida Statewide Regional Evacuation Study  
Storm Tide Atlas for Lee County

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

Amended By Ord. No. 09-17

**Lee Plan Map 5**

Prepared By: Lee County Department of Community Development/Planning



# Existing

MAP 10  
GENERAL SOIL MAP

- |   |                           |    |                          |
|---|---------------------------|----|--------------------------|
| 1 | IMNOKALEE-POMPANO         | 6  | ISLES-BOCA-POMPANO       |
| 2 | HALLANDALE-BOCA           | 7  | TULFERT-KESSON-CAPTIVA   |
| 3 | IMNOKALEE-MYAKKA          | 8  | PECKISH-ESTERO-ISLES     |
| 4 | OLDSMAR-HALADAR-IMNOKALEE | 9  | CANAVARAL-CAPTIVA-KESSON |
| 5 | PIWEDA-BOCA-YARASSO       | 10 | MATLACHIA                |

NOTE-EACH AREA OUTLINED ON THIS MAP CONSISTS OF MORE THAN ONE KIND OF SOIL. THE MAP IS THUS MEANT FOR GENERAL USE.

SOURCE: U.S.D.A. SOIL CONSERVATION SERVICE

AS ADAPTED BY  
JANUARY 31, 1966



# GENERAL SOILS MAP

Lee Plan Map 10



Map Generated: July 2016

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

Proposed

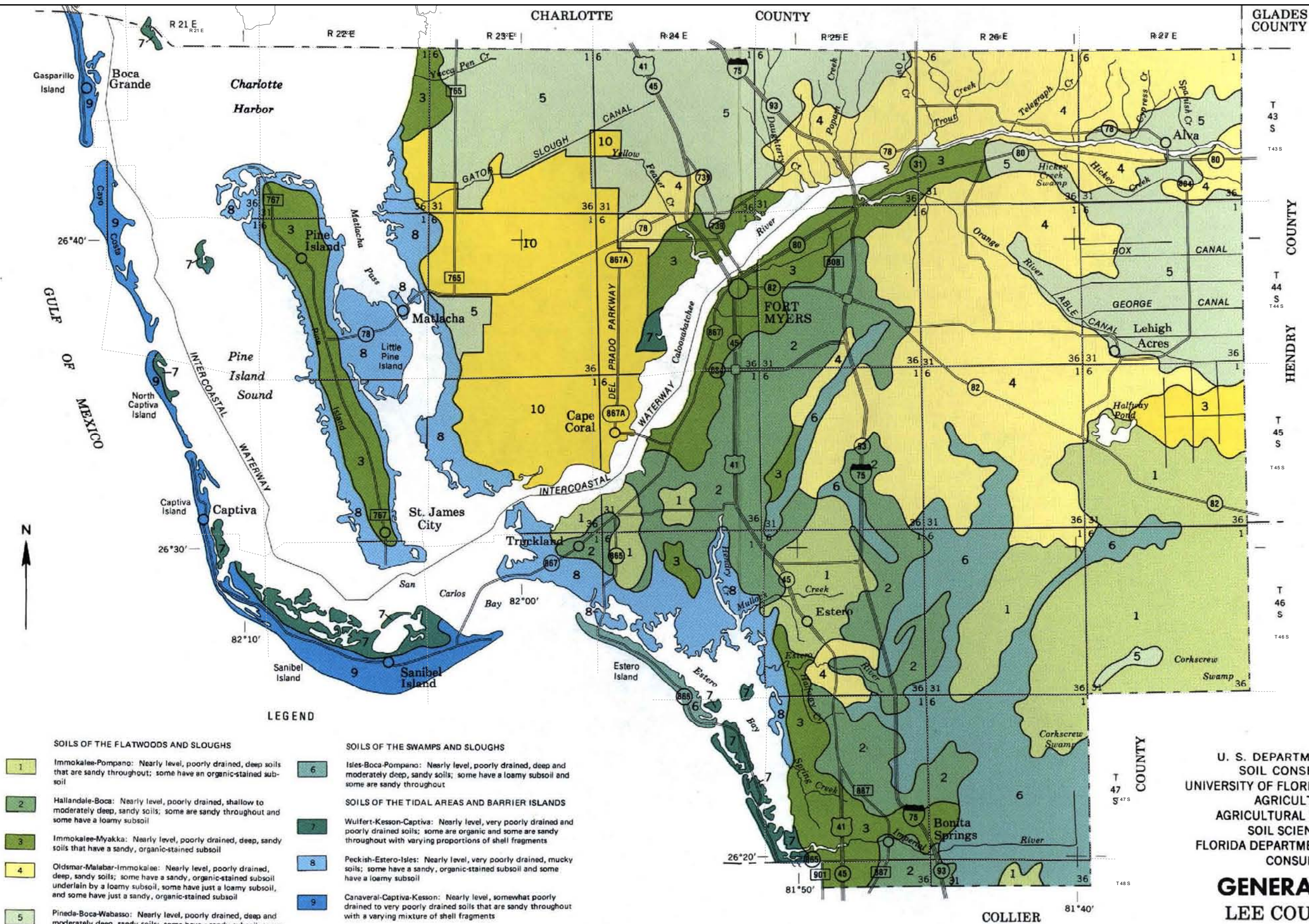
U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE  
UNIVERSITY OF FLORIDA INSTITUTE OF FOOD AND  
AGRICULTURAL SCIENCES  
AGRICULTURAL EXPERIMENT STATIONS  
SOIL SCIENCE DEPARTMENT  
FLORIDA DEPARTMENT OF AGRICULTURE AND  
CONSUMER SERVICES

## GENERAL SOIL MAP LEE COUNTY, FLORIDA

Scale 1:253,440

1 0 1 2 3 4 Miles

1 0 4 8 Km



Compiled 1983

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.



# AGENCY COMMENTS

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

July 13, 2016

**RECEIVED**  
JUL 18 2016  
COMMUNITY DEVELOPMENT

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

Dear Chairman Mann:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Lee County (Amendment No. 16-2ESR), which was received on June 15, 2016. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

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

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

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

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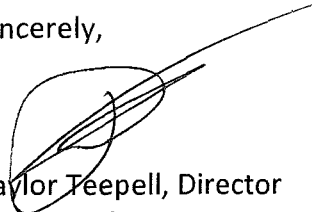
The Honorable Frank Mann, Chairman

July 13, 2016

Page 2 of 2

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Taylor Teepell', with a long, sweeping horizontal line extending to the right.

Taylor Teepell, Director  
Division of Community Development

TT/sr

Enclosure: Procedures for Adoption

cc: Mikki Rozdolski, Planning Manager, Lee County Department of Community Development  
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

## SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

### FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rick Scott  
GOVERNOR



Cissy Proctor  
EXECUTIVE DIRECTOR

RECEIVED  
JUN 21 2016  
COMMUNITY DEVELOPMENT

June 16, 2016

Mr. Mikki Rozdolski, Planning Manager  
Lee County Department of Community  
Development  
Planning Section  
Post Office Box 398  
Fort Myers, Florida 33902-0398

Dear Mr. Rozdolski:

Thank you for submitting Lee County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Lee County 16-2ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **July 15, 2016**.

If you have any questions please contact Anita Franklin, Senior Plan Processor at (850) 717-8486 or Brenda Winningham, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8516.

Sincerely,

D. Ray Eubanks, Administrator  
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

## MEMORANDUM

TO: Suzanne Ray, DEP  
Deena Woodward, DOS  
Tracy Suber, DOE  
Terry Manning, South Florida WMD  
Chesna/Catala FDOT1  
Margaret Wuerstle, Southwest Florida RPC  
Wendy Evans, AG  
Scott Sanders, FWC

**DATE: June 16, 2016**

**SUBJECT: EXPEDITED STATE REVIEW PROCESS**

***COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT***

**LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #:**

**Lee County 16-2ESR**

**STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER:**

**Brenda Winningham/850-717-8516**

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and ALSO to the Department of Economic Opportunity to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

**Note: Review Agencies -** The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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June 10, 2016

John Manning  
District One

Cecil L. Pendergrass  
District Two

Larry Kiker  
District Three

Brian Hamman  
District Four

Frank Mann  
District Five

Roger Desjarlais  
County Manager

Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
Hearing Examiner

Ray Eubanks, Plan Processing Administrator  
State Land Planning Agency  
Caldwell Building  
107 East Madison – MSC 160  
Tallahassee, FL. 32399-0800

Re: Amendment to the Lee Plan  
Transmittal Submission Package  
June 6, 2016 Transmittal Hearing

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Comprehensive Plan Amendment, known locally as CPA2016-00002 (Lee Plan Map Amendments). The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendment is as follows:

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. The existing and proposed maps are attached to this report.

The Local Planning Agency held a public hearing for this plan amendment on April 25, 2016. The Board of County Commissioners transmittal hearing was held on June 8, 2016. At the transmittal hearing, the Board of County Commissioners voted to transmit the attached Lee Plan amendment. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendment is as follows:

Mr. Brandon Dunn, Principal Planner  
Lee County Planning Section  
P.O. Box 398  
Fort Myers, Florida 33902-0398  
(239) 533-8809  
Fax (239) 485-8319  
Email: [bdunn@leegov.com](mailto:bdunn@leegov.com)

RECEIVED  
Bureau of Community Planning

JUN 15 2016

Div. of Community Development  
Dept. of Economic Opportunity

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendment and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mikki Rozdolski', written in a cursive style.

Mikki Rozdolski, Planning Manager  
Department of Community Development  
Planning Section

All documents and reports attendant to this transmittal are also being sent, by copy of this cover in a CD ROM format, to:

Comprehensive Plan Review  
Department of Agriculture and Consumer Services

Tracy D. Suber  
Department of Education

Plan Review  
Department of Environmental Protection

Deena Woodward  
Florida Department of State

Scott Sanders  
Florida Fish and Wildlife Conservation Commission

Sarah Catala  
FDOT District One

Margaret Wuerstle  
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section  
South Florida Water Management District





*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

10041 Daniels Parkway  
Fort Myers, FL 33913

JIM BOXOLD  
SECRETARY

July 18, 2016

Mr. Brandon Dunn  
Principal Planner  
Lee County Planning Division  
P.O. Box 398  
Fort Myers, Florida 33902-0398

**RE: Lee County 16-2ESR Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Comments and Recommendations**

Dear Mr. Dunn:

The Florida Department of Transportation (FDOT), District One, has reviewed the Lee County 16-2ESR, Proposed Comprehensive Plan Amendment (CPA), known locally as CPA2016-00002 (Lee Plan Map Amendments). This CPA was transmitted under the Expedited State Review process by the Board of County Commissioners in accordance with the requirements of Florida Statutes (F.S.) Chapter 163. The Department offers Lee County the following comments and recommendations regarding the proposed amendment.

**CPA2016-00002, Pine Island Community Plan Update (Text Amendment):**

CPA2016-00002 is a proposed amendment to the Lee Plan, to update four Lee Plan Maps with the most up to date data available. The Map updates include the following:

- **Map 3E: Airports, Seaports, Railways and Waterways** – This map depicts the location of major transportation facilities for non-automobile travel modes. The changes to this map include the removal of the Port Boca Grande facility at the south end of Gasparilla Island which is no longer used as a major seaport, and the addition of a waterway extension through San Carlos Bay to the east of Sanibel Island.
- **Map 3J: Evacuation Routes** – This map 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. 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.



- **Map 5: Coastal High Hazard Area** – This map depicts coastal high-hazard areas (CHHA). The changes identified in the proposed map are largely due to improved modeling techniques and data collection such as the use of LIDAR.
- **Map 10 General Soils Map** – This map depicts the general distribution of soil types within Lee County. The revised map is a color map, versus the black and white map as currently adopted.

The proposed changes do not impact densities or intensities of development. As a result, FDOT offers no comments on the proposed Lee County 16-2ESR CPA.

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

Sincerely,



Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*  
*Ms. Derek Burr, Florida Department of transportation, Director Southwest Area Office*

## Dunn, Brandon

---

**From:** Suber, Tracy [Tracy.Suber@fldoe.org]  
**Sent:** Thursday, June 16, 2016 3:58 PM  
**To:** Dunn, Brandon  
**Cc:** ext-Huff, Dawn (leeschools.net); DCPexternalagencycomments; Winningham, Brenda  
**Subject:** Lee County 16-2ESR (CPA2016-00002)

Dear Mr. Dunn –

Thank you for providing the proposed amendment 16-2ESR (CPA2016-00002) for the update of four maps to the Florida Department of Education for review. Because the amendment does not appear to affect public school facilities, I have no comment.

Sincerely,  
Tracy Suber

Tracy D. Suber  
Growth Management and Facilities Policy Liaison  
Office of Educational Facilities  
325 West Gaines Street, Suite 1014, Tallahassee, Florida 32399-0400  
850-245-9312 Office



1400 Colonial Blvd., Suite 1  
Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817  
www.swfipc.org

**RECEIVED**  
JUN 21 2016  
COMMUNITY DEVELOPMENT

June 17, 2016

Ms. Mikki Rozdolski  
Planning Manager  
Department of Community Development  
P.O. Box 398  
Fort Myers, Florida 33902-0398

**Re: Lee County CPA2016-00002 / DEO 16-2ESR**

Dear Ms. Rozdolski:

The staff of the Southwest Florida Regional Planning Council has reviewed the proposed amendment (DEO 16-2ESR) to the Lee County Comprehensive Plan. The review was performed according to the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

The Council will review the proposed amendment and the staff recommendations at its July 14, 2016 meeting. Council staff is recommending that the request be found not regionally significant. Council staff is also recommending that the proposed changes are consistent with the SRPP and do not produce extra-jurisdictional impacts that are inconsistent with the Comprehensive Plans of other local governments.

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

Sincerely,  
**Southwest Florida Regional Planning Council**

Margaret Wuerstle, AICP  
Executive Director

MW/DEC  
Attachment

Cc: Mr. Eubanks, Administrator, Plan Review and Processing, Department of Economic Development



## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS LEE COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Lee County Comprehensive Plan (DEO 16-2ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Factors of Regional Significance				
<u>Proposed</u> <u>Amendment</u>	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 16-2ESR	No	No	No	(1) Not regionally significant (2) Consistent with SRPP

### RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County

06/2016



## COMMUNITY PLANNING ACT

### Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

## **COMPREHENSIVE PLAN AMENDMENTS**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

**LEE COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 16-2ESR)**

**RECEIVED: JUNE 15, 2016**

**Summary of Proposed Amendment**

Lee County DEO 16-2ESR amends the Lee Plan to incorporate updates to four Lee Plan Maps. The maps proposed for amendments are 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. No new maps are proposed by this amendment. Only updates to existing maps that are already incorporated into the Lee Plan.

On Map 3E, there are two changes to facilities. 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 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.

The changes identified in Map 5 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.

The data for Map 10 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.

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.

**Regional Impacts**

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

**Extra-Jurisdictional Impacts**

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

**Conclusion**

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

**Recommended Action**

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County.



# **MAPS**

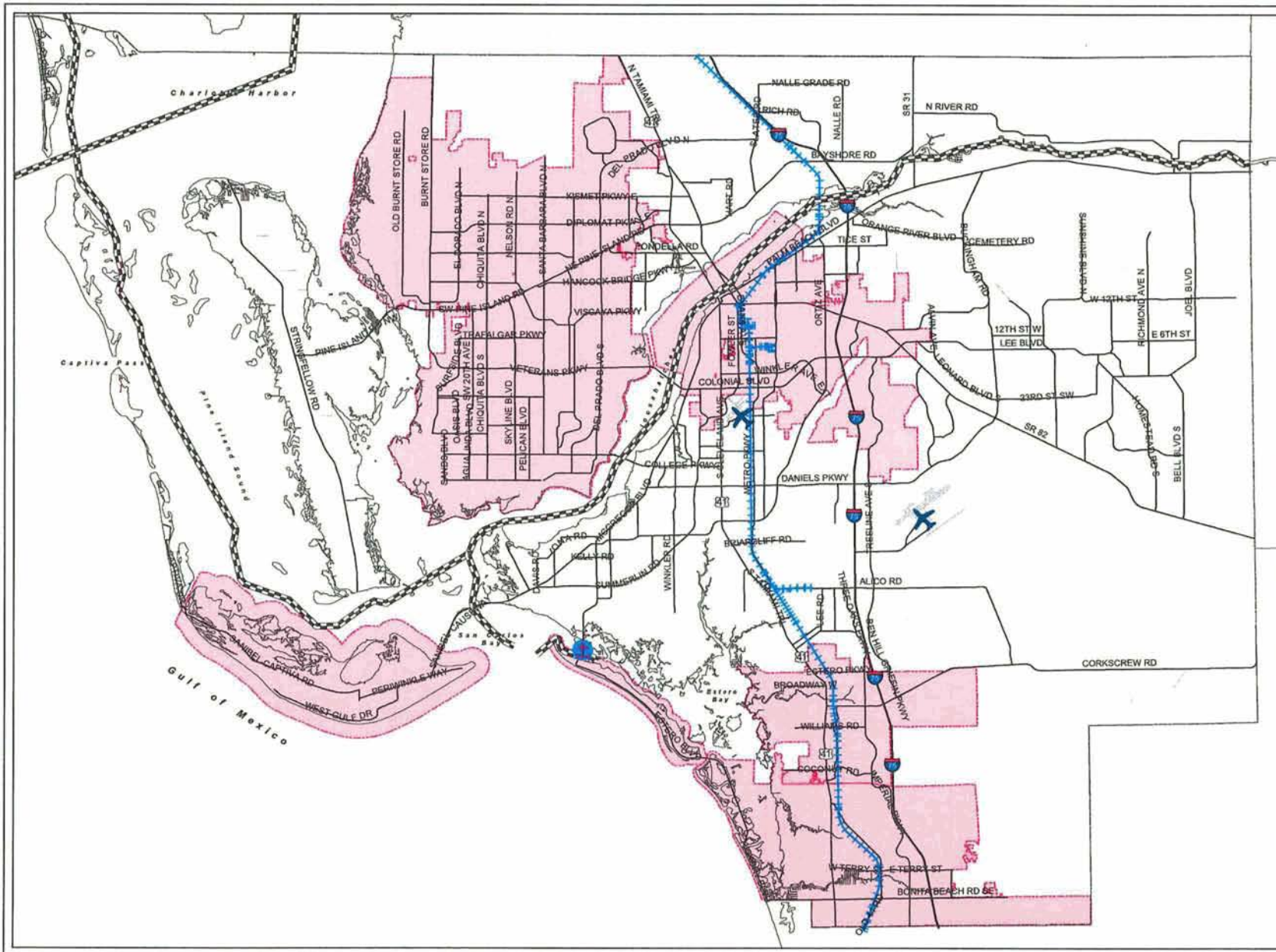
**Lee County**

**DEO 16-2ESR**

**Growth Management Plan**

**Comprehensive Plan Amendment**





# AIRPORTS, SEAPORTS, RAILWAYS & WATERWAYS

## LEGEND

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

PROPOSED



1 0.5 1 2 3 4  
Miles

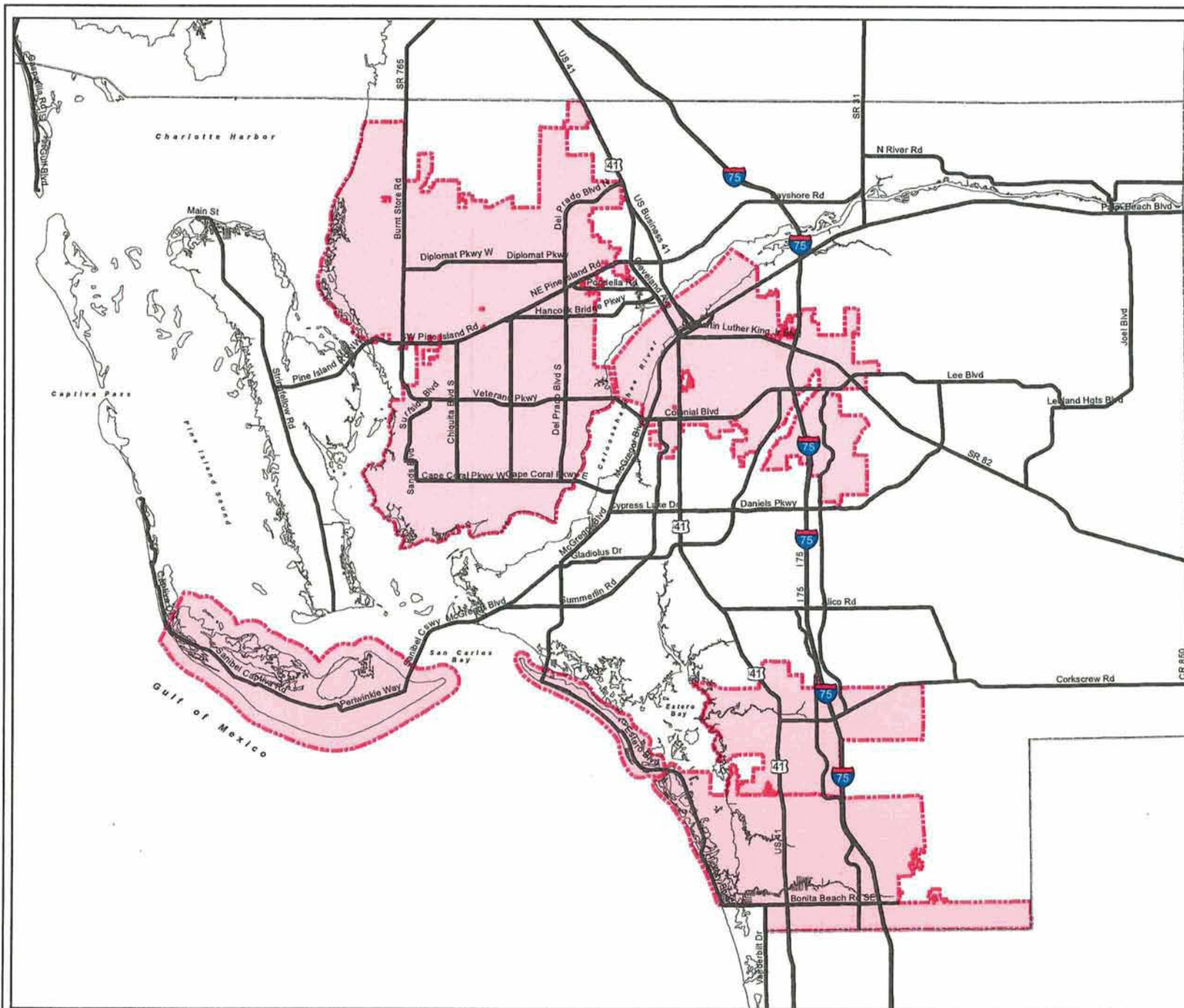
Waterway Sources:  
The National Waterway Network and  
The National Oceanic and Atmospheric Administration  
(NOAA)  
Compiled by Lee County DCD/Planning

Map Generated: June 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 Study Program

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

Prepared By: OGD/Planning

Lee Plan Map 3J



# LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

## Legend

- City Limits
- Coastal High Hazard Area

**EXISTING**

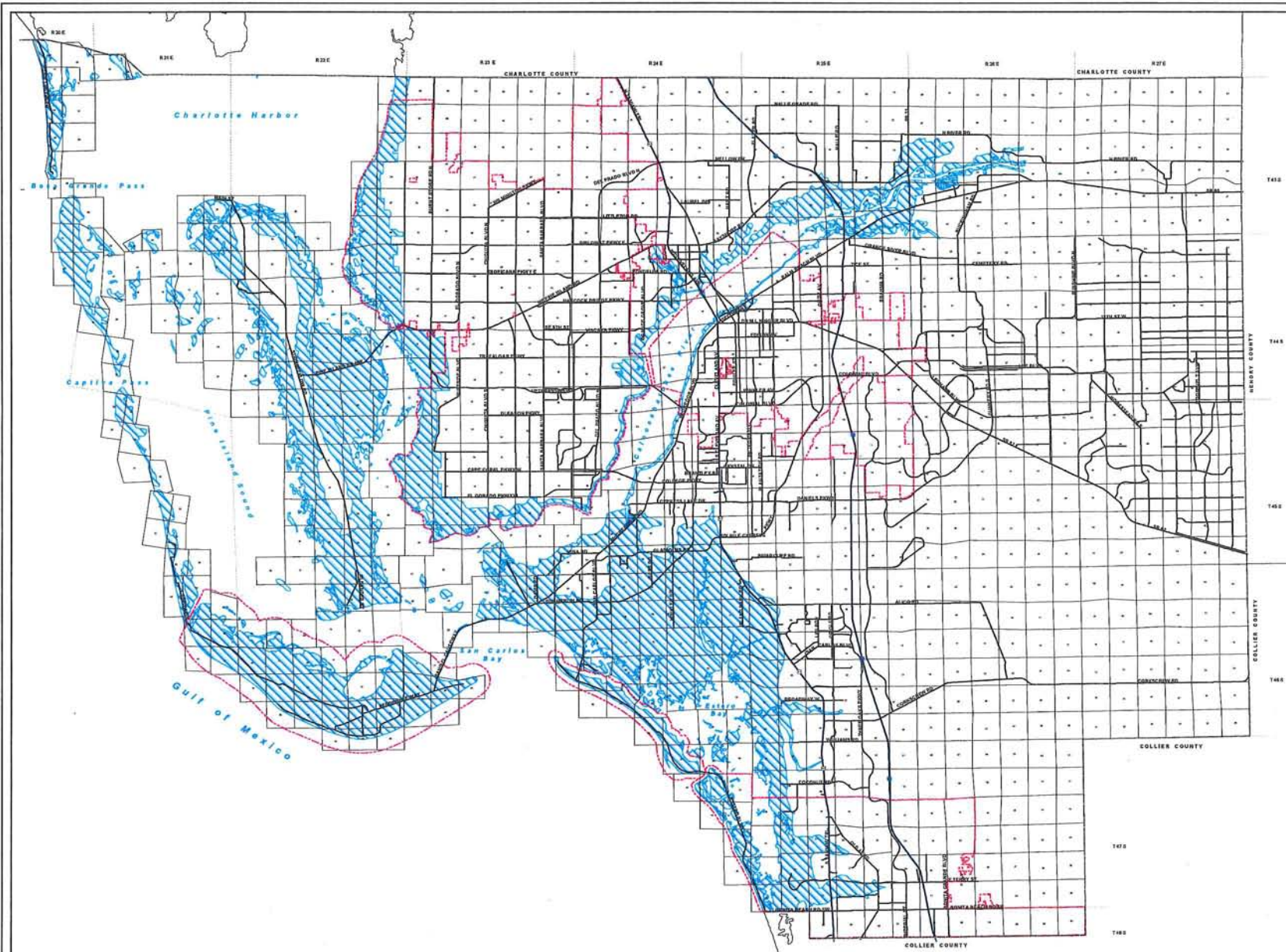


Source: SLOSH Model  
(Sea, Lake, and Overland Surges from Hurricanes)  
Run by Southwest Florida Regional Planning Council

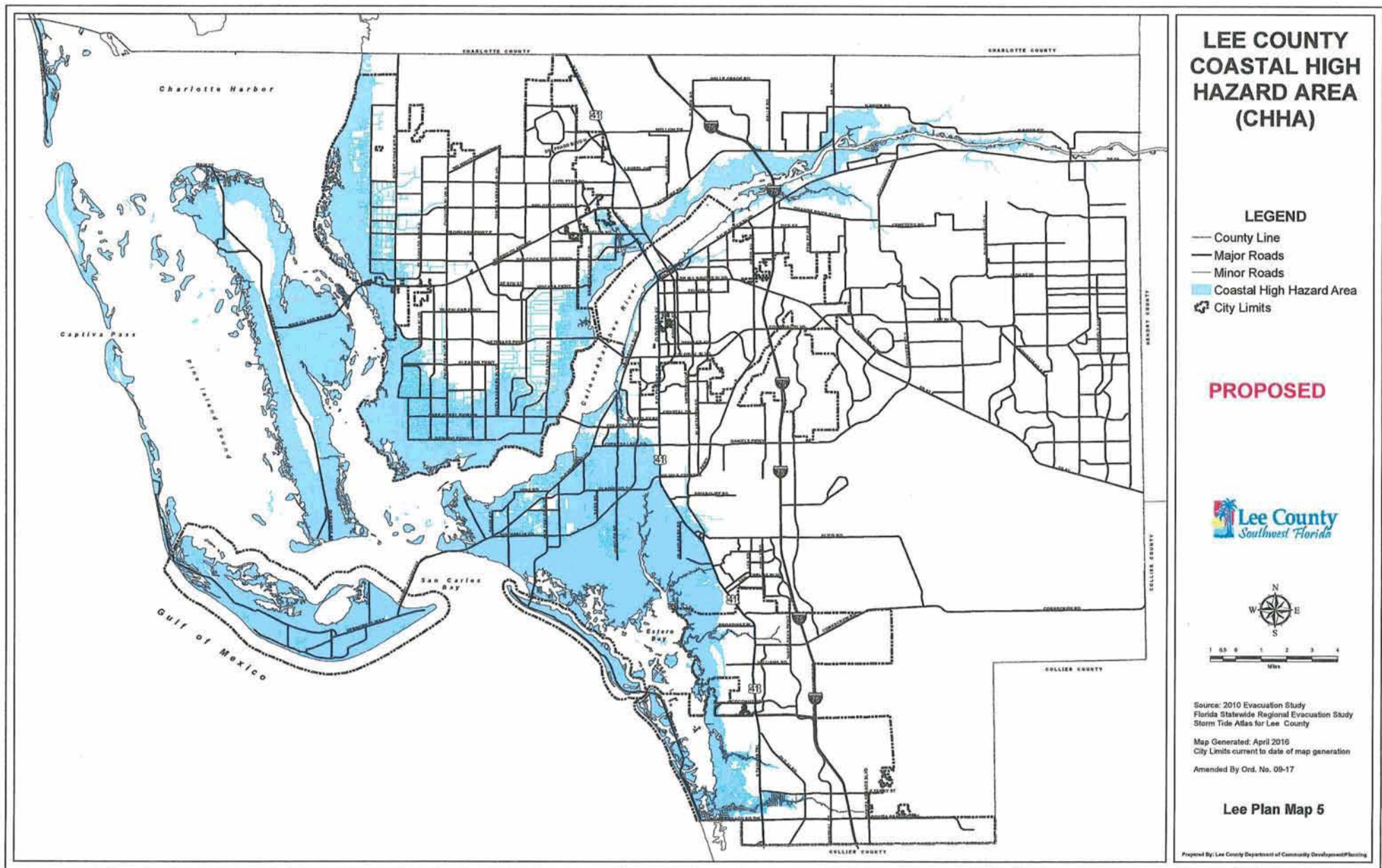
Map Generated: May 2009  
City Limits current to date of map generation

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

**Lee Plan Map 5**







# LEE COUNTY COASTAL HIGH HAZARD AREA (CHHA)

## LEGEND

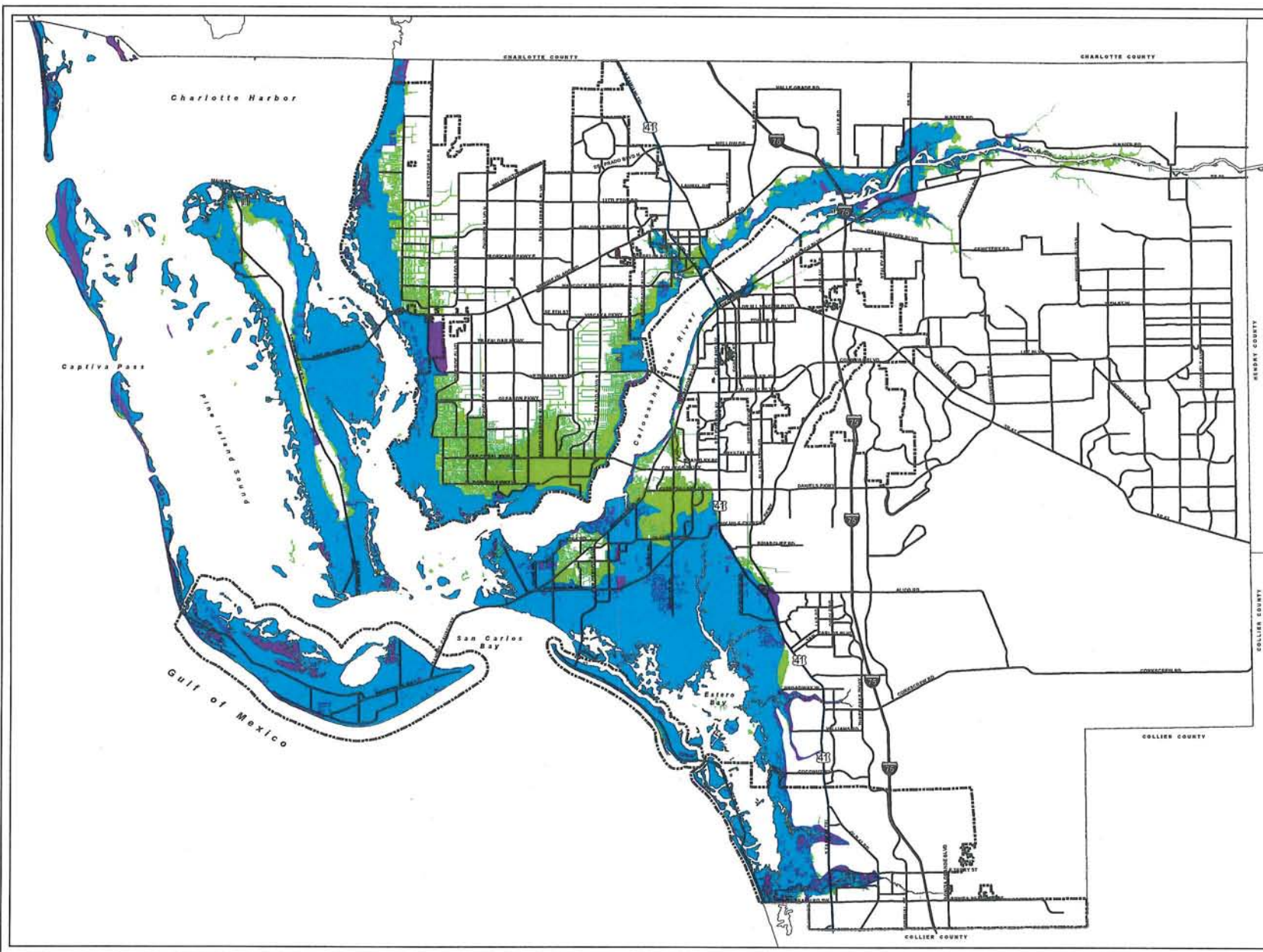
- County Line
- Major Roads
- Minor Roads
- City Limits
- CHHA Changes**
  - Removed
  - Added
  - No Change

**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

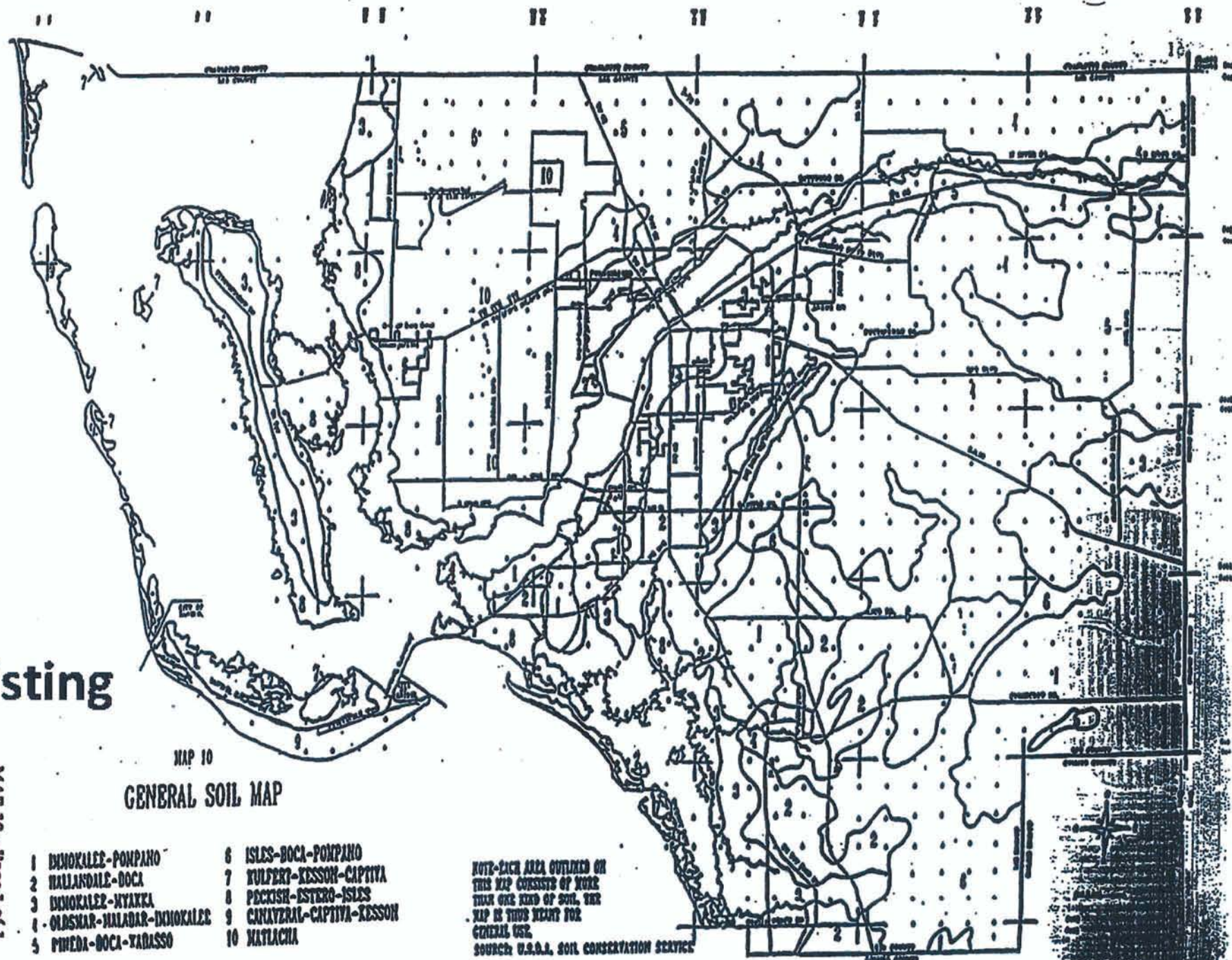
MAP 10 - Page 1 of 1

MAP 10  
GENERAL SOIL MAP

- |                             |                            |
|-----------------------------|----------------------------|
| 1 DIMOKALEE-POMPANO         | 6 ISLES-DOCA-POMPANO       |
| 2 HALLANDALE-DOCA           | 7 KULFERT-KESSON-CAPTIVA   |
| 3 DIMOKALEE-MYAKKA          | 8 PECKISH-ESTERO-ISLES     |
| 4 OLDSMAR-MALABAR-DIMOKALEE | 9 CANAVERAL-CAPTIVA-KESSON |
| 5 PINEDA-DOCA-TRASSO        | 10 MATLACHA                |

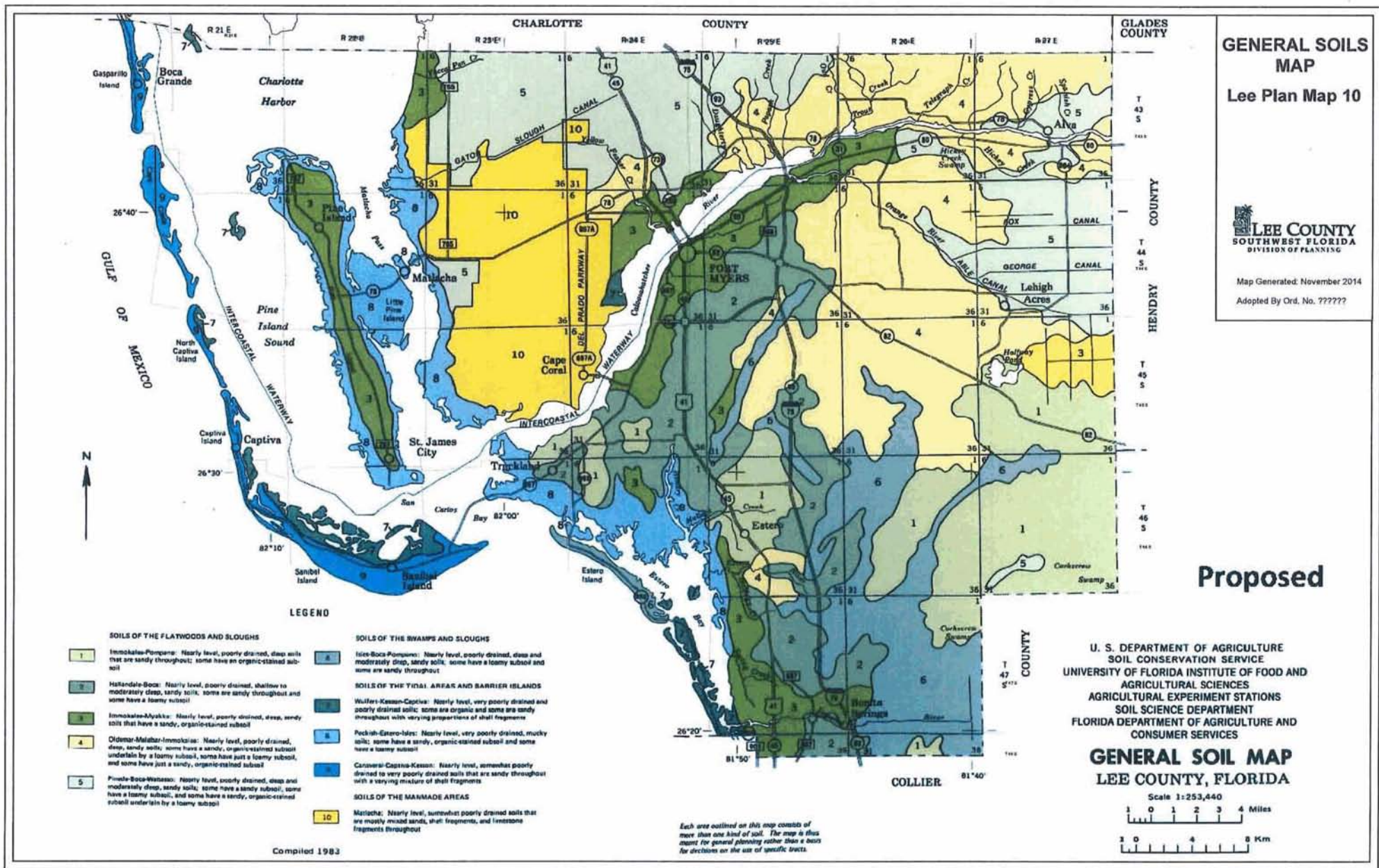
NOTE-EACH AREA OUTLINED ON THIS MAP CONSISTS OF MORE THAN ONE KIND OF SOIL. THE MAP IS THIS MEANT FOR GENERAL USE.

SOURCE: U.S.D.A. SOIL CONSERVATION SERVICE



AS AMENDED  
JANUARY 31, 1960





## Miller, Janet

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**From:** Dunn, Brandon  
**Sent:** Monday, June 27, 2016 1:57 PM  
**To:** Blackwell, Peter; Rozdolski, Mikki; Miller, Janet  
**Subject:** FW: Lee County 16-2ESR [CPA2016-00002]

FYI...

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**From:** Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]  
**Sent:** Monday, June 27, 2016 1:55 PM  
**To:** [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com); Dunn, Brandon  
**Cc:** Wallace, Traci; Chabre, Jane; Gramovot, Alex  
**Subject:** Lee County 16-2ESR [CPA2016-00002]

Dear Mr. Dunn:

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

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [FWCConservationPlanningServices@MyFWC.com](mailto:FWCConservationPlanningServices@MyFWC.com). If you have specific technical questions, please contact Alex Gramovot at (850) 617-9408 or by email at [Alex.Gramovot@myfwc.com](mailto:Alex.Gramovot@myfwc.com).

Sincerely,

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

Lee County 16-2ESR\_31153

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



**Miller, Janet**

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**From:** Dunn, Brandon  
**Sent:** Monday, June 27, 2016 2:16 PM  
**To:** Blackwell, Peter; Miller, Janet  
**Cc:** Rozdolski, Mikki  
**Subject:** FW: Lee County, DEO # 16-2ESR Comments on Proposed Comprehensive Plan Amendment Package

FYI...

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**From:** Oblaczynski, Deborah [<mailto:doblaczy@sfwmd.gov>]  
**Sent:** Monday, June 27, 2016 2:08 PM  
**To:** Rozdolski, Mikki  
**Cc:** Dunn, Brandon; Ray Eubanks ([DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)); Brenda Winningham ([brenda.winningham@deo.myflorida.com](mailto:brenda.winningham@deo.myflorida.com)); ext-Wuerstle, Margaret ([swfrpc.org](mailto:swfrpc.org))  
**Subject:** Lee County, DEO # 16-2ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Rozdolski:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Lee County (County). The proposed amendment revises four maps in the Lee Plan. There appear to be no regionally significant water resource issues; therefore, the District has no comments on the proposed amendment package.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski  
Policy & Planning Analyst  
Water Supply Implementation Unit  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, FL 33406  
(561) 682-2544 or [doblaczy@sfwmd.gov](mailto:doblaczy@sfwmd.gov)

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking on this [link](#).

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