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of Southwest Florida
OUR WATER, LAND, WILDLIFE, FUTURE.

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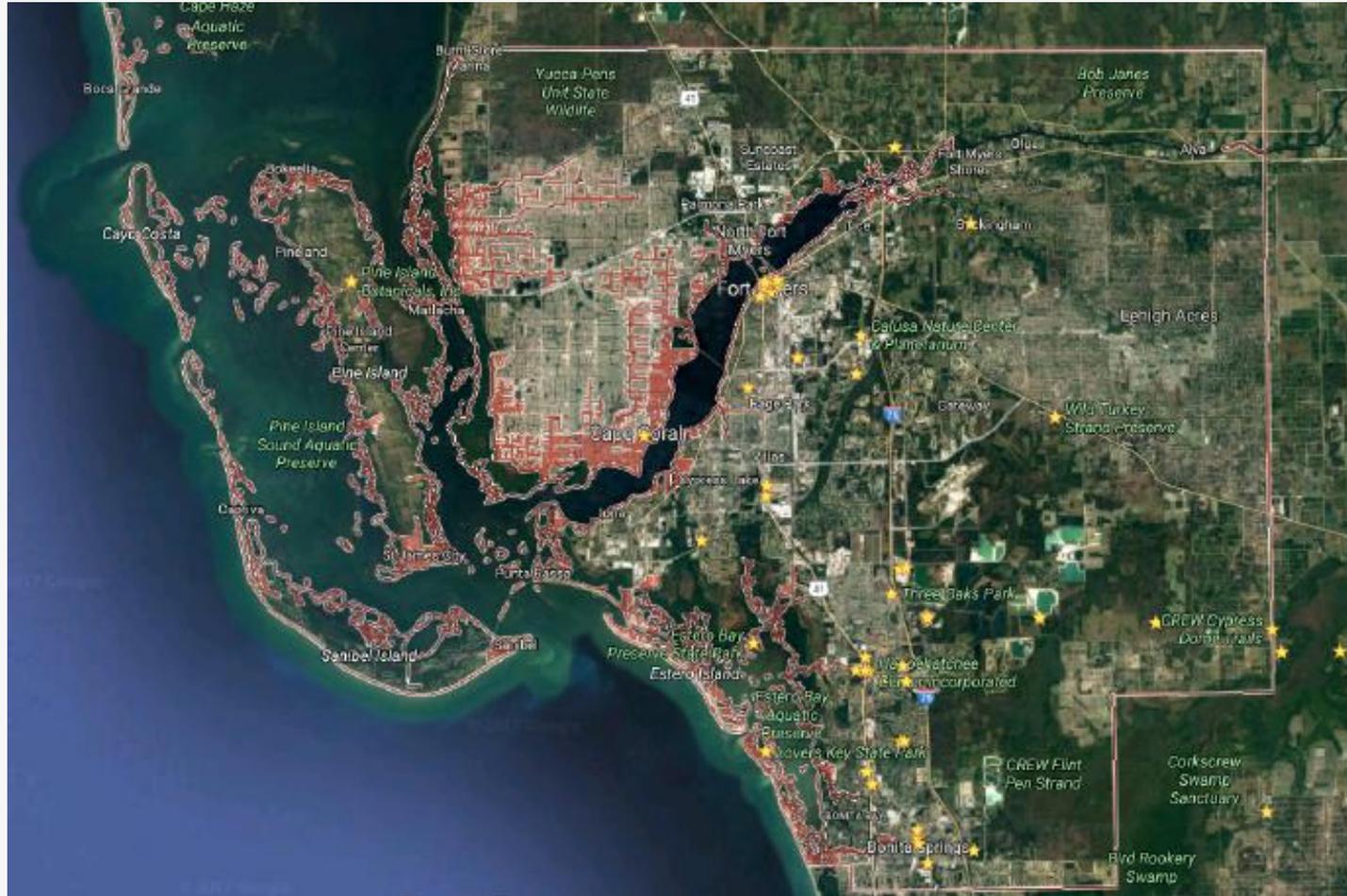
CONSERVANCY
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Founded in 1964

Conservancy of Southwest Florida is dedicated to protecting the water, land and wildlife in our five-county region. We utilize the combined strengths of our environmental scientists, policy advocates, educators and the von Arx Wildlife Hospital.

**WHO
WE ARE**

CPA2017-00001 - Lee County Growth Management



Primary Objectives for proposed changes*:

1. Integrate land use and transportation planning;
2. Encourage dense and intense development in appropriate locations and facilitate infill development and redevelopment; and
3. Better organize and streamline the Lee Plan and LDC where appropriate.

** Staff Report for CPA2017-00001 dated March 17, 2017, page 2 of 15*

CPA2017-00001 - Lee County Growth Management



Great objectives!

But, don't ignore the thousands of hours of time put into past planning efforts by the citizens of Lee County:

- The Local Planning Agency
- The Community Sustainability Advisory Committee
- Many interested citizens

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“God is in the details.”

- Ludwig Mies van der Rohe

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STAFF REPORT FOR

CPA2017-01: Growth Management

County Initiated **Text and Map** Amendments to the Lee Plan



Applicant:

Board of County
Commissioners

Representative:

Department of
Community
Development

Location:

REQUEST

Amend the Lee Plan to align land use and transportation policies. The amendments that deal with land use will: clarify existing requirements; reorganize the goals, objectives, and policies to group topics such as development standards, growth management, and mixed use; and, provide for alternative development regulations that allow for urban forms of development within the Mixed Use Overlay. The amendments that address transportation will: reduce redundancies; align with state statutes; recognize a multi-modal transportation network; and allow for different roadway cross-sections based on location. **The proposed amendments will not change allowable densities and intensities within Lee County.**

CPA2017-00001 - Lee County Growth Management



- The Lee Plan is the county's overarching planning policy document and serves as a "road map" for the public to know how the county will address a wide variety of issues, including land use, transportation, housing, natural and cultural resources protection, economic development, etc.
- It is the policy foundation from which all other county policies, ordinances, LDCs, Administrative Codes, guidelines, and practices flow
- Critical policy statements belong in the Lee Plan, not in the LDC

CPA2017-00001 - Lee County Growth Management



“Density Reduction/Groundwater Resource” being replaced with “Southeast Lee County”

Staff report says portions of the southeast Lee County TDR program are being relocated to the LDC for consistency with Lee County’s other TDR programs.

Some relocations are merited (for instance where DCA required Lee County to add certain precise regulatory measures into the Lee Plan contrary to best planning practices)

However, the proposed DR/GR amendments go much too far. Critical policy statements belong in the Lee Plan, not in the LDC

For instance:

- Policy 33.3.2.3 is a vital statement that allows lesser environmental standards in several developable parts of the DR/GR (known as ‘mixed–use communities’) than would apply to the remainder of the DR/GR
- Policies 33.3.2.4 and 33.3.5 contain the fundamental policy statements that describe development in ‘mixed-use communities.’ Without these statements, the areas so mapped on Map 17 are meaningless.
- Policy 33.3.8 supports a future TDR bank, without which the DR/GR TDR program may never get off the ground.

CPA2017-00001 - Lee County Growth Management



POLICY 33.3.4: ~~Properties~~ Lands that provide a significant regional hydrological and wildlife connection have the potential to improve, preserve, and restore regional surface and groundwater resources and indigenous wildlife habitats. These ~~properties-lands~~, located along Corkscrew and Alico Roads, can provide important hydrological connections to the Flint Pen Strand and the Stewart Cypress Slough as well as important wildlife habitat connections between existing CREW and Lee County properties. As an incentive to improve, preserve, and restore regional surface and groundwater resources and wildlife habitat of state and federally listed species additional densities and accessory commercial uses will be granted if the project is found consistent with and demonstrates through a Planned Development rezoning the following:

1. These lands are within the “Environmental Enhancement and Preservation Communities” overlay as designated on Map 17 of the Plan. Lands eligible for designation on the Environmental Enhancement and Preservation Communities overlay must:
 - Provide significant regional hydrological and wildlife connections and have the potential to improve, preserve, and restore regional surface and groundwater resources and indigenous wildlife habitats; and be consistent with one of the criteria below;
 - Be located west of Lee County 20/20 Imperial Marsh Preserve (Corkscrew Tract), and within one mile north or south of Corkscrew Road; or, west of the intersection of Alico Road and Corkscrew Road, north of Corkscrew Road and south of Alico Road.
- ~~a. Lands located west of Lee County 20/20 Imperial Marsh Preserve (Corkscrew Tract), and within one mile north or south of Corkscrew Road.~~
- ~~b. Lands located west of the intersection of Alico Road and Corkscrew Road must be located north of Corkscrew Road and south of Alico Road.~~

Subsection (1) states, “These lands are within the “Environmental Enhancement and Preservation Communities” overlay as designated on Map 17 of the Plan...”

This is not accurate: the boundaries of the overlay are not on Map 17; only properties that have gone through the CPA process and been approved as an EEP community are shown on Map 17.



Multi-modal Transportation

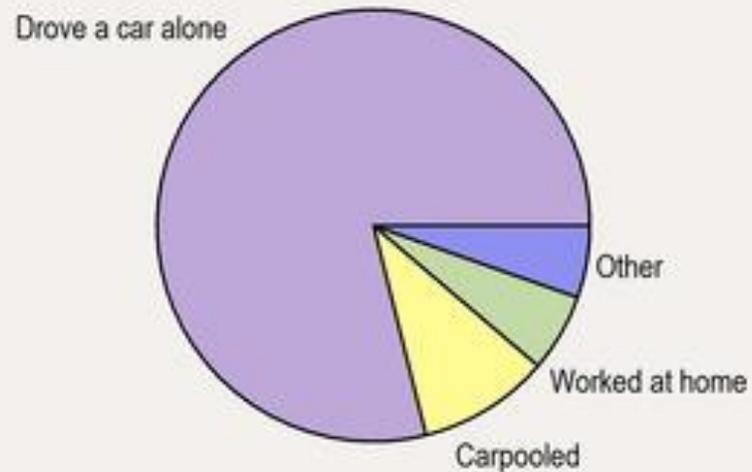
- References in Lee Plan to **exclusive transit corridors** are being eliminated (Objective 43.5)
- In 2014, proposed Lee Plan amendments included a firm commitment to exploring state acquisition of the CSX/Seminole Gulf rail corridor, as recommended by the Lee County MPO, for potential use for trails, bike paths, freight service, and passenger service. The rail corridor is the only viable transit corridor in the entire county, and in some areas the highest priority trail corridor. In current draft, every amendment has been eliminated, putting Lee County at odds with the Cities of Fort Myers and Bonita Springs, the Village of Estero, and the Lee County MPO.



~~**OBJECTIVE 43.5: CORRIDOR PROTECTION.** Consider the establishment of exclusive mass transit corridors where necessary and appropriate. (Amended by Ordinance No. 98-09)~~

~~**POLICY 43.5.1:** Consider the demand for mass transit, and particularly for future mass transit rights of way or exclusive corridors, while conducting all major transportation planning studies.~~

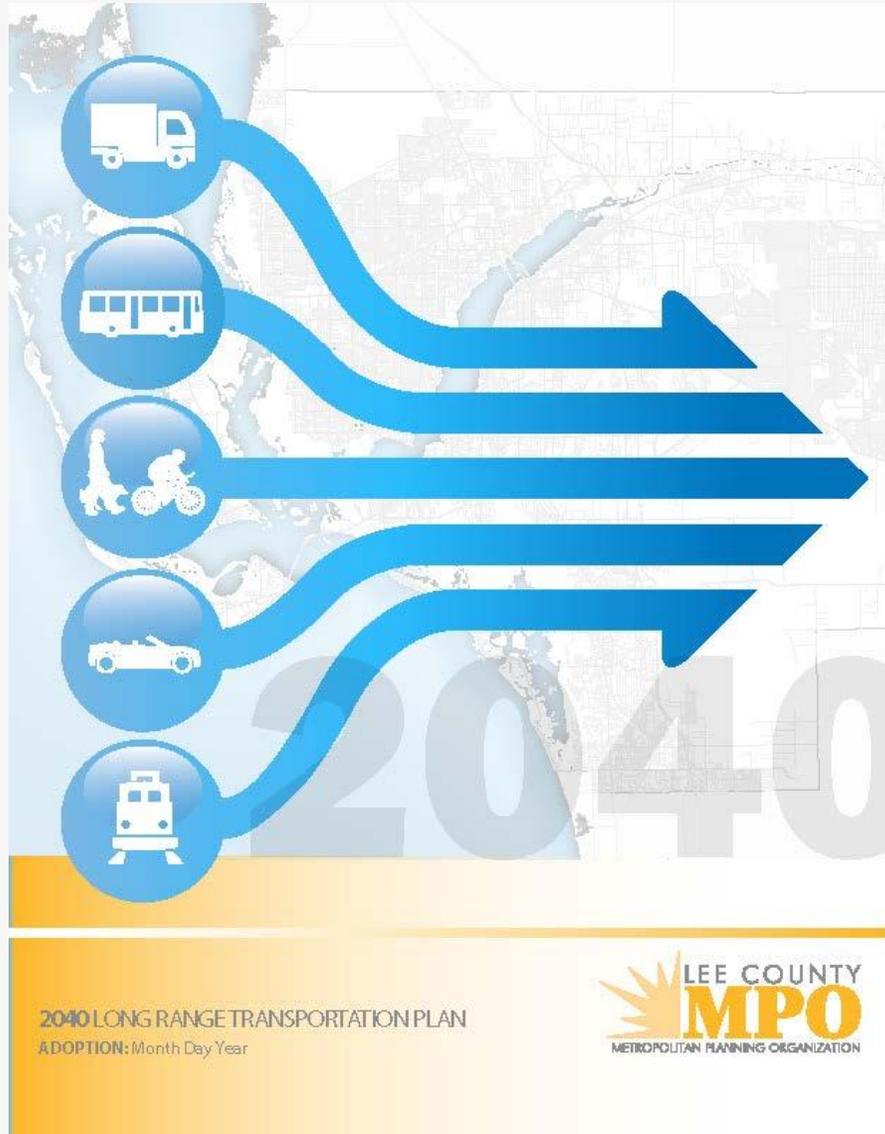
Mode of transportation to work in Lee County, FL



Public Transit

- The public transit policies under Goal 43 are mostly being removed
- Increasing congestion levels will require more and better public transit in the future, not less





Long-Range Planning Timeframes

- The Lee Plan is currently based on planning for the year 2030, too early for a long-range plan
- Proposed amendments in Policy 36.1.1 “incorporate by reference” several MPO plans for the year 2040, a more reasonable timeframe, but most other parts of the plan are still based on 2030
- Proposed revisions to Policy 36.1.1 appear to create internal inconsistencies with Lee Plan transportation maps that are still based on the year 2030, such as the Map 3A (the 2030 financially feasible highway plan) and Map 3C (the 2030 financially feasible transit network)



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