

OCTOBER 22, 2008

A Meeting of the [Board of Lee County Commissioners](#) was held this date to conduct a [Public Hearing](#) to consider the transmittal of the 2007/2008 Regular Lee Plan Amendments to the Lee County Comprehensive Plan with the following Commissioners present:

Ray Judah, Chairman  
 Frank Mann, Vice Chairman  
 Tammara Hall  
 Robert P. Janes  
 A. Brian Bigelow

ON FILE IN THE MINUTES OFFICE:  
 THE LEE PLAN AMENDMENTS; CPA REPORTS, INCLUDING MAPS AND RECOMMENDATIONS FROM THE LOCAL PLANNING AGENCY (LPA) AND STAFF, [COMMUNITY DEVELOPMENT PLANNING DIRECTOR, PAUL O'CONNOR'S SUMMARY MEMORANDUM, DATED OCTOBER 9, 2008](#); AND ALL HANDOUTS PRESENTED DURING THE MEETING.

### Small Scale Adoption Hearing

#### 1. Call to order

The Chairman called the meeting to order at 9:30 a.m., and requested a two-hour break in these proceedings from 11:30 a.m. to 1:30 p.m., to conduct other business. Commissioner Mann requested he be excused from 2:00 p.m. to 2:15 p.m., due to another commitment; and the Board agreed.

#### 2. Certification of Affidavit of Publication by County Attorney

Assistant County Attorney Donna Marie Collins approved as to legal form and sufficiency, the Affidavit of Publication regarding the Small Scale Adoption Hearing, and advised those present of a sign-up sheet at the rear of the Chambers that would insure receipt of a courtesy Notice of Intent from the Department of Community Affairs (DCA).

##### A. [CPA2007-61 — Formosa](#)

Amend the Future Land Use Map Series for an approximate 9.91 ± acre site located in Section 04, Township 46 South, Range 25 East, to change the classification shown on Map 1, the Future Land Use Map, from Industrial Development to Commercial. The site is generally located at the northeast corner of Alico Road and Lee Road.

#### RECOMMENDATIONS:

Planning staff recommends that Map 1, the Future Land Use Map, not be amended to re-designate the subject area from "Industrial Development" to "Commercial."

The Local Planning Agency (LPA) did not accept the findings of fact, and recommends that the Board adopt the proposed amendment without the change to floor area.

Planning Department Planner Brandy Gonzalez reviewed the proposal; noted that Staff recommended this amendment not be adopted; and, at the request of Commissioner Judah, reviewed the Future Land Use Map. Following response to Board questions by Community Development Planning Director Paul O'Connor, the following individuals spoke on behalf of the applicant:

Attorney [Neale Montgomery](#) of the Pavese Law Firm  
 Ted Treesh of TR Transportation Consultants  
 Shellie Johnson of DBS Consulting, Inc.

Following input by DOT Transportation Planning Manager Dave Loveland, the Chairman called for public input; however, no one came forward. Commissioner Hall moved approval of Staff's recommendation not to adopt the proposed land use change, seconded by Commissioner Mann. The motion was called and carried.

### 2007/2008 Regular Lee Plan Amendments Transmittal Hearing

#### 1. Call to order

**2. Certification of Affidavit of Publication**

Assistant County Attorney Donna Marie Collins approved as to legal form and sufficiency, the Affidavit of Publication regarding this item, and advised those present of a sign-up sheet at the rear of the Chambers that would insure receipt of a courtesy Notice of Intent from the Department of Community Affairs (DCA). The Chairman called for public comment on the Consent Agenda Items, and the following individuals came forward:

CPA2007-52 - Knott Consoer law firm Planning Director [Mike Roeder](#) requested that this item be moved from the Consent to the Administrative Agenda.

Upon approval by Assistant County Attorney Donna Marie Collins, Commissioner Hall moved approval to move the item to the Administrative Agenda, seconded by Commissioner Janes, called and carried.

CPA2007-48 - Page Park resident Marilyn K. Haering

The following items were pulled by the individual Commissioners for discussion:

- Commissioner Judah – CPA2006-21
- Commissioner Mann – none
- Commissioner Hall – CPA2007-48
- Commissioner Janes – none
- Commissioner Bigelow – none

Commissioner Hall moved approval of the balance of the Consent Agenda to be transmitted, seconded by Commissioner Janes, called and carried.

**3. Consent Agenda**

**A. [CPA2006-15 — Cauthen](#)**

Amend the Future Land Use Map Series, Map 1, for an approximate 13.5 +/- acre site located in Section 20, Township 44 South, Range 23 East, to change the Future Land Use classification from the “Rural” Future Land Use Category to the “Commercial” Future Land Use Category. The site is generally located in the southeast corner of Pine Island Road and Veterans Parkway.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the amendment.

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to re-designate the future land use on the subject property from Rural to Commercial.

Commissioner Hall moved to transmit, seconded by Commissioner Janes, called and carried.

**B. [CPA2006-20 — Water Supply Facilities Work Plan](#)**

Amend the Community Facilities and Services, Potable Water Sub-element, the Conservation and Coastal Management Element, and the Intergovernmental Coordination Element of the Lee Plan to coordinate appropriate aspects of the comprehensive plan with the South Florida Water Management District Water Supply Plan and to include a ten year Water Supply Facilities Work Plan as required by s.163.3177 (6)(c), F.S.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment based upon previously discussed issues and conclusions. Staff also recommends transmitting the changes to the Lee Plan as proposed in Part I.B.1 of this report.

Commissioner Hall moved to transmit the amendment and changes, seconded by Commissioner Janes, called and carried.

**C. [CPA2006-21 — Capital Improvement Program](#)**

Amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the amendment.

Planning staff recommends that the Board of County Commissioners amend the Lee Plan by incorporating the revised tables 3 and 4 (on file in the Minutes Office) into the Capital Improvements Element.

PULLED FOR DISCUSSION:

DOT Transportation Planner Dave Loveland responded to questions by Commissioner Judah on plans for Estero Boulevard. Commissioner Mann moved to transmit, seconded by Commissioner Hall, called and carried.

**D. CPA2006-26 — Conservation Lands Update**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to amend the Future Land Use Map (FLUM) series to include in the Conservation lands categories those lands acquired by the County through the Conservation 2020 program and for mitigation purposes, Calusa Land Trust and lands included in the conservation Lands district of the City of Fort Myers Comprehensive Plan.

Commissioner Hall moved to transmit, seconded by Commissioner Janes, called and carried.

**E. CPA2006-27 - Corridor Access Management Plans**

Amend the Future Land Use Element of the Lee Plan to update Policy 1.8.2 to reflect the status of the Corridor Access Management Plans for State Route 82 and for Gunnery Road.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment with specific language modifications within Policy 1.8.2.

Commissioner Hall moved to transmit, seconded by Commissioner Janes, called and carried.

**F. CPA2007-48 - Page Field Airport Layout Plan**

Amend the Future Land Use Map Series Map 1 to change the Future Land Use designation of a specified portion of the Page Field Airport property from the "Public Facilities" Future Land Use Category to the "Airport" Future Land Use Category. Revise Map 3G to reflect the latest approved Airport Layout Plan. Amend: the Vision Statement; the Future Land Use Element; the Ports, Aviation, and Related Facilities Sub-element of the Transportation Element; the Intergovernmental Coordination Element; and, the Glossary of the Lee Plan to incorporate the Page Field Airport Master Plan, Airport Layout Plan, into the Lee Plan thereby exempting the airport from the DRI process pursuant to section 163.3177(6)(k), F.S.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners transmit this proposed plan amendment, and include incorporation of a new map, Maps 3G, into the Transportation Map series as

well as text changes included in Part I.C. The recommendation also includes placing Page Field into the "Airport" Future Land Use designation on Map 1.

**PULLED FOR DISCUSSION:**

Planning Division Planner Matt Noble provided a brief overview of the request and recommendations. The following person(s) spoke on behalf of the applicant:

Joe Grubbs with Johnson Engineering  
Port Authority's Planning & Environmental Compliance Department Manager Bill Horner

Following further clarification by Mr. Noble, Commissioner Hall moved to transmit, seconded by Commissioner Janes. Mr. Noble provided a [copy of the design](#) (on file in the Minutes Office) to be reflected in the Airport Master Plan. After further discussion, the maker of the motion agreed to include the directive to address overall airport planning at a Management & Planning (M&P) meeting prior to consideration for adoption, and the seconder agreed. Commissioner Bigelow said he would like the Department of Community Affairs to be aware of the serious park deficit within the City of Fort Myers, and it was agreed to discuss the matter further at a future M&P meeting. The motion was called and carried.

CPA2007-52 WAS MOVED TO THE ADMINISTRATIVE AGENDA.

**G. CPA2007-52 - Cowart**

Amend the Future Land Use Map Series, Map 1, to re-designate a 15-acre parcel from the "Open Lands" future land use category to the "Rural" future land use category. The property is located in Section 5 of Township 46 South, Range 25 East. The property is located on Musketeer Lane one half mile south of Briarcliff Road.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board not transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners not transmit this proposed amendment; however, if the Board votes to transmit, staff recommends that additional language be included to re-designate the .88-acre area identified in Exhibit 4 to the Conservation future land use category.

**DURING THE PUBLIC INPUT PORTION OF THE CONSENT AGENDA:**

At the request of public speaker Mike Roeder and approval by Assistant Lee County Attorney Donna Marie Collins, Commissioner Hall moved to approve placing this item on the Administrative Agenda so public input could be taken. Commissioner Janes seconded the motion and it was called and carried. SEE ADMINISTRATIVE AGENDA PORTION OF THE MEETING FOR ACTION TAKEN.

**H. CPA2007-57 - Southwest Florida International Airport Table 5 Update**

Amend Table 5, pertaining to the development schedule for the Southwest Florida International Airport, by reformatting and updating the table to: broaden the allowable uses; recognize existing as built conditions; recognize existing airport facilities inadvertently omitted from Table 5 when originally adopted in 2004; incorporate two conversion options for "non-aviation uses"; and to delete several completed projects.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners transmit this proposed plan amendment. This recommendation includes updating Table 5(a) as contained in the application materials stamped "RECEIVED SEP 05 2008 COMMUNITY DEVELOPMENT."

Commissioner Hall moved to transmit, seconded by Commissioner Janes, called and carried.

**I. CPA2007-59 - Hurricane Evacuation/Coastal High Hazard Area**

Amend the Conservation and Coastal Management Element of the Lee Plan to establish a Category 5 hurricane evacuation standard, a shelter time standard, and mitigation measures. Amend Map 5,

Coastal High Hazard Area, of the Future Land Use Map Series and the Lee Plan Glossary to redefine the Coastal High Hazard Area.

RECOMMENDATIONS:

A majority of the Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment and that the Conservation and Coastal Management Element and the Glossary of the Lee Plan be modified as stipulated. Staff also recommends that Map 5, Coastal High Hazard Area, of the Future Land Use Map Series be modified as provided in Attachment 2 (on file in the Minutes Office).

Commissioner Hall moved to transmit, seconded by Commissioner Janes, called and carried.

CONSENT AGENDA ITEM CPA2007-52 WAS MOVED TO THE ADMINISTRATIVE AGENDA.

4. **Administrative Agenda - Community Plans Transmittal**

G. **CPA2007-52 - Cowart**

Amend the Future Land Use Map Series, Map 1, to re-designate a 15-acre parcel from the "Open Lands" future land use category to the "Rural" future land use category. The property is located in Section 5 of Township 46 South, Range 25 East. The property is located on Musketeer Lane one half mile south of Briarcliff Road.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board not transmit the proposed amendment.

Planning staff recommends that the Board of County Commissioners not transmit this proposed amendment; however, if the Board votes to transmit, staff recommends that additional language be included to re-designate the .88-acre area identified in Exhibit 4 to the Conservation future land use category.

DURING PUBLIC COMMENT ON THE CONSENT AGENDA:

At the request of public speaker Mike Roeder and approval by Assistant Lee County Attorney Donna Marie Collins, Commissioner Hall moved to approve placing this item on the Administrative Agenda so public input could be taken. Commissioner Janes seconded the motion and it was called and carried.

Planning Division Planner Peter Blackwell briefly reviewed this request and the recommendation not to transmit, and Mike Roeder, on behalf of the applicant, opined two reasons to approve this request: 1) existing designation is inconsistent with the Lee Plan, and 2) designation was based on a faulty premise when, in 1999, this area was erroneously designated as Open Lands. Following response to Board questions by Planning Division Planner Matt Noble and Community Development Planning Director Paul O'Connor, the Chairman called for public comment and the following persons came forward, all against transmittal:

- [Fred Edman](#)
- [Robert Olinger](#)
- [Mike Cheney](#)
- [Dennis Papner](#)
- [Bruce Johnson](#)

Mr. Roeder provided rebuttal to public comment. Commissioner Mann moved staff's recommendation not to transmit, seconded by Commissioner Judah for discussion. Mr. O'Connor responded to a question by Commissioner Bigelow on the transmittal process. Commissioner Hall requested a series of workshops be held prior to the adoption meeting to discuss the review process for enclaves and other unique situations. The motion was then called and carried.

A. **CPA2006-09 - Alva Community Plan**

Amend the Vision Statement and the Future Land Use element to add a new Goal, Objectives, and Policies specific to a portion of the Alva Community. Amend Map 1, Page 2 of 6, Special Treatment Areas to indicate that a new Goal, specific to a portion of the Alva Community, has been adopted.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommends transmittal.

Planning staff recommends transmittal with the proposed modifications as identified in Part II of the report.

Planning Division Principal Planner Jim Mudd reviewed the request and recommendations. The Chairman called for public comment and the following person came forward in support of transmittal:

Alva, Inc. President [Ruby Daniels](#)  
Conservancy of Southwest Florida representative [Steven Brown](#)

Commissioner Mann moved staff's recommendation to transmit, seconded by Commissioner Janes. Following response to Board questions by Mr. Mudd, Commissioner Hall requested an M&P meeting in January 2009, before the adoption hearing, to get legal input on the community planning process and implementation. The motion was then called and carried.

AT THIS TIME, COMMUNITY DEVELOPMENT PLANNING DIRECTOR O'CONNOR RECOMMENDED THAT AGENDA ITEMS 5, 6, AND 7 BE OFFICIALLY MOVED TO THE FOLLOWING DAY, OCTOBER 23, 2008, AT 9:30 A.M. Commissioner Hall moved approval, seconded by Commissioner Mann, called and carried.

Following the break, the Chairman called the meeting back to order at 1:30 p.m. with all Commissioners present.

**B. [CPA2006-11 - Page Park Community Plan](#)**

Amend the Future Land Use Element of the Lee Plan to incorporate the recommendations of the Page Park Community Planning effort. Amend the Future Land Use element to add a new Vision Statement, Goal, Objectives, and Policies that address the long range development of Page Park. Amend Map 1, Page 2 of 6, Special Treatment Areas to indicate that a new Goal specific to the Page Park Community has been adopted. Amend the Lee Plan to include a Page Park Overlay Map.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) accepted the findings of fact and recommends transmittal as recommended by staff.

Planning staff recommends transmittal with the changes to the transportation language as recommended by the Department of Transportation staff as stipulated in Policy 27.6.1., 27.6.2, 27.6.3 and 27.6.4.

Planning Division Principal Planner Jim Mudd reviewed the request and recommendations, and responded to Board comments and questions. Port Authority Planning & Environmental Compliance Department Manager Bill Horner also addressed the Board. The Chairman called for public comment and the following person came forward:

Page Park resident Marilyn K. Haering

Commissioner Janes moved staff's recommendation, seconded by Commissioner Hall, called and carried.

**C. [CPA2007-01 - Caloosahatchee Community Plan](#)**

Amend the Future Land Use Element, Goal 21, to add a policy that provides that no land use map amendments to the remaining rural lands category will be permitted unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) accepted the findings of fact, and recommended that the Board transmit the amendment as recommended by staff.

Planning staff recommends that the Board transmit the proposed amendment.

Planning Division Principal Planner Jim Mudd reviewed the request and recommendations. Commissioner Hall commented on the issue of vague language. The Chairman called for public comment and the following person came forward:

East Lee County Council member Ed Kimball

Commissioner Janes moved staff's recommendation, seconded by Commissioner Hall, called and carried.

**D. CPA2007-50 - North Captiva Community Plan**

Amend the Future Land Use Element of the Lee Plan to incorporate the recommendations of the North Captiva Community Planning effort. Establish a new Vision Statement and a new Goal, Objectives, and Policies specific to North Captiva. Amend Map 1, Page 2 of 6, Special Treatment Areas to indicate that a new Goal specific to the North Captiva Community has been adopted. Amend Policy 1.4.2.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the amendment with stipulated changes as recommended by staff.

Planning staff recommends that the Board transmit this proposed amendment incorporating and noting six stipulated changes.

Planning Division Principal Planner Jim Mudd reviewed the request and recommendations. [Dr. Margaret Banyan](#) spoke to the process on behalf of the applicant, provided a [Table](#), and summarized the six stipulated changes. Following discussion on enforcement of banned vehicles, the Chairman called for public comment and the following persons came forward:

North Captiva resident and small business owner [Kristie Anders](#) (handout)  
 Upper Captiva Community Plan Panel member [David Tompkins](#)

Mr. Mudd and Planning Division Planner Matt Noble responded to issues raised, and agreed to come back to the Board with a proposal to identify wells on county lands. Commissioner Hall moved to approve staff's recommendation with additional changes submitted by the community and the following three policies – Policy 25.2.4 add **“and safety”** after “pathway maintenance”; 25.3.1, after “Federal”, add **“State and County”**; and 25.7.2, Lee County will continue to insure viable hurricane **“and other emergency”** evacuation communication options for the residents and other affected persons. Commissioner Mann seconded the motion, and after further Board direction on updating of databases, the motion was called and carried.

**E. CPA2006-03 - Olga Community Plan**

Amend the Future Land Use Element of the Lee Plan to add a new Goal, Objective, and Policies specific to the Olga community located within the Caloosahatchee Shores planning area. Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 48.7 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map (FLUM) categories. Amend the Future Land Use series, Map 1, Page 2 of 6, Special Treatment Areas, to indicate that a new Goal specific to the Olga Community has been adopted.

RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact, and recommended that the Board transmit the amendment as recommended by staff.

Planning staff recommends that the Board transmit the proposed amendment with certain language refinements and that, while there is community support for the proposed FLUM amendment, there are difficulties that will cause segments of roadways to reach level of service “F”. Staff could not recommend approval of a land use change that intensifies development on a road segment that is projected to fail. If the Board decides to transmit the language there will be concurrency issues at the time of rezoning, development order review, and building permit issuance.

Planning Division Principal Planner Jim Mudd reviewed the request and recommendations. DOT Transportation Planning Manager Dave Loveland addressed Level of Service concerns on SR 80 through 2030, and responded to Board questions. The Chairman called for public comment and the following persons came forward:

Attorney [Michael J. Ciccarone](#), of the law firm of Fowler White Boggs Banker, on behalf of R&D Cattle Company ([handout](#))  
 Olga resident and land owner [William Byrus](#)  
 Olga Community Club Vice President [Gerald Kaemmerer](#)  
 Olga Community Club President [Tad Miller](#)

Dan Delisi, representing Bill Byrus  
 David Depew of Morris-Depew Associates Inc.  
 Alva resident [Jim Green](#)

Community Development Director Paul S. O'Connor and Planning Division Planner Matt Noble responded to Board questions, provided clarifications on staff's position, and agreed to bring this issue back to a workshop between now and the adoption hearing. Mr. Loveland rebutted some of Mr. Delisi's public comments. Commissioner Hall moved to transmit the LPA recommendation, striking Policy 26.17, seconded by Commissioner Mann. Following comment by Commissioner Bigelow and response by Mr. Noble on traffic access, the motion was called and carried.

**F. [CPA2007-49 - Buckingham Community Plan Update](#)**

Amend the Future Land Use Element, text and Future Land Use Map series to incorporate the recommendations of the Buckingham Community Planning effort. Update Goal 17 of the Lee Plan to revise policies specific to the Buckingham Community and expand the effect of Goal 17 beyond the Rural Community Preserve land use category to the Buckingham Planning Community boundary. Amend Map 1, Page 2 of 6, Special Treatment Areas to indicate that a revised Goal specific to the Buckingham Planning Community has been adopted. Update Table 1(b), Year 2030 Allocations, for the Buckingham Community to allow for projected growth through the year 2030.

**RECOMMENDATIONS:**

The Local Planning Agency (LPA) recommended transmittal (of the amendment submitted by the community) with stipulated changes to the staff recommended changes.

Planning staff recommends that the Board transmit the proposed amendment, with a combination of staff and LPA recommendations.

Planning Division Principal Planner Jim Mudd reviewed the request, and clarified an initial misunderstanding of the LPA recommendation. He continued that, following confirmation from the LPA member making the motion, the intent was to transmit the amendment submitted by the community with the six policy changes contained on pages 19 and 20 of the Staff Report. Discussion ensued and input was received from Assistant County Attorney Donna Marie Collins on development rights, and from DCD Senior Planner Mike Pavese on infrastructure concerns with Policy 17.3.8. The Chairman called for public comment and the following persons came forward:

Buckingham Community Planning Panel Member [Margaret Banyan](#)  
 Buckingham Community Planning Panel President [Bill Burdette](#) (handout)  
 Buckingham resident Tom Feminella  
 Lee County Solid Waste Operations Manager Bill Newman  
[Attorney Russell Schropp](#), of the Henderson Franklin law firm, on behalf of Attorney Charles Basinait, representing owners of three parcels along Buckingham Road (handout)  
 Sub-Consultant to Johnson Engineering for this Study and Buckingham Community Planning Panel member [Mike Roeder](#)  
 Buckingham resident Bruce Skaggs  
 Buckingham resident Rose Caskey

Following a short break, the Chairman called the meeting back to order at 4:18 p.m. with all Commissioners present with the exception of Commissioner Janes who returned to the meeting at 4:26 p.m.

Following the recommendation of Community Development Planning Director O'Connor, Commissioner Hall commented on densities. She then moved not to transmit the amendment, but to fold it into the 2008-09 transmittal cycle with the directive to immediately commence ongoing discussions, seconded by Commissioner Mann, called and carried with Commissioner Janes absent.

**G. [CPA2007-56 - North Fort Myers Community Plan](#)**

Amend the Future Land Use Element of the Lee Plan to incorporate the recommendations of the North Fort Myers Community Planning effort. Establish a new Vision Statement, Goal, Objectives, and Policies specific to North Fort Myers. Amend the Future Land Use Map (FLUM) for property containing approximately 85.3 acres located between Orchid Road and Barrett Road, south of Pine Island Road, from Suburban, Central Urban, and Sub-Outlying Suburban to Commercial and Conservation Lands. Amend Map 1, Page 2 of 6, Special Treatment Areas to indicate that a revised Goal specific to the North Fort Myers Planning Community has been adopted.



RECOMMENDATIONS:

The Local Planning Agency (LPA) accepted the findings of fact and recommended that the Board transmit the amendment as recommended by staff with the exception of the FLUM recommendation. Include revised Policies 28.4.2 and 28.4.5. Also, recommend transmittal of the FLUM with the areas shown on the proposed FLUM as Conservation Lands to remain as their existing FLUM designation.

Planning staff recommends that the Board transmit the proposed amendment with stipulated language for transmittal beginning on Page 12 of 41 and language revisions for Part II beginning on Page 21 of 41.

Planning Division Principal Planner Jim Mudd provided an [itemization of changes](#) made to language recommended for transmittal by staff and the LPA following a meeting with the North Fort Myers planning panel and community on October 17, 2008. Commissioner Janes returned to the meeting during commentary by Mr. Mudd. Mr. Mudd advised that the County hired the consulting firm of HDR to complete the North Fort Myers Community Plan, and he and Mr. O'Connor reviewed the plan and recommendations. The Chairman called for public comment and the following person came forward:

[Attorney Russell Schropp](#), on behalf of Attorney Charles Basinait, representing Somerset Properties Group

Mr. Mudd, Planning Division Planner Matt Noble, and Environmental Sciences staff members Aaron Martin and Brad Browning responded to Board questions. Commissioner Hall commented on aspects of this request, and moved to transmit staff's recommendation with the amended language. Commissioner Janes seconded the motion, and following brief comments the motion was called and carried.

After announcing that the balance of the administrative agenda would be heard on Thursday, October 23, 2008 beginning at 9:30 a.m. in these Chambers, the Chairman adjourned the meeting at 5:01 p.m.

ATTEST:  
CHARLIE GREEN, CLERK

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Deputy Clerk

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[Chairman, Lee County Commission](#)