

October 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 16-4 ESR
Adoption Submission Package

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, this submission package constitutes the adoption of Comprehensive Plan Amendments known locally as CPA2016-01 and CPA2016-04. This amendment packet includes the final action and adopting ordinances for the following amendments:

CPA2016-00001, Airport Development Schedule Update: Update Table 5(a), for Southwest Florida International Airport, to consolidate future development into a single phase; update Table 5(b), for Page Field Airport, to consolidate future development into a single phase, and add 25,000 square feet for a multi use hanger; and update Lee Plan Future Land Use and Transportation Elements to reflect these changes and make consistent throughout the Lee Plan. (Adopted by Ordinance 16-15)

CPA2016-00004, RSW Noise Zone Update: Update Lee Plan Map 1, Page 5 of 8 titled "Special Treatment Areas" (Airport Noise Zone Map) and related policy 1.7.1 to be consistent with the 2013 Southwest Florida International Airport Part 150 Noise Study. (Adopted by Ordinance 16-16)

The Lee County Board of County Commissioners held an adoption hearing to adopt the above identified ordinances for the three plan amendments on October 5, 2016. As required by F.S. 163.3184, the final action on these amendments was completed within 180 days of the receipt of the State Land Planning Agency's review letter.

No additional changes were made to the adopted amendments that the State Land Planning Agency did not previously review.

The name of the local newspaper in which the Adoption Hearing was published is The News-Press, Fort Myers, Florida.

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 amendments is as follows:

Mr. Brandon Dunn, Principal Planner
Department of Community Development
Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8585
Fax (239) 485-8344
Email: bdunn@leegov.com

Included with this package is one paper copy and two CD ROM copies, in PDF format, of the proposed amendments and supporting data and analysis. All documents and reports attendant to this submission are also being sent, by copy of this cover, 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

Sincerely,
DEPT. OF COMMUNITY DEVELOPMENT
Planning Section



Mikki Rozdolski, Planning Manager

CPA2016-00004

**RSW NOISE ZONE
UPDATE**

LEE COUNTY ORDINANCE NO. 16-16
(RSW Noise Zone Update)
(CPA2016-00004)

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 RSW NOISE ZONE UPDATE (CPA2016-00004) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; 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 June 27, 2016; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on August 3, 2016. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to RSW Noise Zone Update (CPA2016-00004) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the August 3, 2016 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on October 5, 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 and text 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 "RSW Noise Zone Update Ordinance (CPA2016-00004)."**

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 updates Lee Plan Map 1, Page 5 of 8 Titled "Special Treatment Areas" (Airport Noise Zone Map) and related Lee Plan Policy 1.7.1, known as RSW Noise Zone Update (CPA2016-00004).

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 Manning, who moved its adoption. The motion was seconded by Commissioner Hamman. The vote was as follows:

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

DONE AND ADOPTED this 5th day of October 2016.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: *Linda Doggett*
Deputy Clerk



BY: *Franklin B. Mann*
Franklin B. Mann, Chair

DATE: 10/5/2016

Approved as to Form for the
Reliance of Lee County Only

[Signature]
County Attorney's Office

Exhibit A: Adopted revisions to text and Lee Plan Map 1, Page 5 of 8 "Special Treatment Areas" (Airport Noise Zone Map) (Adopted by BOCC October 5, 2016)



EXHIBIT A

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

CPA2016-00004 RSW Noise Zone Update

Policy 1.7.1: Airport Noise Zones

The proposed amendment to Policy 1.7.1 is shown below in strikethrough/underline format:

POLICY 1.7.1: The Airport Noise Zones cover areas subject to varying levels of airport related noise. ~~By 2006 and every 5 years thereafter,~~ In conformance with Airport Noise Compatibility Planning outlined in Title 14 of the Code of Federal Regulations (CFR) Part 150, the Port Authority will update the aviation forecasts and associated noise contours for the Southwest Florida International Airport when warranted by operational changes and will initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study the updates as applicable. In addition to meeting the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:

Airport Noise Zone A/Airport Property is limited to uses that are compatible with airports and air commerce, including but not limited to those necessary to provide services and convenience goods to airline passengers, those generally associated with airport operation, and related development. Upon disposition of any Port Authority property, the land is then subject to the Noise Zone as applicable based on the most recent Composite Day-Night Average Noise Level (DNL) Noise Contours map for Southwest Florida International Airport approved by the Federal Aviation Administration.

Airport Noise Zone B does not permit any residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, that were lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as such replacement would be otherwise allowed by the Land Development Code. However, an existing conventional home may not be replaced with a new mobile or manufactured home. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if such use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification as provided for in the Land Development Code. ~~through recording of the Airport Noise Zone in the official County records of potential noise and over flights and applies to all development, both existing and new, within the zone.~~

Airport Noise Zone C and D allows existing and new construction and land uses as would otherwise be permitted by the Land Development Code. However, ~~this~~ These



~~zones requires formal notification as provided for in the Land Development Code, through recording of the Airport Noise Zone in the official County records of potential noise and over flights and applies to all development, both existing and new, within the zone.~~






~~Airport Noise Zone D allows existing and new construction and land uses as would otherwise be permitted by the Land Development Code. However, this zone requires formal notification through recording of the Airport Noise Zone in the official County records of potential noise and aircraft over flights associated with future training activity and applies to all development, both existing and new, within the zone.~~

The proposed changes do not create any substantive differences to this policy. The added reference to Title 14 of the Code of Federal Regulations simply notes the authority under which the noise study is conducted. The change to Zone A clarifies the status of any land that is no longer owned by the Port Authority in regards to Noise Zone regulations. The changes to Zones B, C, and D do not change any of the existing permitted uses for any of the zones. The proposed changes simplify the language and preclude potential future regulatory conflicts by removing a specific process and replacing it with a general requirement. The process is provided for in the Lee County Land Development Code. The applicant proposed to remove the reference to training activity in the language for Zone D making the description identical to that of Zone C; staff has combined the descriptions of the two zones in order to reduce redundancy within the Lee Plan.



SPECIAL TREATMENT AREAS

Legend

-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D
-  City Limits

CPA2016-00004
EXISTING

 **LEE COUNTY**
SOUTH WEST FLORIDA
DIVISION OF PLANNING

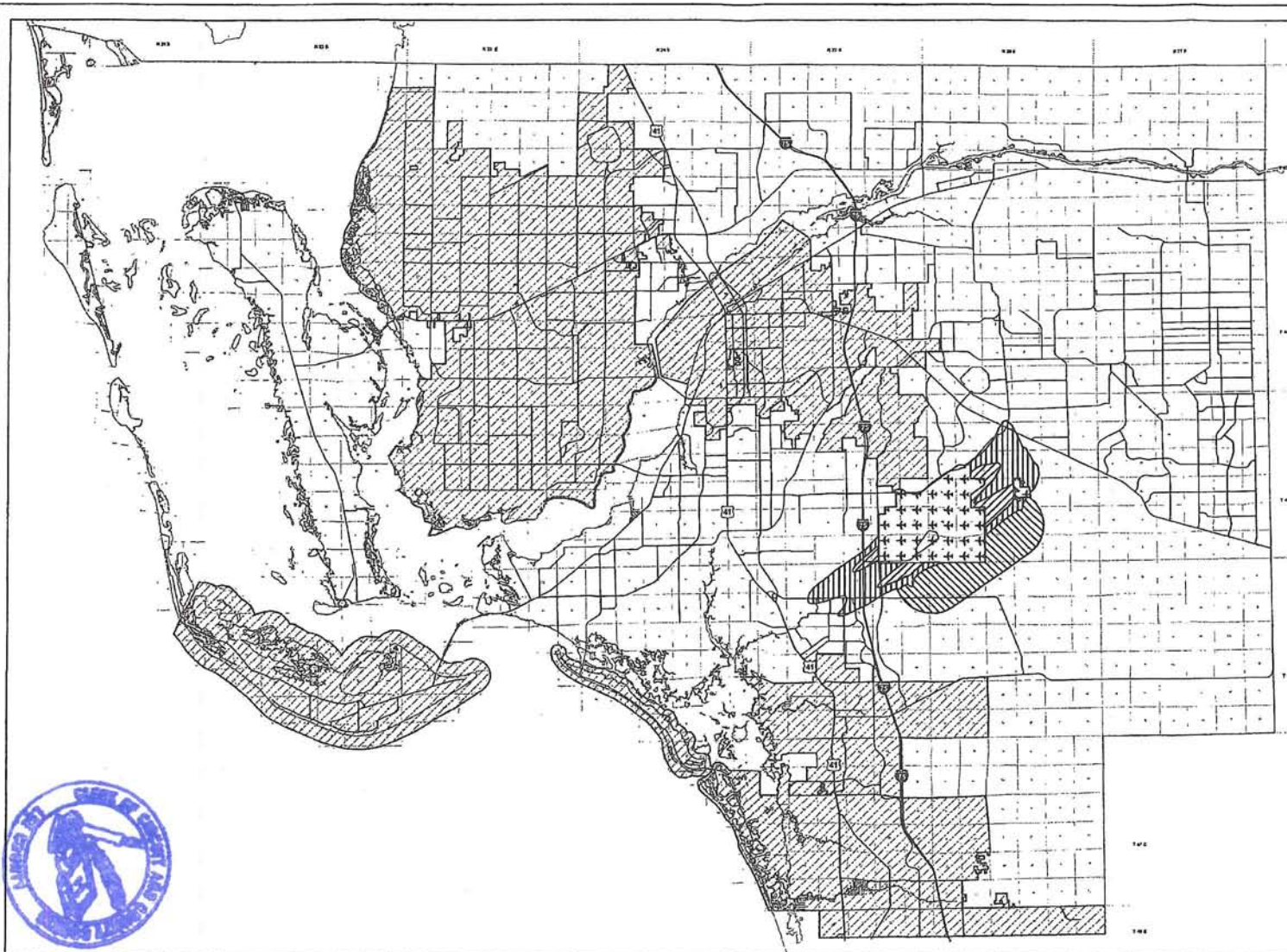


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City Limits current to date of map generation






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Amended by Ordinance No.
00-22, 03-15, & 07-09

Lee Plan Map 1
Page 5 of 8



SPECIAL TREATMENT AREAS

Legend

-  City Limits
- NOISE_ZONE**
-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D

CPA2016-00004
PROPOSED

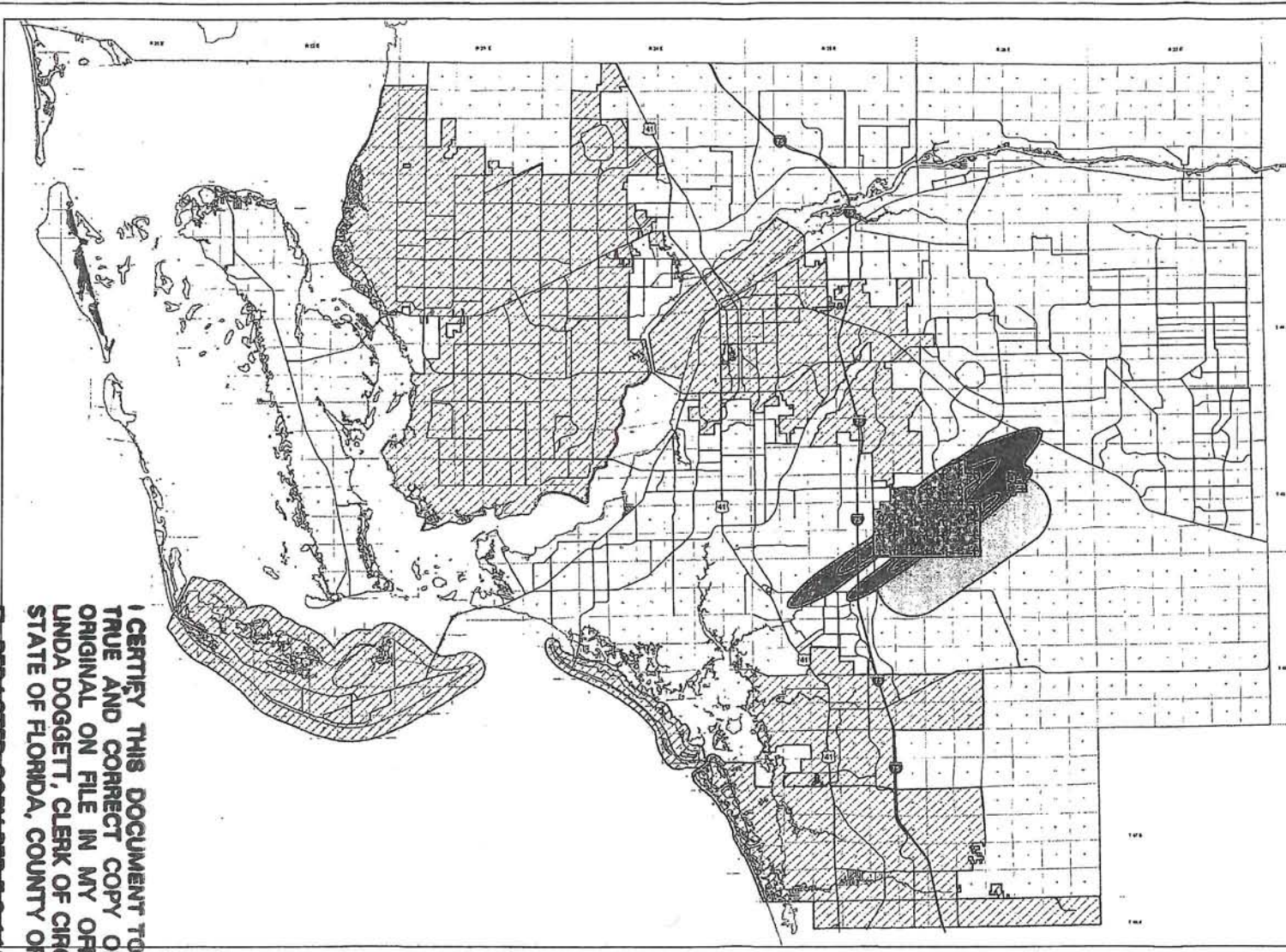
LEE COUNTY
SOUTH WEST FLORIDA
DIVISION OF PLANNING



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

Last Amended: August 13, 2007
Amended by Ordinance No.
00-22, 03-15, & 07-09

Lee Plan Map 1
Page 5 of 8

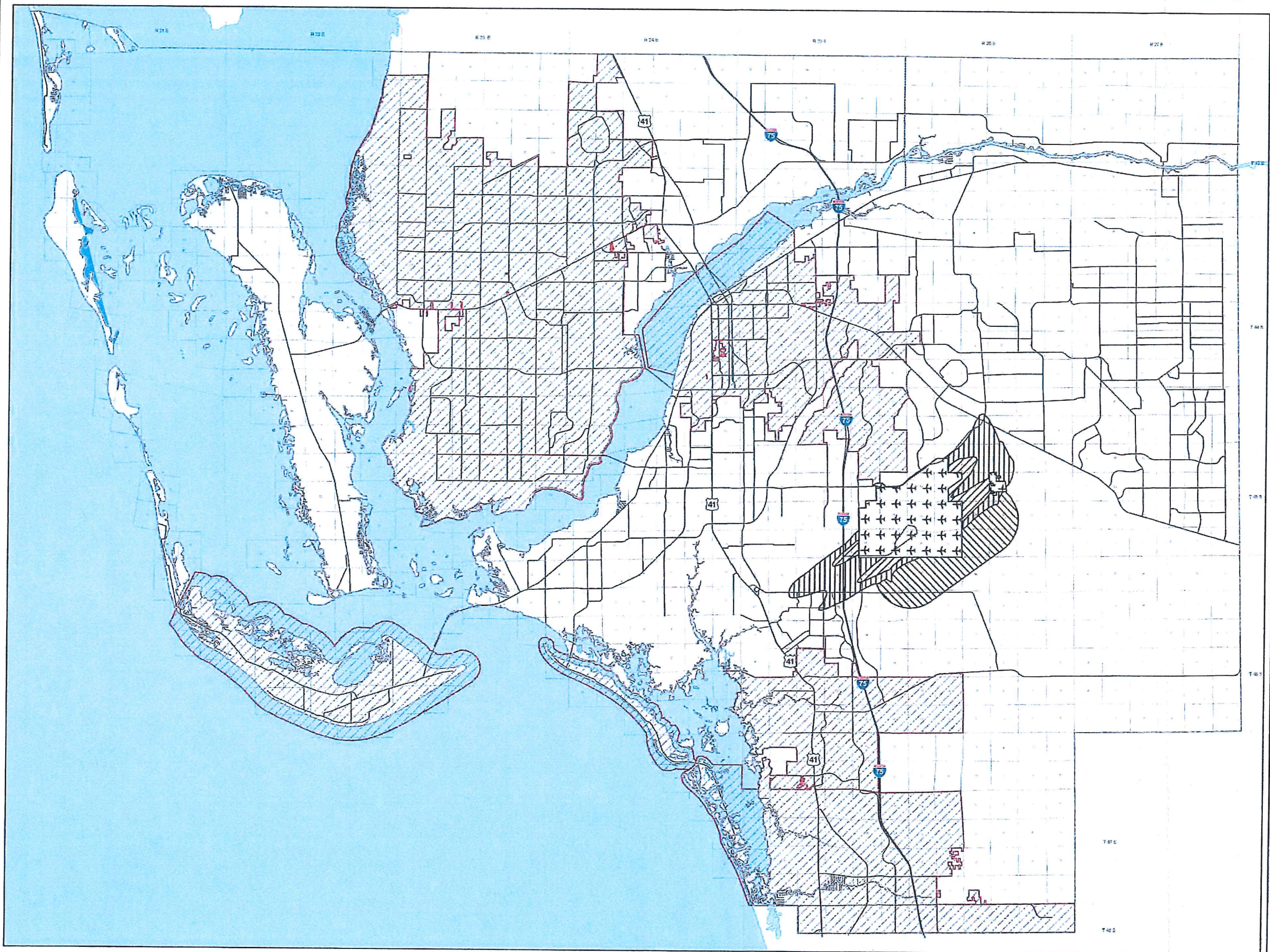


I CERTIFY THIS DOCUMENT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE LINDA DOGGETT, CLERK OF CIRCUIT COURT STATE OF FLORIDA, COUNTY OF LEE

REDACTED COPY PER F.S. 119.071






BY: *Laura King*
DATED: OCT 10 2016
Deputy Clerk



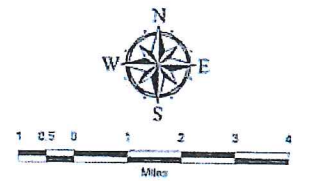


SPECIAL TREATMENT AREAS

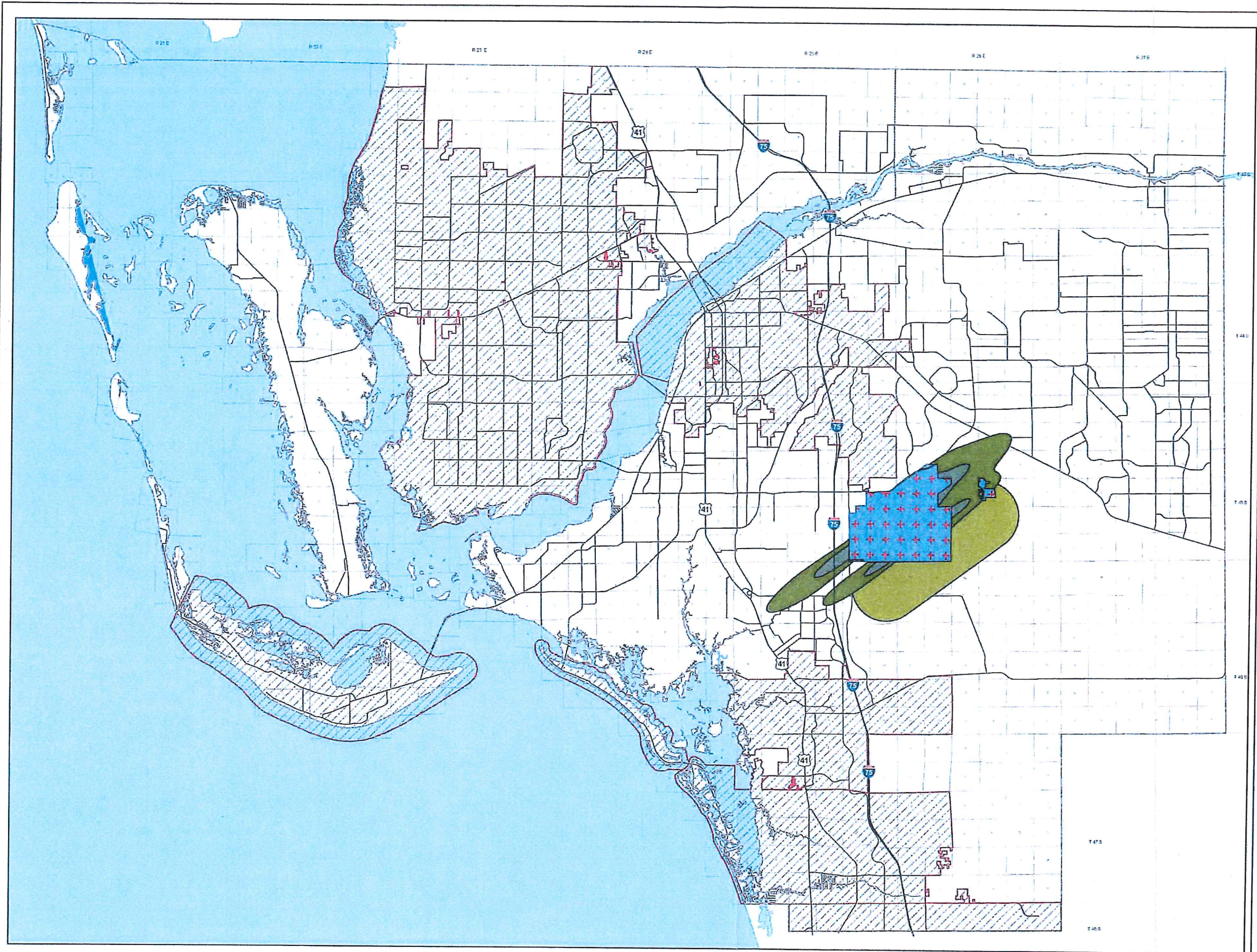
Legend

-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D
-  City Limits

CPA2016-00004
EXISTING








Map Generated: May 2016
City Limits current to date of map generation
Last Amended: August 13, 2007
Amended by Ordinance No. 00-22, 03-15, & 07-09

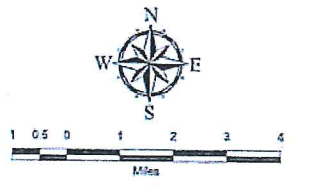


SPECIAL TREATMENT AREAS

Legend

-  City Limits
- NOISE_ZONE**
-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D

**CPA2016-00004
PROPOSED**



Map Generated: June 2016
 City Limits current to date of map generation
 Last Amended: August 13, 2007
 Amended by Ordinance No.
 00-22, 03-15, & 07-09



**COMPREHENSIVE PLAN
AMENDMENT**

**CPA2016-04
RSW NOISE ZONE
UPDATE**

Port Authority Initiated Amendment

BoCC Adoption Document

10/5/2016

**STAFF REPORT
COMPREHENSIVE PLAN AMENDMENT
CPA2016-04**



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: June 17, 2016

**PART I
APPLICATION SUMMARY**

A. PROJECT NAME:

RSW Noise Zone Update

B. APPLICANT:

Lee County Port Authority

C. REPRESENTATIVE:

Laura DeJohn, Johnson Engineering

D. PROPOSED LEE PLAN AMENDMENTS:

Amend Lee Plan Map 1, Page 5, Special Treatment Areas, to update the noise zones associated with the Southwest Florida International Airport and adopt new language into Lee Plan Policy 1.7.1.

PART II RECOMMENDATION AND FINDINGS OF FACT

A. RECOMMENDATION:

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

B. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Board of County Commissioners as the Board of Port Commissioners initiated this amendment on March 14, 2016.
- The map included in the proposed amendment is required by Chapter 163.3177 of the Florida Statutes, and the proposed amendment will ensure that the Lee Plan remains consistent with the Florida Statute requirements.
- The updated map will depict the most up-to-date data from Lee County Port Authority.
- The map is based on data generated by the 2013 Part 150 Noise Study required by Title 14 of the Code of Federal Regulations.
- Lee Plan Policy 1.7.1 addresses the uses permitted within various noise zones surrounding Southwest Florida International Airport.
- No substantive changes, just clarification and simplification of existing procedures are proposed for Policy 1.7.1.
- The expansion of Noise Zone B will not impact land designated for residential uses per the Lee Plan Future Land Use Map (FLUM).

PART III BACKGROUND and ANALYSIS

Part 150, Title 14 of the Code of Federal Regulations requires the definition and depiction of noise zones for airports. Florida State Statutes 163.3177(6)(a)2.g, (6)(a)3.b, (6)(a)11, and (6)(b)2.d require that the Lee Plan address compatibility of airports with adjacent land uses. Lee Plan Policy 1.7.1 describes the different categories of airport noise zones and the uses permitted and notice requirements within each category.

MAP 1, Page 5, Special Treatment Areas: Airport Noise Zones

The existing and proposed Airport Noise Zone maps are shown in attachment 1. The changes in the proposed noise zones are the result of data gathered during the 2013 Part 150 Noise Study required by Title 14 of the Code of Federal Regulations. The existing noise zone map uses data from the Part 150 Study completed in 2006. The data used in

these studies come from federally-regulated multi-year Noise Compatibility Plan and Noise Exposure Maps that are updated periodically.

The expansion of Noise Zone B, which does not permit any residential development, will not impact land designated for residential uses per the Lee Plan Future Land Use Map (FLUM). Neither population projections nor total population capacity of the Lee Plan FLUM are affected by this update.

Policy 1.7.1: Airport Noise Zones

The proposed amendment to Policy 1.7.1 is shown below in strikethrough/underline format:

POLICY 1.7.1: ~~The Airport Noise Zones cover areas subject to varying levels of airport related noise. By 2006 and every 5 years thereafter,~~ In conformance with Airport Noise Compatibility Planning outlined in Title 14 of the Code of Federal Regulations (CFR) Part 150, the Port Authority will update the aviation forecasts and associated noise contours for the Southwest Florida International Airport when warranted by operational changes and will initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study the updates as applicable. In addition to meeting the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:

~~Airport Noise Zone A~~Airport Property is limited to uses that are compatible with airports and air commerce, including but not limited to those necessary to provide services and convenience goods to airline passengers, those generally associated with airport operation, and related development. Upon disposition of any Port Authority property, the land is then subject to the Noise Zone as applicable based on the most recent Composite Day-Night Average Noise Level (DNL) Noise Contours map for Southwest Florida International Airport approved by the Federal Aviation Administration.

~~Airport Noise Zone B~~ does not permit any residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, that were lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as such replacement would be otherwise allowed by the Land Development Code. However, an existing conventional home may not be replaced with a new mobile or manufactured home. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if such use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification as provided for in the Land Development Code. ~~through recording of the Airport Noise Zone in the official County records of potential noise and over flights and applies to all development, both existing and new, within the zone.~~

~~Airport Noise Zone C and D~~ allows existing and new construction and land uses as would otherwise be permitted by the Land Development Code. ~~However, this~~ These

~~zones requires formal notification as provided for in the Land Development Code, through recording of the Airport Noise Zone in the official County records of potential noise and over flights and applies to all development, both existing and new, within the zone.~~

~~Airport Noise Zone D allows existing and new construction and land uses as would otherwise be permitted by the Land Development Code. However, this zone requires formal notification through recording of the Airport Noise Zone in the official County records of potential noise and aircraft over flights associated with future training activity and applies to all development, both existing and new, within the zone.~~

The proposed changes do not create any substantive differences to this policy. The added reference to Title 14 of the Code of Federal Regulations simply notes the authority under which the noise study is conducted. The change to Zone A clarifies the status of any land that is no longer owned by the Port Authority in regards to Noise Zone regulations. The changes to Zones B, C, and D do not change any of the existing permitted uses for any of the zones. The proposed changes simplify the language and preclude potential future regulatory conflicts by removing a specific process and replacing it with a general requirement. The process is provided for in the Lee County Land Development Code. The applicant proposed to remove the reference to training activity in the language for Zone D making the description identical to that of Zone C; staff has combined the descriptions of the two zones in order to reduce redundancy within the Lee Plan.

PART IV CONCLUSION

Text Amendment: The proposed amendment to Policy 1.7.1 removes overly complicated language from several parts of the policy. It also specifies the process for updates to noise zones and clarifies the applicability of noise zones on former airport property.

Map Amendment: The proposed amendment provides an update to an existing Lee Plan map required by Florida Statutes. The Lee Plan Airport Noise Zone Map (Map 1, Page 5, Special Treatment Acres) will be up to date using the most recent data available. This amendment contributes toward maintaining as high a level of accuracy in the Lee Plan as possible.

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: June 27, 2016

A. LOCAL PLANNING AGENCY REVIEW:

The applicant's representative gave a brief presentation regarding the proposed amendment. This was followed by a presentation from staff, which highlighted the basis and findings of fact.

LPA members asked about possible effects of the proposed noise zones boundaries on Lee County's island communities such as Captiva and Fort Myers Beach. Representatives of the Port Authority clarified that the revised boundaries would not change impacts to these areas. The LPA also requested clarification about the references to the 2006 and 2013 federal noise studies. Staff and Port Authority representatives clarified that the existing noise zones are based on the 2006 study and the proposed noise zones are based on the 2013 study.

No members of the public addressed the LPA concerning the proposed amendment.

A motion was made to recommend that the Board of County Commissioners transmit the amendment. The motion was passed by a 5 to 0 vote.

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 STOUER	<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: August 3, 2016

A. BOARD REVIEW:

Staff gave a brief presentation and made a recommendation that the BOCC transmit the proposed amendment.

No members of the public spoke regarding the proposed amendment.

A motion was made that the BOCC transmit the proposed amendments as recommended by staff and the LPA. 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:

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

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

DATE OF REVIEWING AGENCY COMMENTS: Due by September 14, 2016

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment: Florida Departments of Agriculture and Consumer Services; Education; 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 amendment.

B. STAFF RECOMMENDATION

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

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

DATE OF PUBLIC HEARING: October 5, 2016

A. BOARD REVIEW

Planning staff provided a brief summary of the proposed amendment and conveyed the planning staff and LPA recommendation, that the Board of County Commissioners adopt the proposed amendment. Staff also stated that no state reviewing agency had expressed any objections to the proposed amendment. No members of the Board or the public had any comments on the amendment.

A motion was made that the BOCC *adopt* staff's recommendation. The motion was called and passed 5-0.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY

1. BOARD ACTION:

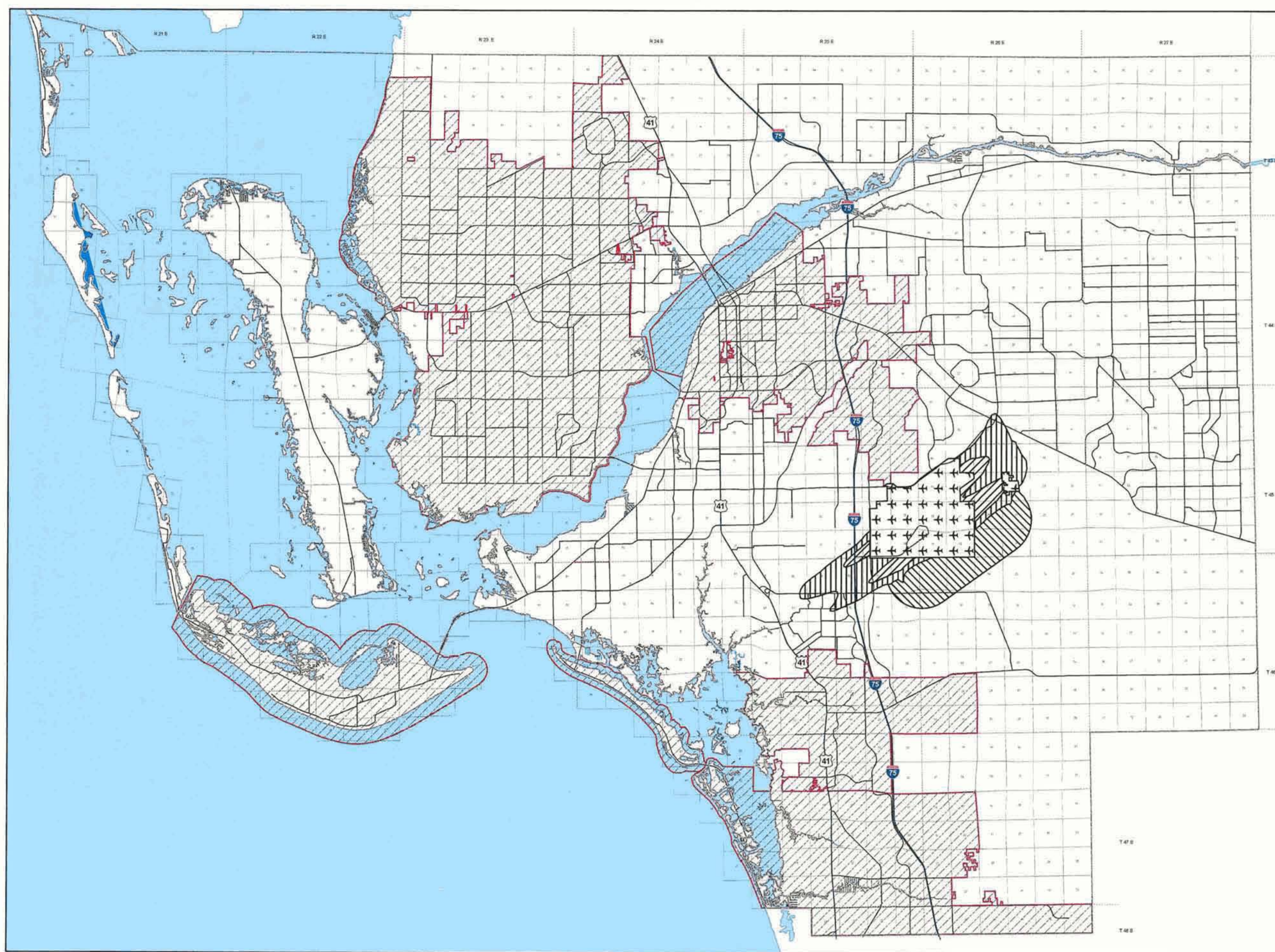
The Board of County Commissioners adopted the proposed amendment as recommended by staff.

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:

BRIAN HAMMAN	AYE
LARRY KIKER	AYE
FRANK MANN	AYE
JOHN MANNING	AYE
CECIL L PENDERGRASS	AYE



SPECIAL TREATMENT AREAS

Legend

-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D
-  City Limits






CPA2016-00004
EXISTING



Map Generated: May 2016
 City Limits current to date of map generation
 Last Amended: August 13, 2007
 Amended by Ordinance No.
 00-22, 03-15, & 07-09

SPECIAL TREATMENT AREAS

Legend

-  City Limits
- NOISE_ZONE**
-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D

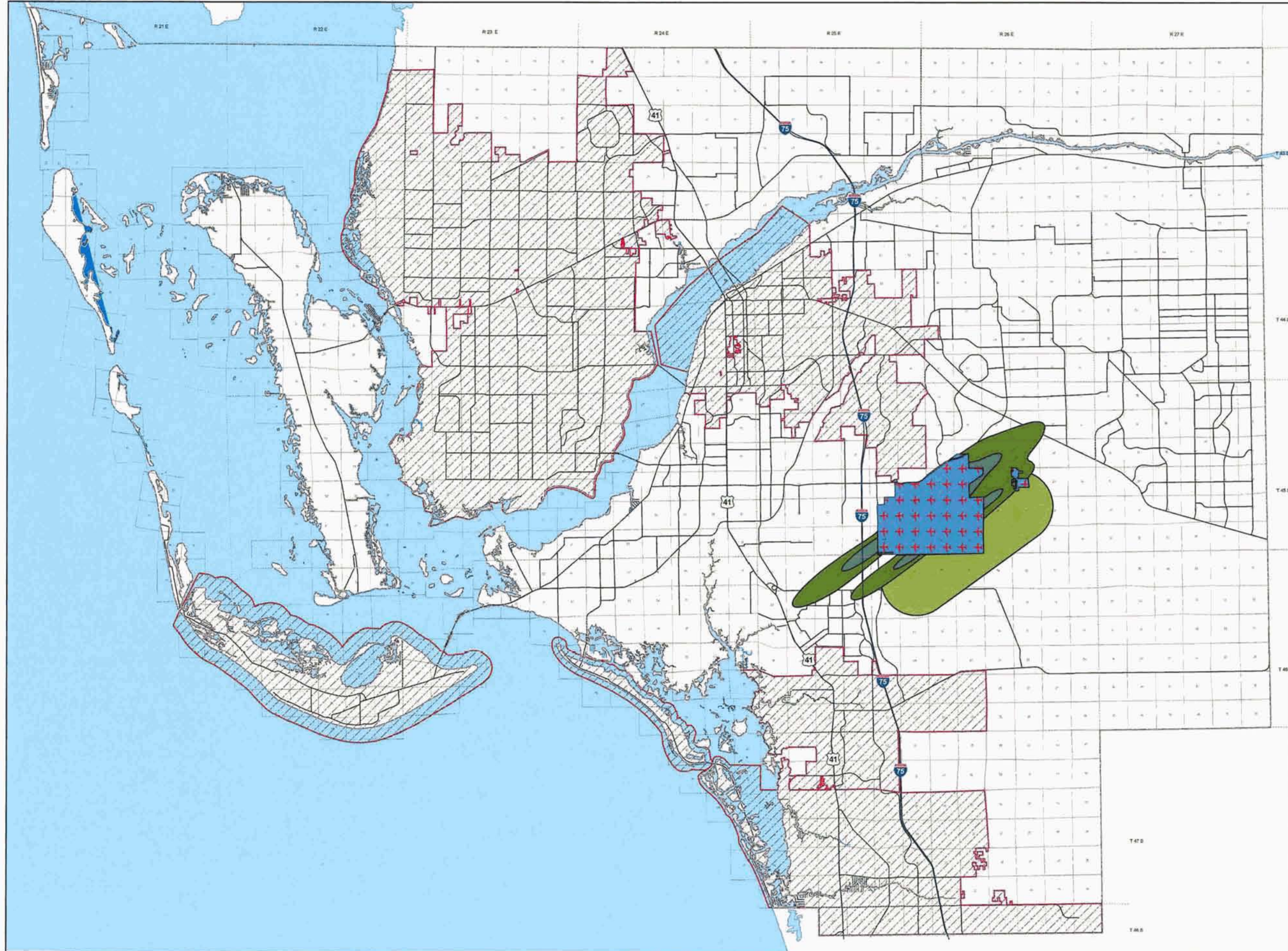
CPA2016-00004
PROPOSED



Map Generated: June 2016

City Limits current to date of map generation

Last Amended: August 13, 2007
Amended by Ordinance No.
00-22, 03-15, & 07-09



**STATE REVIEW
AGENCY
COMMENTS**

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 16, 2016

RECEIVED
AUG 19 2016
COMMUNITY DEVELOPMENT

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 16-4ESR**.

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 **September 14, 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

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: August 16, 2016

SUBJECT: EXPEDITED STATE REVIEW PROCESS

COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #:

Lee County 16-4ESR

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

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
850.245.7100 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.



August 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
August 3, 2016 Transmittal Hearing

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Comprehensive Plan Amendments, known locally as CPA2016-00001 (Airport Development Schedule Update), and CPA2016-00004 (RSW Noise Zone Update). The proposed amendments are being submitted through the expedited state review process as described in Chapter 163.3184. The amendments are as follows:

CPA2016-00001, Airport Development Schedule Update: Update Table 5(a), for Southwest Florida International Airport, to consolidate future development into a single phase; update Table 5(b), for Page Field Airport, to consolidate future development into a single phase, and add 25,000 square feet for a multi use hanger; and update Lee Plan Future Land Use and Transportation Elements to reflect these changes and make consistent throughout the Lee Plan.

CPA2016-00004, RSW Noise Zone Update: Update Lee Plan Map 1, Page 5 of 8 titled "Special Treatment Areas" (Airport Noise Zone Map) and related policy 1.7.1 to be consistent with the 2013 Southwest Florida International Airport Part 150 Noise Study.

The Local Planning Agency held a public hearing for these plan amendments on June 27, 2016. The Board of County Commissioners transmittal hearing was held on August 3, 2016. At the transmittal hearing, the Board of County Commissioners voted to transmit the attached Lee Plan amendments. The proposed amendments are 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 amendments 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


RECEIVED
Bureau of Community Planning

AUG 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,



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

Dunn, Brandon

From: Suber, Tracy [Tracy.Suber@fldoe.org]
Sent: Thursday, August 18, 2016 8:47 AM
To: Rozdolski, Mikki; Dunn, Brandon
Cc: ext-Huff, Dawn (leeschools.net); DCPexternalagencycomments; Winningham, Brenda
Subject: Lee County 16-4ESR

Dear Ms. Rozdolski and Mr. Dunn –

Thank you for the opportunity to review Lee County's proposed 16-4ESR amendment package, which the Florida Department of Education (FDOE) received on August 16, 2016. According to the department's responsibilities under Section 163.3184(3), Florida Statutes, I reviewed the amendment considering provisions of Chapter 163, Part II, F.S., and to determine whether the proposal, if adopted, would have the potential to create adverse effects on public school facilities.

The proposal would amend the comprehensive plan to update the airport development schedule for the Southwest Florida International Airport, the airport noise zone map and related policy for consistency with the 2013 noise study. Because the proposal does not appear to have the potential to create adverse effects on public school facilities, I offer no comment.

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

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



OFFICE OF THE COMMISSIONER
(850) 617-7700



THE CAPITOL
400 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0800

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

August 24, 2016

VIA EMAIL (bdunn@leegov.com)

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

Re: DACS Docket # -- 20160816-798
Lee County CPA 2016-00001 and CPA 2016-00004
Submission dated August 10, 2016

Dear Mr. Dunn:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on August 16, 2016 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

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

Sincerely,

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

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

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 16-4 ESR)

Dunn, Brandon

From: Hight, Jason [Jason.Hight@MyFWC.com]
Sent: Wednesday, August 24, 2016 11:53 AM
To: DCPexternalagencycomments@deo.myflorida.com; Dunn, Brandon
Cc: Cucinella, Josh; Wallace, Traci; Chabre, Jane
Subject: Lee County 16-4 ESR [CPA2016-00001 and CPA2016-00004]

Dear Mr. Dunn,

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendments in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife 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. If you have specific technical questions, please contact Josh Cucinella at (386) 754-6245 or by email at Josh.Cucinella@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



September 7, 2016

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

Re: Lee County CPA2016-00001 and CPA2016-00001 / DEO 16-4ESR

Dear Ms. Rozdolski:

The staff of the Southwest Florida Regional Planning Council has reviewed the proposed amendment (DEO 16-4ESR) 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 September 15, 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

A handwritten signature in blue ink that reads 'Margaret Wuerstle'.

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 16-4ESR). 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:

<u>Proposed Amendment</u>	Factors of Regional Significance			<u>Consistent</u>
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	
DEO 16-4ESR	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

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 16-4ESR)

RECEIVED: AUGUST 18, 2016

Summary of Proposed Amendment

Lee County DEO 16-4ESR consists of two amendments, CPA2016-00001 and CPA2016-00004:

CPA2016-00001, Airport Development Schedule Update: Update Table 5(a), for the Southwest Florida International Airport, to consolidate future development into a single phase. Update Table 5(b), for the Page Field Airport, to consolidate future development into a single phase and add 25,000 square feet for a multi-use hanger. Update the Lee Plan FLU and Transportation Elements to reflect these changes and make consistent throughout the Lee Plan.

The changes replace the existing development information to reflect 2016 conditions, consolidate each airport's two phase schedule into one phase each. The proposed 25,000 square foot multi-use hangar will be used to support the economic feasibility and maximization of uses at the airport. The proposed amendments will keep the Lee Plan up to date by incorporating the latest development schedule data into Table 5(a) and Table 5(b), and by maintaining consistency with the Lee Plan Future Land Use and Transportation Elements.

CPA2016-00004, RSW Noise Zone Update: Update Lee Plan Map 1, Page 5 of 8 titles "Special Treatment Areas" (Airport Noise Zone Map) and related Policy 1.7.1 to be consistent with the 2013 Southwest Florida International Airport Part 150 Noise Study.

The changes in the proposed noise zones are the result of data gathered during the 2013 Part 150 Noise Study required by Title 14 of the Code of Federal Regulations. The existing noise zone map uses data from the Part 150 Study completed in 2006. The expansion of Noise Zone B, which does not permit any residential development, will not impact land designated for residential uses per the Lee Plan Future Land Use Map (FLUM).

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.

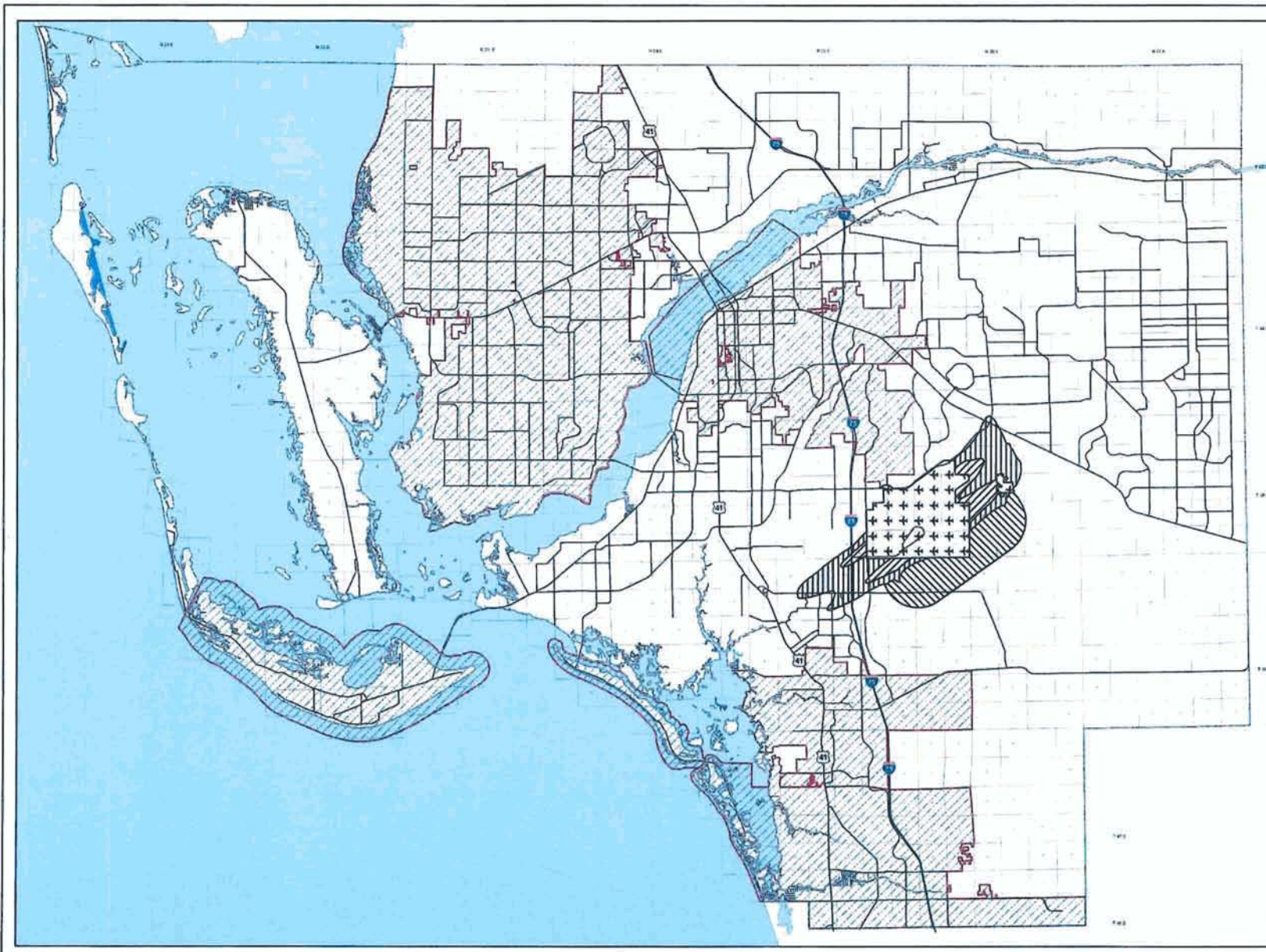
MAPS

Lee County

DEO 16-4ESR






Growth Management Plan

Comprehensive Plan Amendment



SPECIAL TREATMENT AREAS

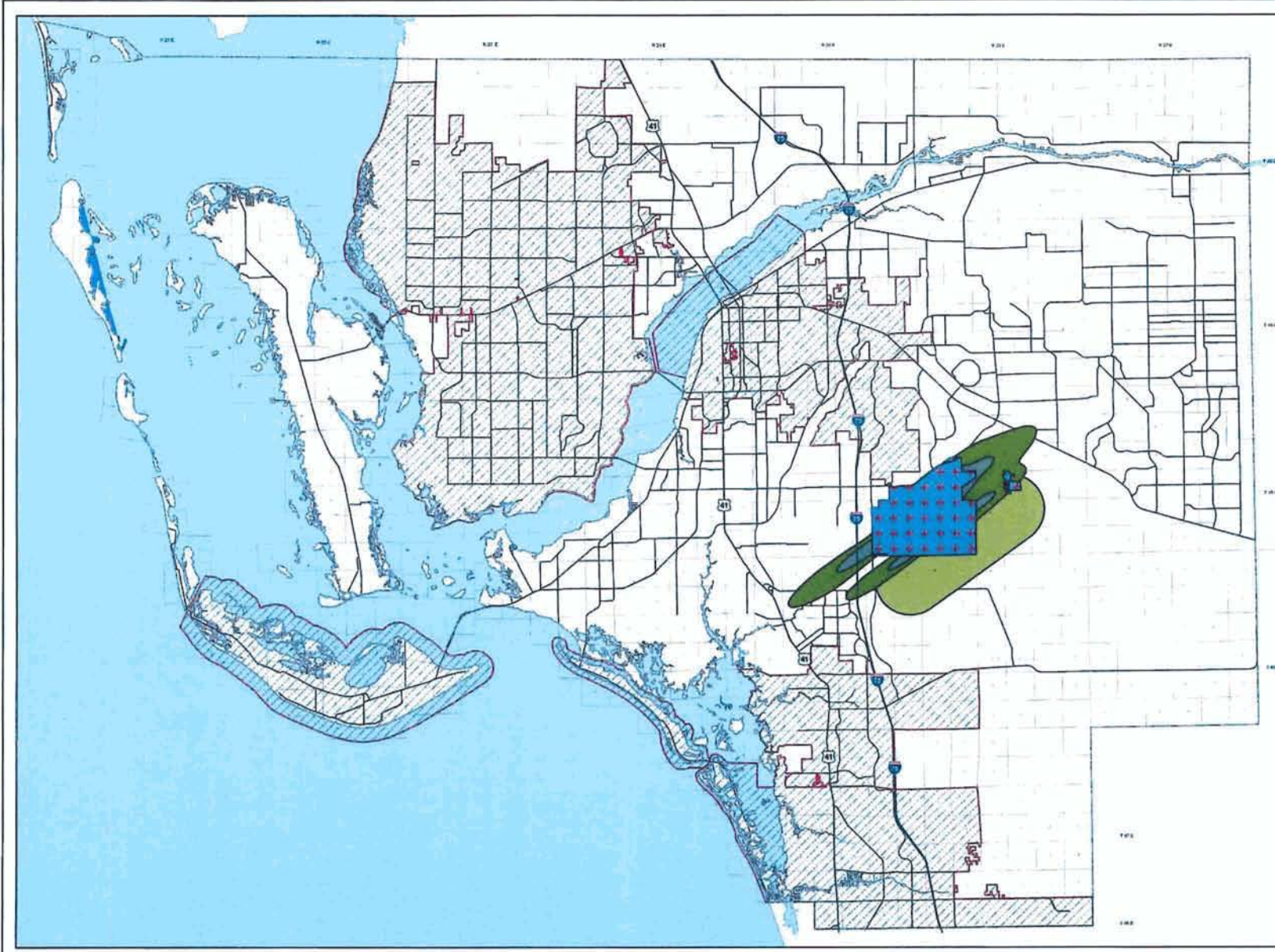
Legend

-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D
-  City Limits

CPA2016-00004
EXISTING








Map Generated May 2016
City Limits current to date of map generation
Last Amended: August 13, 2007
Amended by Ordinance No. 00-22, 03-15, & 07-09



SPECIAL TREATMENT AREAS

Legend

-  City Limits
- NOISE_ZONE**
-  Airport Noise Zone A
-  Airport Noise Zone B
-  Airport Noise Zone C
-  Airport Noise Zone D

CPA2016-00004
PROPOSED



Map Generated: June 2016
City Limits current to date of map generation
Last Amended: August 13, 2007
Amended by Ordinance No. 00-22, 03-15, & 07-09

Dunn, Brandon

From: Oblaczynski, Deborah [doblaczy@sfwmd.gov]
Sent: Thursday, September 08, 2016 9:46 AM
To: Rozdolski, Mikki
Cc: Dunn, Brandon; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); Brenda Winningham (brenda.winningham@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org)
Subject: Lee County, DEO #16-4ESR 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 package includes two amendments updating objectives and policies related to the Southwest Florida International Airport. The proposed changes do not appear to adversely impact the water resources in this area; therefore, the District has no comments on the proposed amendment package.

The District offers technical assistance to the County 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

Dunn, Brandon

From: Ray, Suzanne E. [Suzanne.E.Ray@dep.state.fl.us]
Sent: Thursday, September 15, 2016 10:42 AM
To: Dunn, Brandon; DCPexternalagencycomments
Subject: Lee County 16-4ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 16-4ESR – Expedited Review of Proposed Comprehensive Plan Amendment

***Please note the new contact information below.**

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

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

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400



Dunn, Brandon

From: Ray, Suzanne E. [Suzanne.E.Ray@dep.state.fl.us]
Sent: Thursday, September 15, 2016 10:42 AM
To: Dunn, Brandon; DCPexternalagencycomments
Subject: Lee County 16-4ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 16-4ESR – Expedited Review of Proposed Comprehensive Plan Amendment

***Please note the new contact information below.**

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

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

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400

