

August 9, 2017

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 2, 2017 Transmittal Hearing

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Comprehensive Plan Amendment, known locally as CPA2016-00007 (Timber Creek). The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendments are as follow:

CPA2016-00007 (Timber Creek): Amend Lee Plan Map 1, Future Land Use; Map 6: Future Water Service Area; and Map 7: Future Sewer Service Area to allow a residential community consistent with the Sub-Outlying Suburban future land use category on the subject property. Amend Map 1, Page 4, Special Treatment Areas; Map 4, Private Recreational Facilities Overlay; Map 14, Future Limerock Overlay; Map 17, Southeast DR/GR Residential Overlay; Map 20, Contiguous Agricultural Parcels Over 100 Acres in Non-Urban Future Land Use Categories; and, Map 25, Historic Surface and Groundwater Levels to maintain internal consistency within the Lee Plan, specifically to reflect the subject property in the Gateway/Airport Planning Community. Amend Table 1(b): Year 2030 Allocations; Map 1, Page 2, Special Treatment Areas; and Map 16, Lee County Planning Communities to identify the subject property as being in the Gateway/Airport Planning Community.

The Local Planning Agency held a public hearing for the plan amendment on March 27, 2017. The Board of County Commissioners voted to transmit the amendments on August 2, 2017. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners stated their intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone 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) 533-8585
Email: bdunn@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendments and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendments 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 an electronic 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

CPA2016-00007

Timber Creek

The News-Press media group

news-press.com A GANNETT COMPANY

Attn:

LCBC-DEPT OF COMM DEVELOPMEN-D
1500 MONROE ST
FORT MYERS, FL 33901

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared Wanda Cortes, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of


Notice Public Hearing

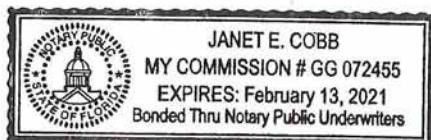
In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

07/21/17

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 21st of July 2017, by Wanda Cortes who is personally known to me.


Janet E Cobb
Notary Public for the State of Florida
My Commission expires February 13, 2021



NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (TRANSMITTAL HEARING)

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, August 2, 2017. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers at 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Economic Opportunity:

CPA2016-00007, Timber Creek: Amend the Future Land Use Map to redesignate 628 acres from the Density Reduction/Groundwater Resource and Wetlands future land use categories to the Sub-Outlying Suburban and Wetlands future land use categories. Amend Table 1(b), Year 2030 Allocations, to accommodate additional residential development for the Sub-Outlying Suburban future land use category within the Gateway/Airport Planning Community. Amend the following Lee Plan maps for internal consistency: Map 1, Pages 2 and 4; Map 4; Map 6; Map 7; Map 14; Map 16; Map 17; Map 20; and Map 25. The property is located near the intersection of SR 82 and Daniels Parkway.

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

Documentation for the Proposed Comprehensive Plan Amendment is available at <https://www.leegov.com/dcd/planning/cpa>. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

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

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or jlaguardia@leegov.com, at least five business days in advance.
AD# 2289836 July 21, 2017

RECEIVED
JUL 25 2017

COMMUNITY DEVELOPMENT

STAFF REPORT FOR

CPA2016-07: Timber Creek

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



Applicant:

Mr. Jared F. Holes/
Lennar Corporation

Representative:

Morris Depew
Tina M. Ekblad

Commissioner

District: # 2

Property Size:

628± Acres

Current FLUC:

DR/GR and
Wetlands

Current Zoning:

AG-2

Current Zoning:

Agricultural

Hearing Dates:

LPA: 3/27/17

BoCC

Transmittal: 8/2/17

REQUEST

The requested Lee Plan amendments will allow relatively low density residential development on the 628± acre subject property. As part of the request, several Lee Plan maps are proposed to be amended for the purposes identified below:

- Map amendments to allow a residential community consistent with the Sub-Outlying Suburban future land use category on the subject property: Lee Plan Map 1, Future Land Use; Map 6, Future Water Service Area; and Map 7, Future Sewer Service Area.
- Text and map amendments to identify the subject property as being in the Gateway/Airport Planning Community: Table 1(b), Year 2030 Allocations; Map 1, Page 2, Special Treatment Areas; and Map 16, Lee County Planning Communities.
- Map amendments to maintain internal consistency within the Lee Plan, specifically to reflect the subject property in the Gateway/Airport Planning Community: Map 1, Page 4, Special Treatment Areas; Map 4, Private Recreational Facilities Overlay; Map 14, Future Limerock Overlay; Map 17, Southeast DR/GR Residential Overlay; Map 20, Contiguous Agricultural Parcels Over 100 Acres in Non-Urban Future Land Use Categories; and, Map 25, Historic Surface and Groundwater Levels.

RECOMMENDATION

Staff and the **LPA** recommend that the Board of County Commissioners **transmit** the requested amendments based on the analysis and findings in this staff report. The LPA's motion was passed 6 to 0.

PROPERTY LOCATION: Located generally south of State Road 82 and northwest of Daniels Parkway, east of the Gateway Community.



PART 1
LEE PLAN AMENDEMENT REQUEST

The amendments requested by the applicant can be generalized into three categories:

1. Amendments to allow relatively low density residential development on the subject property. The applicant is proposing to make amendments to Lee Plan Map 1, Future Land Use; Map 6: Future Water Service Area; and, Map 7: Future Sewer Service Area in order to develop a residential community consistent with the Sub-Outlying Suburban future land use category on the 628 acre subject property.

2. Amendments to identify the subject property as being in the Gateway/Airport Planning Community. The applicant is also proposing to amend the Planning Community of the subject property from Southeast Lee County to Gateway/Airport. This requires amendments to Table 1(b): Year 2030 Allocations; Map 1, Page 2, Special Treatment Areas; and Map 16, Lee County Planning Communities.

3. Amendments to maintain internal consistency within the Lee Plan. The applicant is proposing amendments to maintain internal consistency within the Lee Plan, specifically to reflect the subject property in the Gateway/Airport Planning Community. This requires amendments to the following maps that show the property within the Southeast Lee County Planning Community: Map 1, Page 4, Special Treatment Areas; Map 4, Private Recreational Facilities Overlay; Map 14, Future Limerock Overlay; Map 17, Southeast DR/GR Residential Overlay; Map 20, Contiguous Agricultural Parcels Over 100 Acres in Non-Urban Future Land Use Categories; and, Map 25, Historic Surface and Groundwater Levels.

Concurrent Application Review:

The Timber Creek comprehensive plan amendment was filed on April 29, 2016. The applicant has also filed a companion rezoning application (DCI2016-00015) that is being reviewed concurrently with the plan amendment application. DCI2016-00015 was filed on September 15, 2016 seeking to rezone 655± acres from AG-2 to Mixed Use Planned Development (MPD) to permit 1,315 dwelling units and commercial uses.

Florida Statutes Chapter 163.3184(12) provides that “At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection.” This requires Lee County to take into account the concurrent rezoning request.

PART 2
PROPERTY INFORMATION

A. EXISTING CONDITIONS:

SIZE OF PROPERTY: ± 628 acres

PROPERTY LOCATION: Located generally south of State Road 82 and northwest of Daniels Parkway and east of the Gateway Community.

LAND USE: Agricultural – Cattle Grazing

ZONING: AG-2

FUTURE LAND USE CATEGORY: Density Reduction/Groundwater Resource (DR/GR) and Wetlands

HISTORIC RESOURCES: The Florida Master Site File lists three archaeological sites, ten surveys, two resource groups, and no standing structures, found in the following parcels of Lee County: T45S R26E Sections 04, 05, 08, & 09.

B. INFRASTRUCTURE AND SERVICES:

FIRE: South Trail Fire Protection and Rescue Service District, and Lehigh Acres Fire Control and Rescue District will provide service to this area.

MASS TRANSIT: Lee County Transit (LCT) provided correspondence to the Department of Community Development on November 16, 2015.

UTILITIES: The Corkscrew Treatment Plant and Gateway Wastewater Treatment have adequate capacity to provide service to this area.

SCHOOL IMPACTS: Capacities for elementary and middle seats are not an issue within the Concurrency Service Area (CSA). For high school, the development adds to the projected deficit within the CSA, however, there are sufficient seats available to serve the need within the contiguous CSA.

EMERGENCY MEDICAL SERVICES (EMS): Lee County EMS provides adequate service to this area.

POLICE: The Lee County Sheriff's will provide service to the subject property. Law enforcement services will come primarily from the Central District Office in Fort Myers.

SOLID WASTE: Lee County Solid Waste Division has adequate capacity to provide solid waste collection service for the subject property through Lee County's franchised hauling contractor.

TRANSPORTATION: The subject property has access to State Route 82 (SR 82) and Daniels Parkway.

SR 82 is currently an east/west two lane undivided arterial roadway maintained by the Florida Department of Transportation and will be widened from Colonial Boulevard to the Lee County line.

SR 82 Improvement Schedule

<u>Segment</u>	<u>Improvement</u>	<u>Funding Year</u>
Colonial Blvd to Shawnee Rd	Widen to 6 lanes	2016/2017
Shawnee Rd to Alabama Rd	Widen to 6 lanes	2021/2022
Alabama Rd to Homestead Rd	Widen to 6 lanes	2017/2018
Homestead Rd to County Line	Widen to 4 lanes	2017/2018

Daniels Parkway from US 41 to Gateway Blvd is a six lane divided arterial, and from Gateway Boulevard to SR 82 is a four lane divided arterial and will be widened to six lanes in accordance with

Lee County MPO 2040 Cost Feasible Plan. Daniels Parkway is a controlled access facility maintained by the county.

The applicant indicates that the project will generate 1,025 trips in PM peak hour, and 10,773 daily trips.

The level of service (LOS) analysis of short range (5 years) indicates Daniels Parkway from Gateway Boulevard to SR 82 will operate at LOS F with and without the project.

The year 2040 long range transportation LOS analysis indicates the following roadway segments will operate at LOS F with and without the project: (1) Daniels Parkway from Fiddlesticks Boulevard to SR 82; (2) Gunnery Road from SR 82 to 23rd Street and from Lee Boulevard to Buckingham Road; (3) SR 82 from Buckingham Road to Gateway Boulevard and from Daniels Parkway to Homestead Road; (4) Colonial Boulevard from Treeline Avenue to SR 82; (5) Lee Boulevard from Gunnery Road to Sunshine Boulevard.

PART 3 SURROUNDING PROPERTIES

The subject property is surrounded by lands within the Density Reduction/Groundwater Resource (DR/GR), Central Urban, New Community, and Wetlands future land use categories as discussed in greater detail below:

North: The subject property is bounded on the north by State Road 82. On the north side of SR 82 is the platted community of Lehigh Acres. This portion of the Lehigh Community is within the Central Urban future land use category, which has a standard density range of up to 10 dwelling units per acre. The Central Urban future land use category is one of the most intense future land use categories in the Lee Plan. The zoning of the properties to the north is for commercial (C-2), and multi-family residential (RM-2).

East: Immediately to the east, on the northern side of Daniels Parkway, the subject property is bounded by a 40± acre parcel at the intersection of S.R. 82 and Daniels Parkway. This property is within the Central Urban future land use category and is also owned by the Jared Holes Trust, but is not part of this application. A concurrent rezoning application has been submitted that identifies this parcel to be developed with commercial uses.

West: The Gateway Community Planned Unit Development (PUD) and Development of Regional Impact (DRI) are located adjacent to the western boundary of the subject property. The planned development is mostly built out with single and multi-family residential homes as well as commercial and light industrial uses. Gateway is located within the New Community future land use category which permits 6 dwelling units per acre. Also in Gateway, adjacent to the subject property is the Gateway Community Park, with recreational facilities, Community Development District offices as well as water and wastewater utilities.

South: To the south of the subject property across Daniels Parkway are additional parcels owned by the Jared Holes Trust within the DR/GR and Wetlands future land use categories. These properties are zoned AG-2. To the southwest of the subject property is the Southwest Florida International Airport.

The airport is within the Airport future land use category and is in the Airport Operations Planned Development (AOPD) zoning district.

PART 4

STAFF DISCUSSION AND ANALYSIS

Current Future Land Use Category – DR/GR and Wetlands:

The subject property's uplands are currently within the DR/GR Future Land Use Category. The property's wetlands are within the Wetlands future land use category. The DR/GR future land use category is described in Policy 1.4.5 provided, in part, below:

POLICY 1.4.5: The Density Reduction/Groundwater Resource (DR/GR) land use category includes upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed.

The underlying objective for creating the DR/GR future land use category was to protect the County's shallow aquifers. The category was incorporated into the Lee Plan as part of the implementation of the 1990 Stipulated Settlement Agreement between Lee County and the Florida Department of Community Affairs (DCA). The Settlement Agreement required that the Future Land Use Map be amended to lower the allowable density in the new water resource category to one dwelling unit per ten acres in three specified areas of the County. In southeast Lee County the DR/GR lands were described as: most non-urban land east of Interstate 75, southeast of the airport, and south of State Route 82. Since the subject property was in a non-urban land use category, east of I-75 and south of State Route 82 it was included in the DR/GR future land use category notwithstanding its location north of Corkscrew Road and being bifurcated from the rest of the DR/GR in southeast Lee County.

The Wetlands future land use category is described in the Lee Plan as follows:

OBJECTIVE 1.5: WETLANDS. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

POLICY 1.5.2: When the exact location of Wetlands boundaries is in question, Chapter XIII of this plan provides an administrative process, including a field check, to precisely define the boundary. (Amended by Ordinance No. 94-30)

Using the unified state delineation methodology and the administrative process described in Policy 1.5.2 the applicant has demonstrated that there are 149± acres of Wetlands on the subject site. The

requested amendments only redesignate the upland portions of the property from DR/GR to Sub-Outlying Suburban. The areas delineated as wetlands using the unified state delineation methodology will remain in the Wetlands future land use category. Lee Plan Policy 1.5.1 permits low-density residential and recreational uses within the Wetland Future Land Use category. However, development may not negatively affect ecological functions and the maximum permitted density is one dwelling unit per 20 acres (1 DU/20 AC).

Southeast Lee County Planning Community:

The subject property has been included within Southeast Lee County Planning Community since the Planning Community was originally acknowledged in the June 1998 Lee Plan. The Southeast Lee County Planning Community described as follows:

Southeast Lee County - As the name implies, this Community is located in the southeast area of Lee County, south of SR 82, north of Bonita Beach Road, east of I- 75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities), and west of the county line. With very minor exceptions, this community is designated as Density Reduction/Groundwater Resource, Conservation Lands (both upland and wetlands), and Wetlands on the Future Land Use Map. This community consists of regional mining operations, active and passive agricultural uses, public wellfields and water treatment plants, significant contiguous tracts set aside for preservation, a private golf course, and very large lot residential home sites. Through the year 2030, Southeast Lee County will change dramatically. Mining pits will double in size as the northwest portion serves as the major supplier of limerock aggregate for southwest Florida, an activity that continues to generate significant truck traffic especially on Alico Road. The remainder of Southeast Lee County will continue as the county's primary agricultural region and home to its largest (and still expanding) natural preserves. Residential and commercial development will not be significantly increased except in very limited areas where development rights are concentrated by this plan. Some existing farmland will be restored to natural conditions to increase the natural storage of water and to improve wildlife habitat. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12; 10-20)

Goal 33 was later incorporated into the Lee Plan for the Southeast Lee County Community Planning area in October 2010. The subject property was included in the areas that are subject to Goal 33 since it had previously been identified in the DR/GR future land use category and the Southeast Lee County Planning Community. Goal 33, in part, provides:

GOAL 33: SOUTHEAST LEE COUNTY. To protect natural resources in accordance with the County's 1990 designation of Southeast Lee County as a groundwater resource area, augmented through a comprehensive planning process that culminated in the 2008 report, Prospects for Southeast Lee County. To achieve this goal, it is necessary to address the inherent conflict between retaining shallow aquifers for long-term water storage and extracting the aquifer's limestone for processing into construction aggregate.

Water Resources:

As previously noted, one of the primary functions of the DR/GR future land use category within the Southeast Lee County Community Planning area is the ability to provide recharge areas for groundwater resources and potential for development of wellfields.

The subject property does not have a high potential of wellfield development, nor does it provide substantial recharge benefits similar to other areas of Southeast Lee County due to differences in the subject property’s hydrogeology as compared to the hydrogeology of areas in closer proximity to Lee County’s existing wellfields. This is illustrated in Figure 1 below:

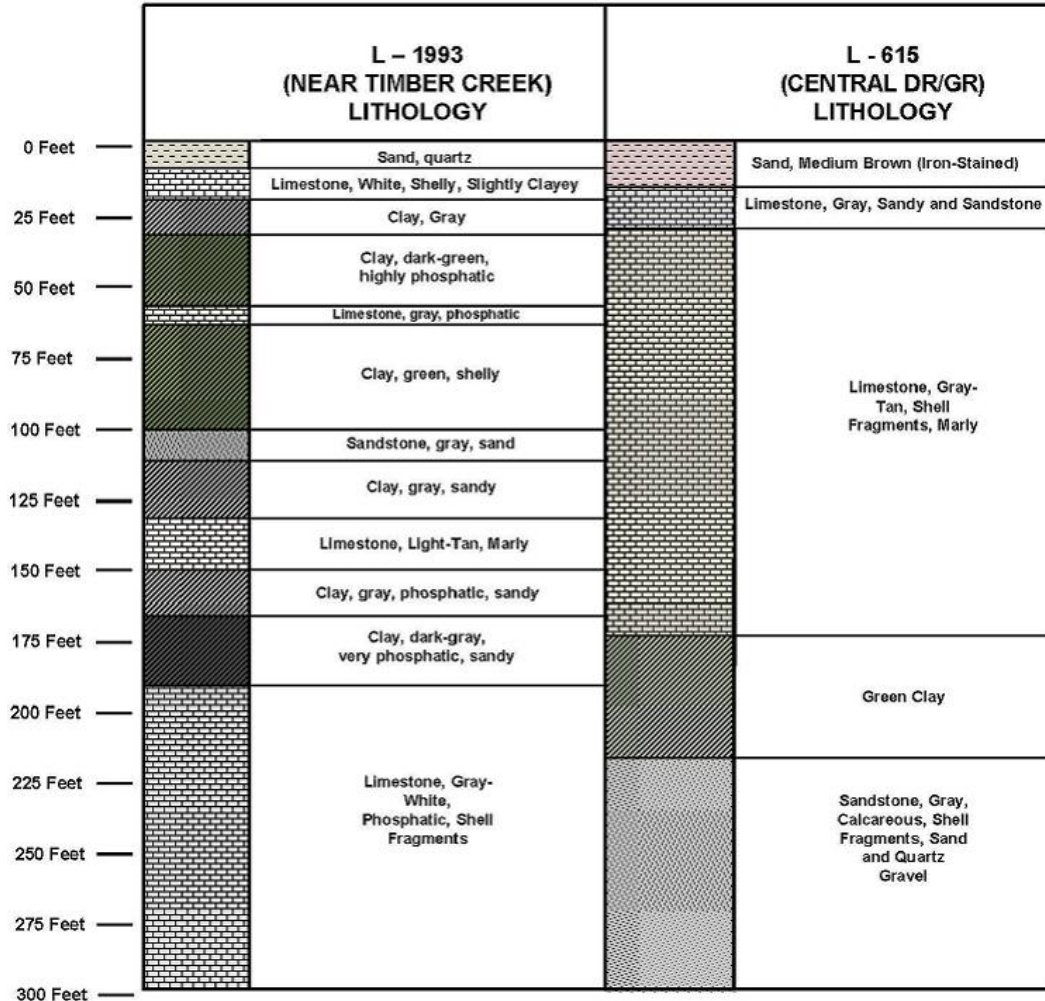


Figure 1: Stratigraphic Column near subject property (L-1993) and in east central Southeast Lee County (L-615) (provided in application materials on 11-15-2016).

The thickness of the limestone layer in the central DR/GR gives those sites high potential for wellfield development. Conversely, the subject site does not have this same characteristic which impacts its ability to serve as a potential wellfield. Lee Plan Map 8 shows the locations of permitted wells and wellfield protection zones. No public water supply wells in the Surficial Aquifer are located within 3-mile radius of the subject property.

Most of the existing users in the vicinity of the subject property withdraw from the Sandstone Aquifer. USGS Monitoring Well No. L-729, which monitors the Sandstone Aquifer water levels east of the subject property, shows a downward trend of water levels since start of monitoring in 1976. However, this trend has “flattened” out during the past few years. To address stresses on the Sandstone Aquifer, due to extensive use and to safeguard nearby legal users, the applicant is proposing to install devices to

monitor water levels and cut-off switch to cease pumping to minimize impacts to nearby users. In addition, the applicant intends to construct onsite stormwater lakes and recharge them with water from the Sandstone Aquifer only when there is a need. The application materials indicate that recharging lakes would benefit the Surficial Aquifer and wetlands in the vicinity which are currently impacted by the permitted agricultural uses.

One of the Lee Plan policies related to request is Policy 2.4.2, which must be considered for changes to the Future Land Use Map when changing from DR/GR to a more dense or intense land use category. Policy 2.4.2 is stated below:

POLICY 2.4.2: All proposed changes to the Future Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in Policy 54.1.9; and all land in the Density Reduction/ Groundwater Resource land use category) will be subject to a special review by the staff of Lee County. This review will analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources, and will assess whether the proposed land uses would cause any significant impact on present or future water resources. If the Board of County Commissioners wishes to approve any such changes to the Future Land Use Map, it must make a formal finding that no significant impacts on present or future water resources will result from the change.

The Lower West Coast Water Supply Plan (LWCWSP) and its subsequent updates encourage a number of water supply strategies to help conserve and sustain traditional groundwater supplies within Lee County. To protect water resources in fast growing regions, the LWCWSP promotes the implementation of alternative water supply sources such as the use of reclaimed water, seasonal surface water usage, and water conservation measures to reduce overall demand.

Because reclaimed water for irrigation is unavailable, the proposed amendment with the concurrent rezoning will satisfy many of the LWCWSP's goals and objectives through the following methods:

- The conjunctive use of surface and groundwater supply sources (seasonal surface water usage). During periods of high demand and/or dry season, the temporary and limited augmentation of groundwater (i.e., from the Sandstone Aquifer) is also anticipated to improve overall pond water quality. Similar practices are being implemented at Gateway and Jet Blue sites which are at the vicinity of the subject property.
- The centralized master control of the irrigation delivery system that prevents individual homeowners from initiating irrigation events (water conservation/demand management). Irrigation demands are expected to be met using withdrawals from the internal storm water management system ponds by a master-controlled irrigation system. This system will regulate both the timing and duration of irrigation events in order to maximize conservation of water supplies. The withdrawal and recycling of storm water is expected to reduce nutrient load discharge onto County's MS4 system.

Further benefits to the water resources will be achieved by plugging and abandoning the two onsite wells located in the shallow unconfined Surficial Aquifer System (Water Table Aquifer). Plugging of the

existing wells is anticipated to reduce the potential for adverse impacts to nearby wetlands, environmental systems, and improve groundwater recharge potential to the Surficial Aquifer System.

Based on the information provided, staff finds that no significant impacts on present or future water resources will result from the change. **Staff recommends that the Board of County Commissioners make a formal finding that no significant impacts on present or future water resources will result from changing the Future Land Use Category, as required in Lee Plan Policy 2.4.2 and Policy 2.4.3.**

Six Mile Cypress Watershed:

According to the 2008 Dover Kohl Study, *Prospects for Lee County*, the restoration of the Estero River and the Flint Pen/Imperial River watersheds is an important aspect of the DR/GR future land use category and Southeast Lee County Planning Community. Lee Plan Policy 117.1.8 provides that Lee County should protect the Flint Pen as an area for water retention and aquifer recharge. However, unlike the majority of properties within the Southeast Lee County Planning Community, the subject property does not lie within the Imperial or Estero River watersheds.

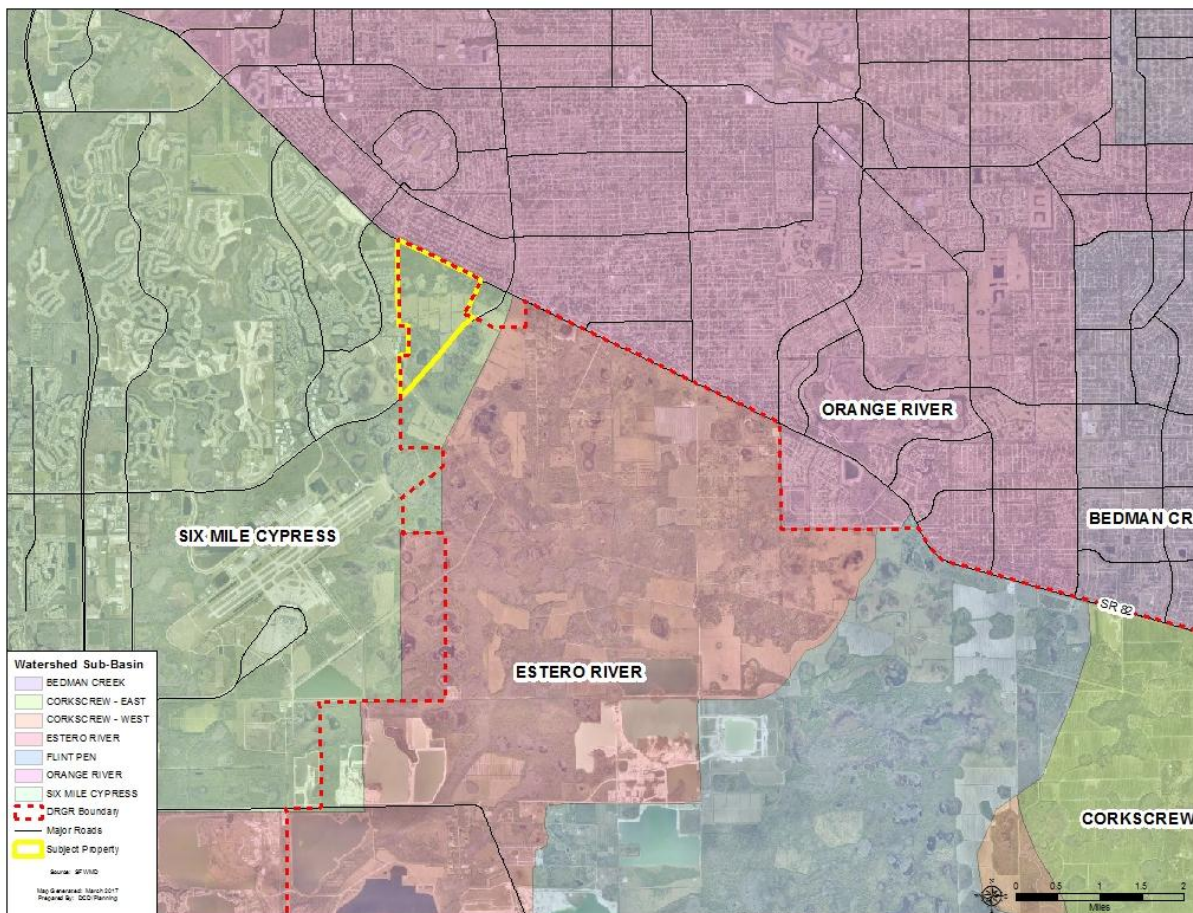


Figure 2: Lee County Watershed Sub-Basins in relation to the subject property and Southeast Lee County.

The subject property is within the Six Mile Cypress watershed sub-basin and does not have any significant surface water connection to the Estero River or Flint Pen watershed sub-basins. Removing the subject property from the DR/GR future land use category and the Southeast Lee County Planning

community will not have any impact on the surface water flow within the remainder of Southeast Lee County.

Wildlife:

Another goal of the DR/GR future land use category and the Southeast Lee County Planning community is the protection/restoration of large-scale ecosystems, especially when it connects to existing wildlife corridors and conservation areas. Unlike other areas of the DR/GR, the subject property does not support wildlife corridors for species such as the Florida panther and Florida black bear. This is due to the subject property being bordered on two sides by multi-lane arterial roadways and urban development including a developed portion of Lehigh Acres to the north and Gateway to the west. The subject property is also bordered on the eastern side by the Central Urban future land use category which permits up to 15 units per acre as well as a large variety of non-residential uses. The absence of a wildlife corridor is evidenced by the lack of Florida panther telemetry within the subject property.

The subject property is also not an ideal location for the development of a wildlife corridor in the future. Urban development along two of the properties three sides, the extension of Daniels Road to SR 82, and the subject property being located partially within Southwest Florida International Airport's 10,000-foot hazardous wildlife buffer all make the creation of a wildlife corridor highly unlikely. Furthermore, there are no large-scale public or private preservation lands adjacent to the subject property that would provide critical wildlife connections.

Proposed Future Land Use Category – Sub-Outlying Suburban:

The subject property is bordered on three sides by urban future land categories. These include the Gateway DRI within the New Community future land use category, which permits up to 6 units an acre, and the Lehigh Acres community within the Central Urban future land use category which permits up to 15 units per acre including bonus density. The fourth side is bordered by Daniels Parkway, a major 4-lane divided arterial roadway that helps to connect Lehigh Acres to the rest of Lee County. The location of the subject property, based on the characteristics of the surrounding land uses, land development patterns, public facilities, and hydrogeology are not consistent with the DR/GR future land use category or the Southeast Lee County Planning Community.

Portions of the subject property have previously been identified to be developed with an urban form of development. These areas were identified as a Mixed-Use Community during the 2008 DR/GR study, and are currently identified as such on Lee Plan Map 17: Southeast DR/GR Residential Overlays. This would allow for an urban form of development on the subject property that is more intense than what is being requested by the applicant. Figure 3, below shows the anticipated development that could be administratively approved in the subject site. Through these amendments, the applicant is requesting that the Mixed Use Community identified on the subject property be deleted from Map 17 of the Lee Plan.



Figure 3: Conceptual regulating plan from LDC Figure 32-405(c) for Mixed-Use Community on the subject site.

The applicant has requested that the subject property be re-designated to Sub-Outlying Suburban, which is described in Lee Plan Policy 1.1.11 and provided in part below:

POLICY 1.1.11: The Sub-Outlying Suburban areas are residential areas that are predominantly low-density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low-density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.

This policy provides that these areas contain predominately low-density residential development as is being proposed by the applicant. The density of the Sub-Outlying Suburban future land use category on the subject property will provide for a transition between the lower density of the DR/GR (1 unit per 10 acres) and the higher densities of Central Urban (10 units per acre) and New Community (six units per acre).

The applicant has requested that the subject property be included within the Gateway/Airport Planning Community which is described in the Lee Plan Vision Statement in part below:

***Gateway/Airport** - This Community is located South of SR 82, generally east of I-75, and north of Alico Road including those portions of the Gateway development that either have not been or are not anticipated to be annexed into the City of Fort Myers, the Southwest Florida International Airport and the properties the airport expects to use for its expansion, the lands designated as Tradeport, and the land designated as Industrial Development west of I-75 north of Alico Road. In addition to these two land use designations, properties in this community are designated New Community (the Gateway development), Airport, Rural, and General Interchange. The road network in this community is planned to change dramatically over time creating access to and from this community to the north, south, and east without relying on I-75.*

There are three distinct areas within this community. The Gateway portion of this community is the area where residential uses will occur. Gateway will be a thriving, nearly built-out, mixed-use community in 2020. The population of this community is anticipated to grow substantially from today to 2030.

The subject property is consistent with the vision for the Gateway portion of this Planning Community. As anticipated within the vision statement the Gateway DRI is a nearly built-out mixed-use community. The addition of the subject property will allow this area to continue to grow in a manner that is similar and compatible with the existing residential development with the Gateway Community. In addition, the subject property is consistent with the location described in the vision statement for the Planning Community. The subject property is “located South of SR 82, generally east of I-75, and north of Alico Road” and has “not been or are not anticipated to be annexed into the City of Fort Myers, the Southwest Florida International Airport and the properties the airport expects to use for its expansion.”

PART 5 CONCLUSIONS

The Timber Creek property is approximately 628 acres and is located in the Southeast Lee County Planning Community and the Density Reduction/Groundwater Resource (DR/GR) and Wetlands future land use categories. In addition to the requested amendments to the comprehensive plan the applicant has filed a request to rezone 655 acres, which includes the subject property, to a Mixed Planned Development to allow up to 1,315 dwelling units as well as commercial development within the area that is currently within the Central Urban future land use category.

The subject property does not contribute to the goals identified in the Lee Plan for the DR/GR future land use category or the Southeast Lee County Planning Community. The property is bifurcated from other lands in the DR/GR and Wetlands future land use categories within the Southeast Lee County Community Planning area by Daniels Parkway which is programmed to be six-lane in the 2040

Metropolitan Planning Organization Long Range Transportation Plan. In addition, its physical surface water and groundwater characteristics are different than those lands in the DR/GR and Wetlands future land use categories on the south side of Daniels Road. The subject property does not have a high potential of wellfield development, nor does it provide substantial recharge benefits similar to other areas of Southeast Lee County. The subject property is not adjacent to any preservation areas and is not suitable for development of wildlife corridors. The requested amendments will not significantly impact present or future water resources of Lee County. Therefore, staff finds that the DR/GR future land use category is not appropriate for the site. The requested amendment to Sub-Outlying Suburban, at a density of two units per acre is more appropriate for the subject property.

**PART 6
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: March 27, 2017

LOCAL PLANNING AGENCY REVIEW:

The applicant and their representatives gave a detailed presentation for the proposed amendments which covered consistency with the Lee Plan, wildlife movement, hydrology, transportation, and surrounding uses. During the applicants presentation members of the LPA asked questions about stormwater management, proposed irrigation plans, the geology of the subject site, and access to Daniels Parkway and S.R. 82.

Staff gave a brief presentation including a project overview, staff findings, and recommendation that the proposed amendments be transmitted to the state for review.

One member of the public addressed the LPA and expressed concerns about removing lands from the DR/GR future land use category.

LOCAL PLANNING AGENCY RECOMMENDATION:

A motion was made to recommend that the Board of County Commissioners transmit CPA2016-00007. The motion was passed 6 to 0.

VOTE:

NOEL ANDRESS	<u>AYE</u>
DENNIS CHURCH	<u>AYE</u>
JIM GREEN	<u>AYE</u>
CHRISTINE SMALE	<u>AYE</u>
STAN STOUWER	<u>AYE</u>
GARY TASMAN	<u>ABSENT</u>
JUSTIN THIBAUT	<u>AYE</u>

PART 7
BOARD OF COUNTY COMMISSIONERS
TRANSMITTAL HEARING FOR PROPOSED AMENDMENT

DATE OF PUBLIC HEARING: August 2, 2017

A. BOARD REVIEW:

The applicant provided a brief presentation for the proposed amendments which covered location, surrounding uses, proposed amendments, and surface and groundwater characteristics of the property. Following the applicant's presentation staff provided a brief presentation and staff recommendation.

One member of the public spoke concerning the proposed amendment and believed the amendment should not be transmitted due to the increase in density and loss of lands within the DR/GR future land use category.

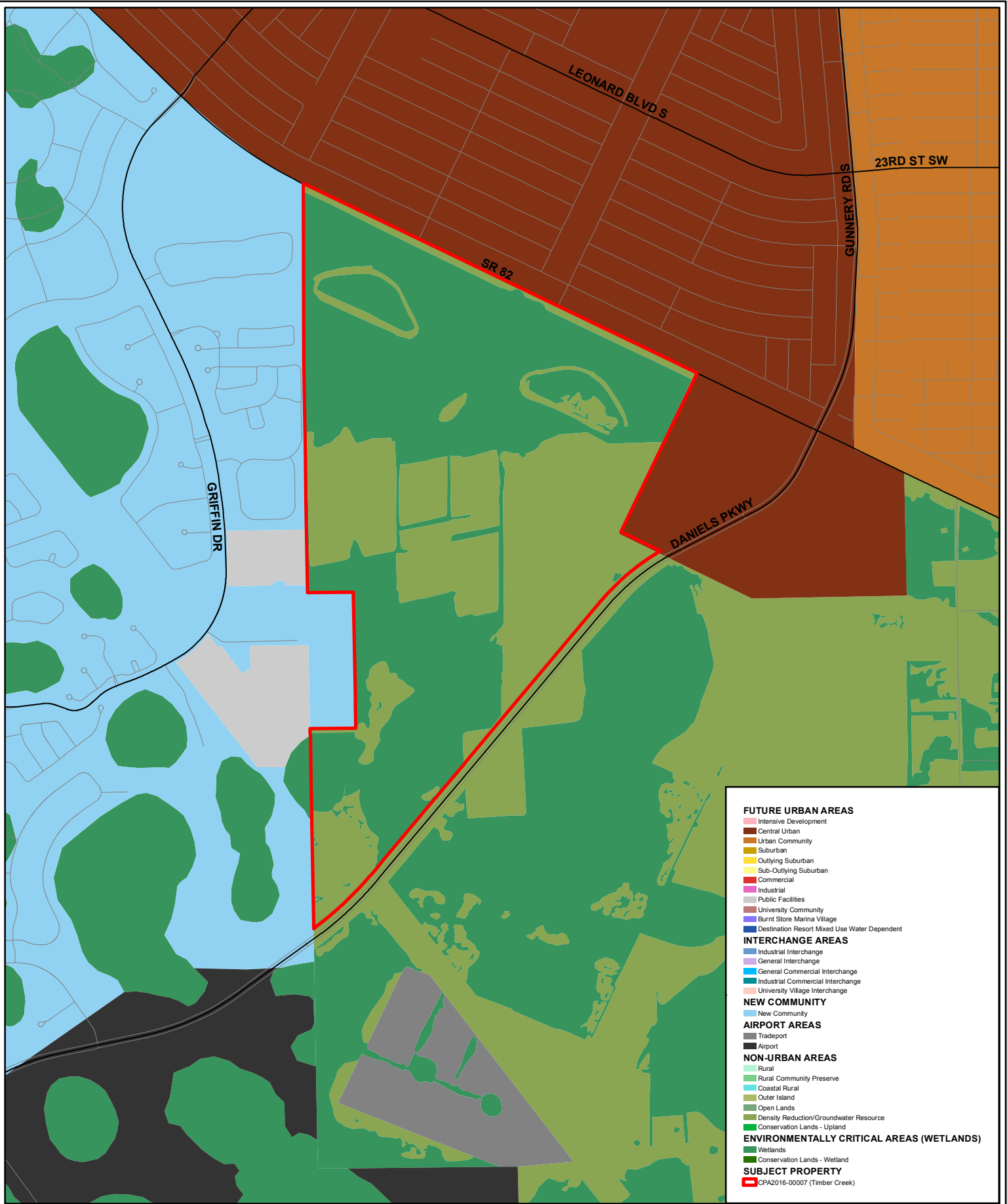
One commissioner noted that this property has always seemed impacted (from an environmental aspect) and the proposed amendments would allow improvement.

B. BOARD ACTION:

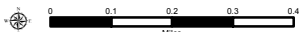
A motion was made to transmit CPA2013-00007. The motion was passed 5 to 0.

VOTE:

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



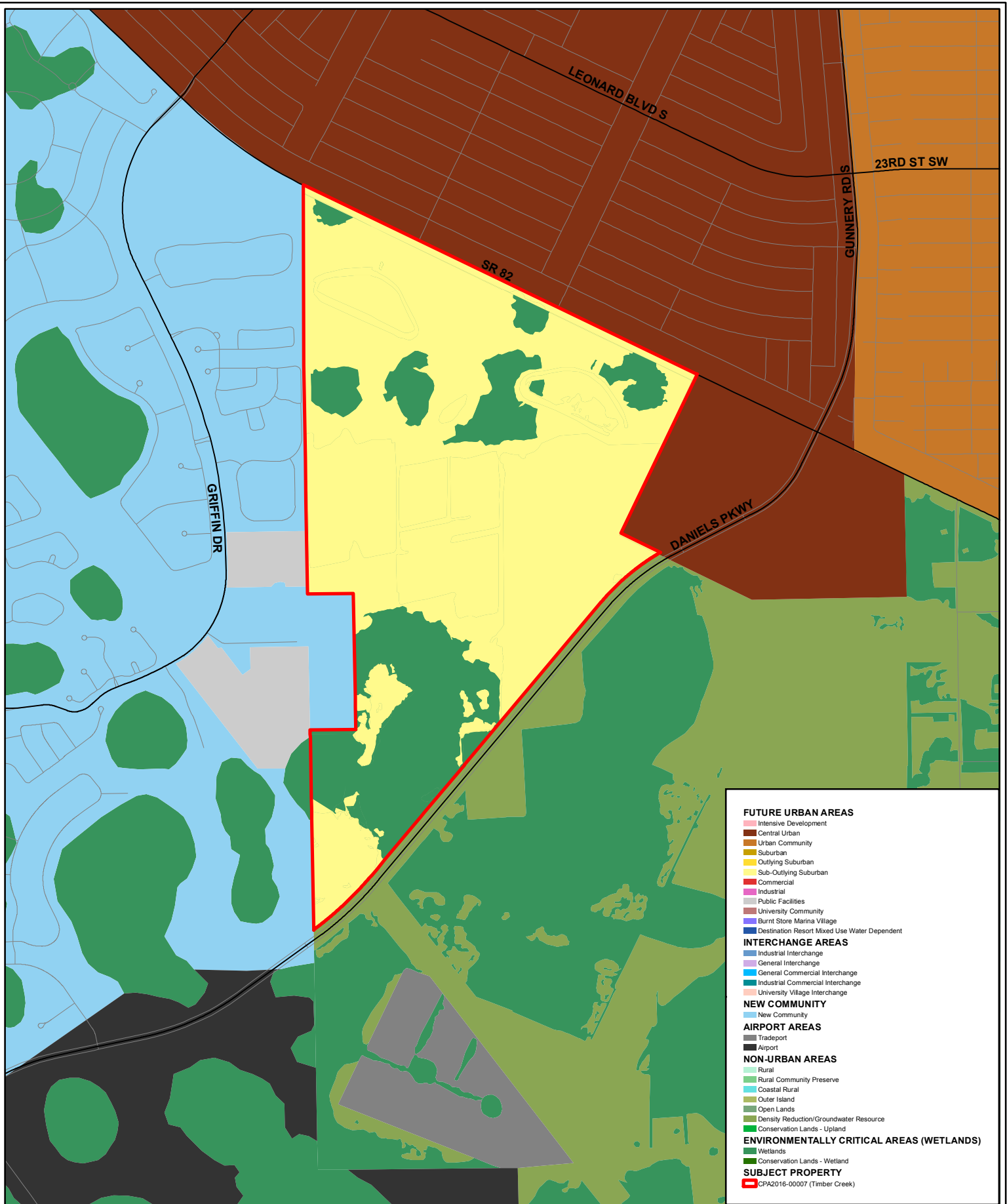
- FUTURE URBAN AREAS**
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent
- INTERCHANGE AREAS**
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange
- NEW COMMUNITY**
- New Community
- AIRPORT AREAS**
- Tradeport
- Airport
- NON-URBAN AREAS**
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland
- ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)**
- Wetlands
- Conservation Lands - Wetland
- SUBJECT PROPERTY**
- CPA2016-00007 (Timber Creek)



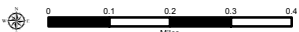
Map Generated March 2017



CPA2016-00007
Timber Creek
EXISTING LEE PLAN
FUTURE LAND USE MAP



- FUTURE URBAN AREAS**
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent
- INTERCHANGE AREAS**
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange
- NEW COMMUNITY**
- New Community
- AIRPORT AREAS**
- Tradeport
- Airport
- NON-URBAN AREAS**
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland
- ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)**
- Wetlands
- Conservation Lands - Wetland
- SUBJECT PROPERTY**
- CPA2016-00007 (Timber Creek)



Map Generated March 2017



CPA2016-00007
Timber Creek
PROPOSED LEE PLAN
FUTURE LAND USE MAP

SPECIAL TREATMENT AREAS

Community Planning Areas

- Bayshore
- Boca Grande
- Buckingham
- Caloosahatchee Shores
- Olga
- Captiva
- Estero
- Greater Pine Island
- Lehigh Acres
- North Captiva
- North Fort Myers
- Northeast Lee County
- Alva
- North Olga
- Page Park
- San Carlos Island
- Southeast Lee County
- Palm Beach Boulevard
- City Limits

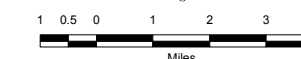
Adopted by Ord. 89-02, 1/31/1989
 Amended by Ordinance Nos.
 02-02, 03-01, 03-02, 03-04, 03-21, 07-09, 08-05,
 09-07, 09-08, 09-09, 09-10, 09-11, 10-16, 11-14,
 11-21, 11-24

Water Dependent Overlay
 See Maps 2 and 12 for Details

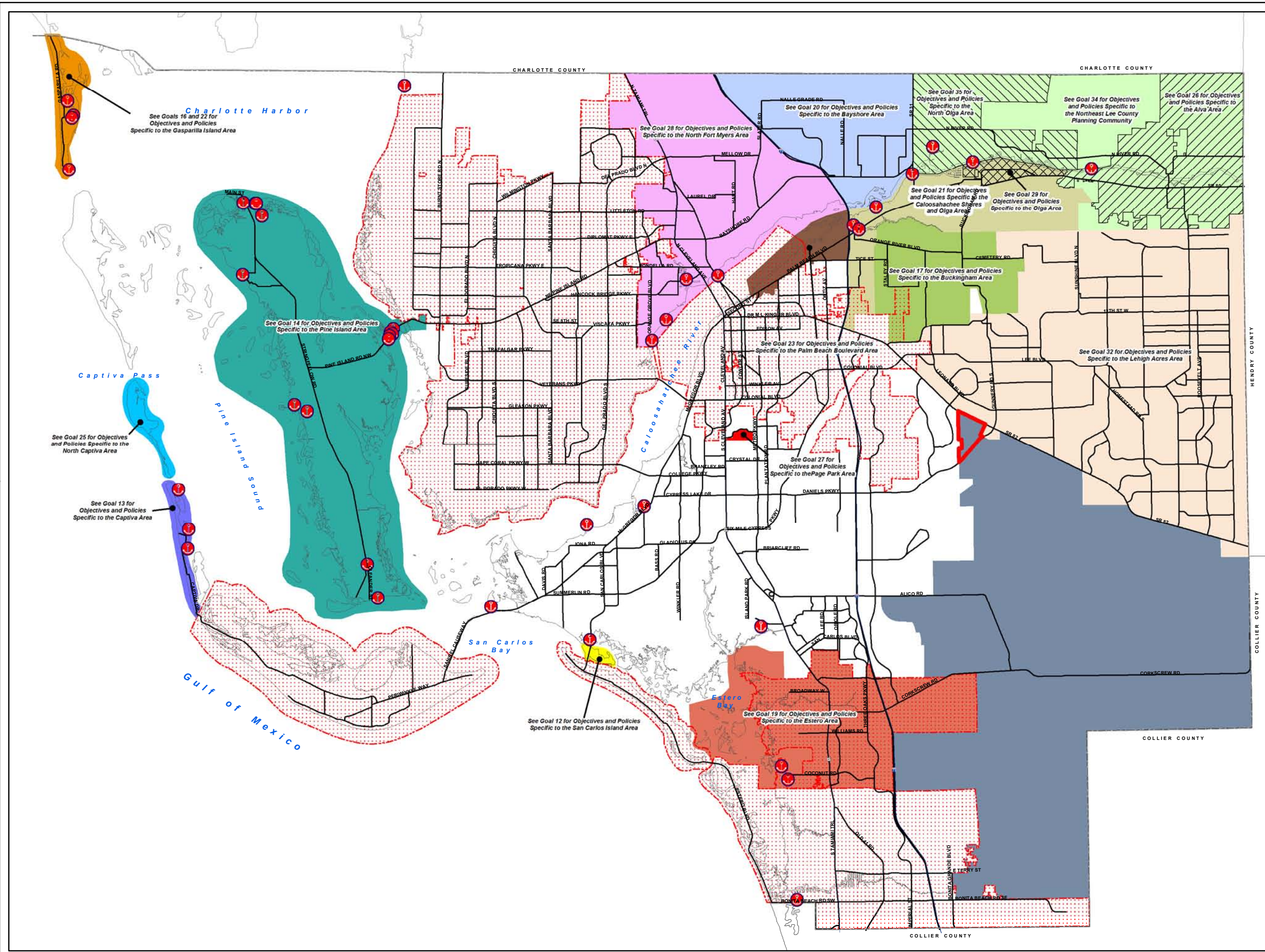
Adopted by Ord. 89-02, 1/31/1989
 Amended by Ordinance Nos.
 91-19, 92-35, 00-22, 02-03, 08-05

CPA2016-0007 TIMBER CREEK

Remove from
 Southeast Lee County



















Map Generated: March 2017
 City Limits current to date of map generation




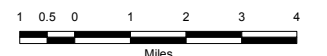
SPECIAL TREATMENT AREAS

Legend

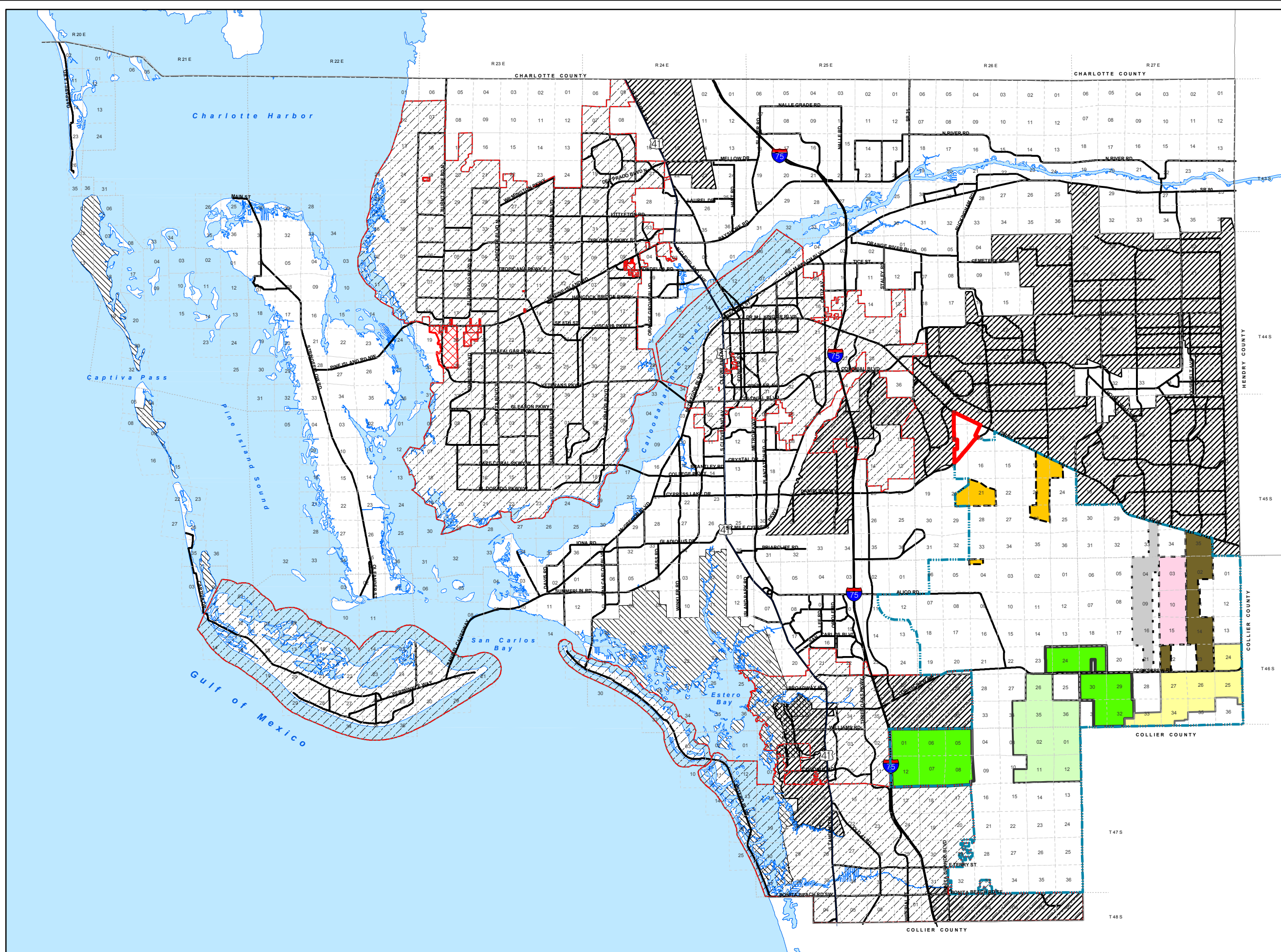
-  County Line
 -  Southeast Lee County
 -  City Limits
 -  Section Lines
 -  Major Roads
 -  Minor Roads
 -  **Urban Reserve**
Adopted by Ord 89-02, 1/31/1989
Amended by Ord 93-25
 -  **Privately Funded Infrastructure**
Adopted by Ord 89-02, 1/31/1989
Amended by Ord 92-35
 -  **Public Acquisition***
Adopted by Ord 91-19, 7/9/1991
Amended by Ord 10-19
 - Priority Restoration Strategy**
See Policies 33.2.2
 -  Tier 1 (highest priority)
 -  Tier 2
 -  Tier 3
 -  Tier 4
 -  Tier 5
 -  Tier 6
 -  Tier 7
- Adopted by Ord 10-19, 3/3/2010

CPA2016-0007 TIMBER CREEK

-  Remove from Southeast Lee County








Map Generated: March 2017
 * Because of the dynamic nature of land acquisition, portions of the land shown are publicly owned at the time of printing.
 **City Limits current to date of map generation




PRIVATE RECREATIONAL FACILITIES OVERLAY MAP

LEGEND

-  County Line
-  Major Roads
-  Minor Roads
-  Private Recreational Facilities
-  City Limits

**CPA2016-0007
TIMBER CREEK**

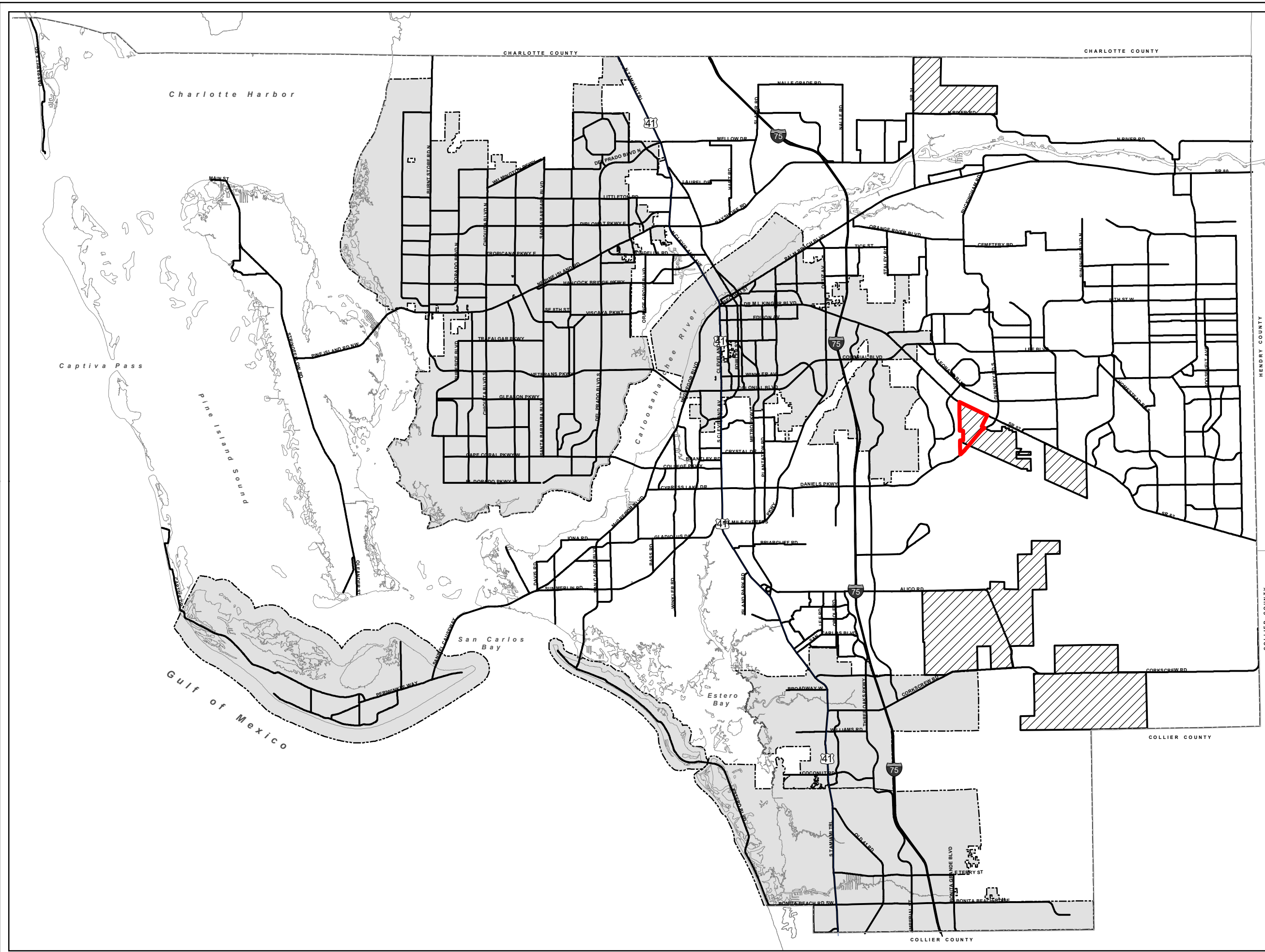
 Remove from Private Recreational Facilities



Map Generated: March 2017
City Limits current to date of map generation



Adopted By Ord. No. 99-16, 11/22/99
Amended By Ord. Nos. 10-21, 10-43

Lee Plan Map 4




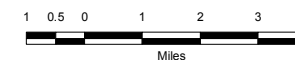
LEE COUNTY UTILITIES FUTURE WATER SERVICE AREAS

Legend

-  City Limits
-  Future Water Service Areas

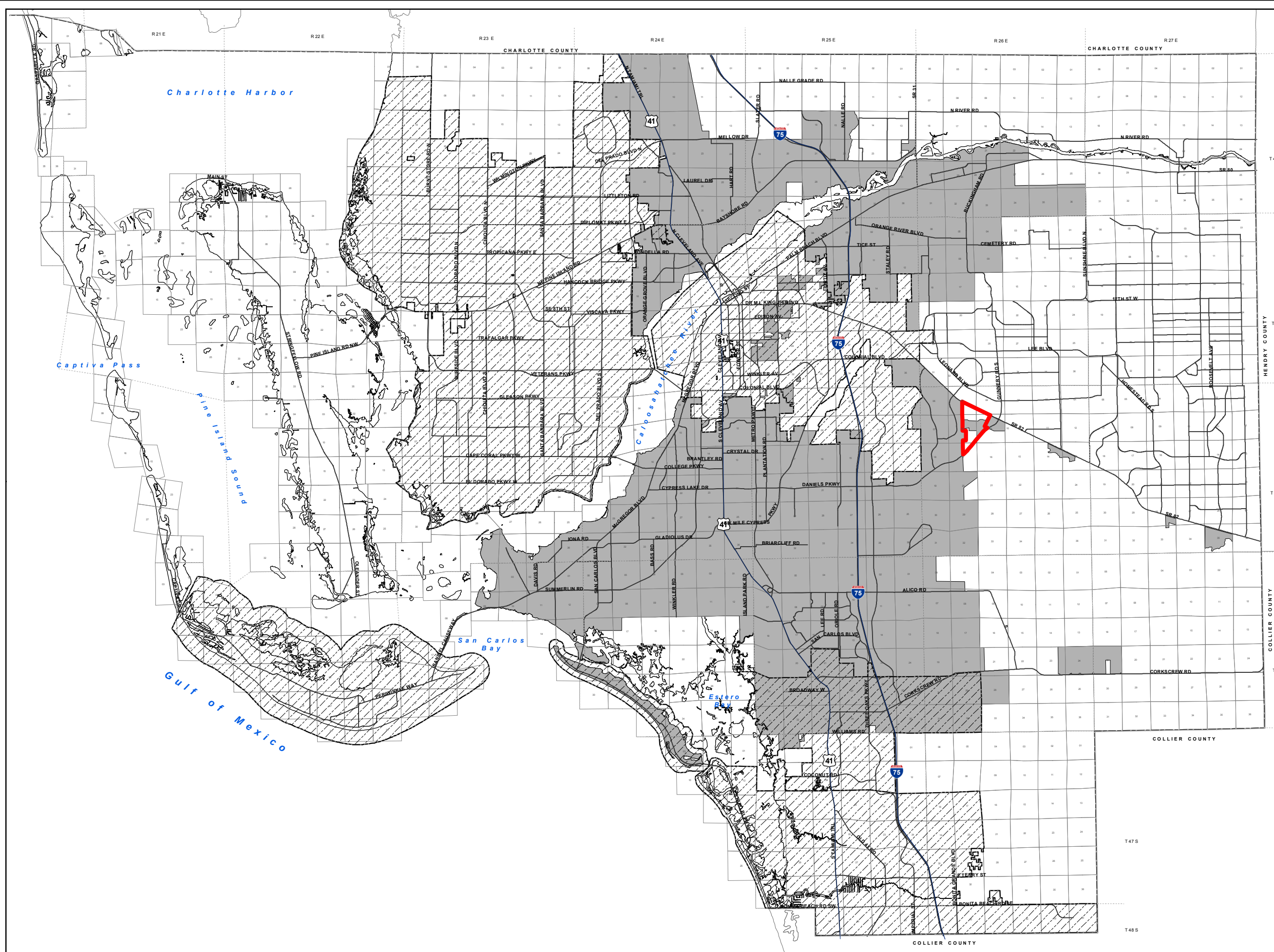
CPA2016-0007 TIMBER CREEK

-  Extend the existing service area to cover subject property




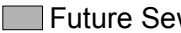
Map Generated: March 2017
 Produced By: DCD/Division of Planning
 City Limits current to date of map generation
 Adopted by Ord. No. 89-02, 1/31/1989
 Amended by Ord. Nos. 00-22, 03-19, 10-06, 10-40, 10-43,
 12-24, 13-16, 14-21, 15-13, 15-14

Lee Plan Map 6




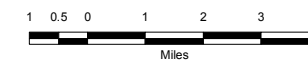
LEE COUNTY UTILITIES FUTURE SEWER SERVICE AREAS

Legend

-  City Limits
-  Future Sewer Service Areas

**CPA2016-00007
TIMBER CREEK**

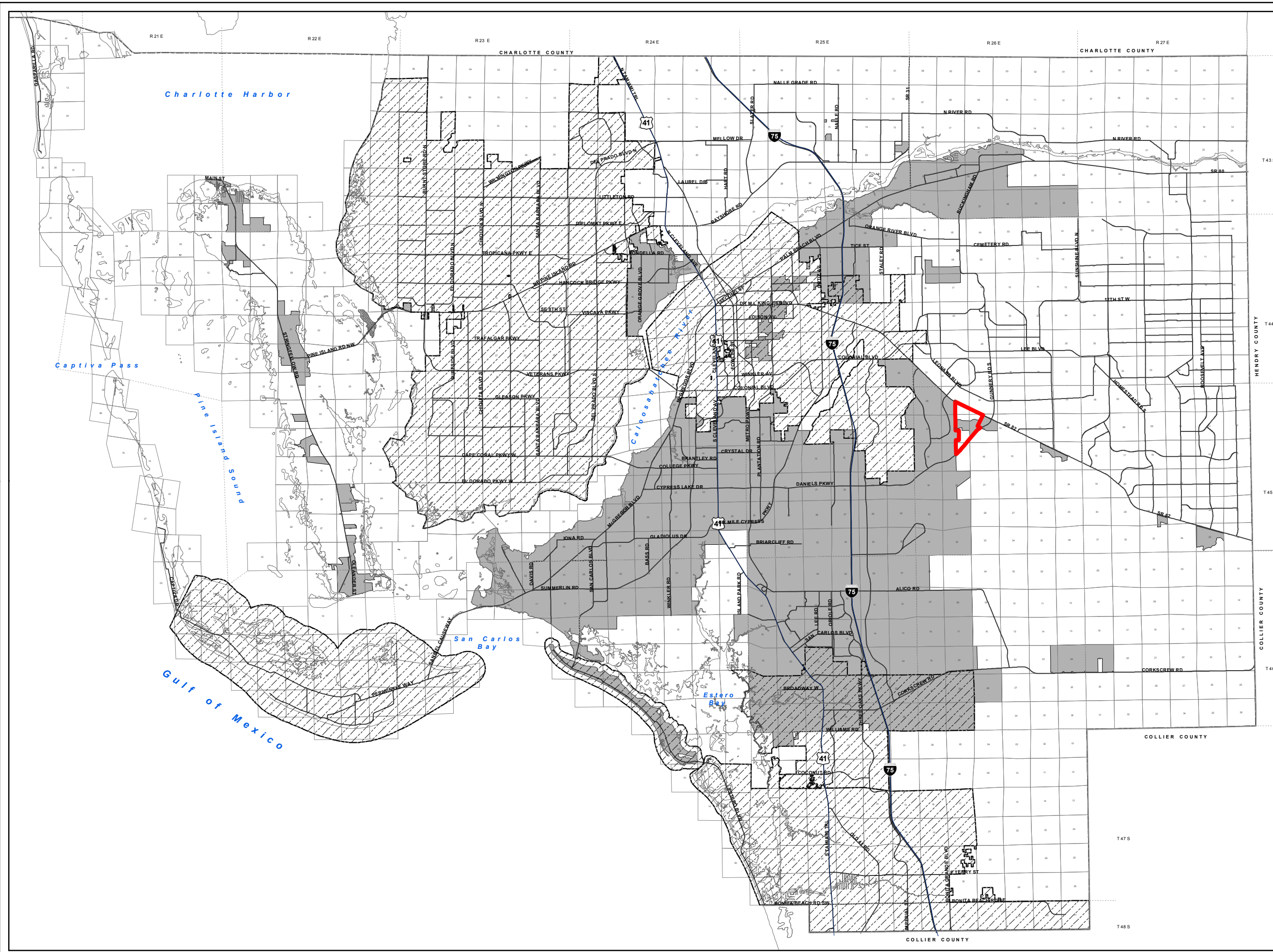
-  Extend the existing service area to cover subject property



Map Generated: March 2017
Produced By: DCD/Division of Planning
City Limits current to date of map generation






Adopted by Ord. No. 89-02, 1/31/1989
Amended by Ord. Nos. 00-22, 03-19, 10-07, 10-40, 10-43, 11-13, 12-24, 14-21, 15-13, 15-14

Lee Plan Map 7




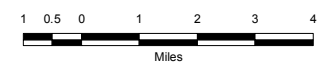
FUTURE LIMEROCK MINING OVERLAY

Legend

-  Southeast Lee County
-  Future Limerock Mining
-  County Line
-  Major Roads
-  City Limits

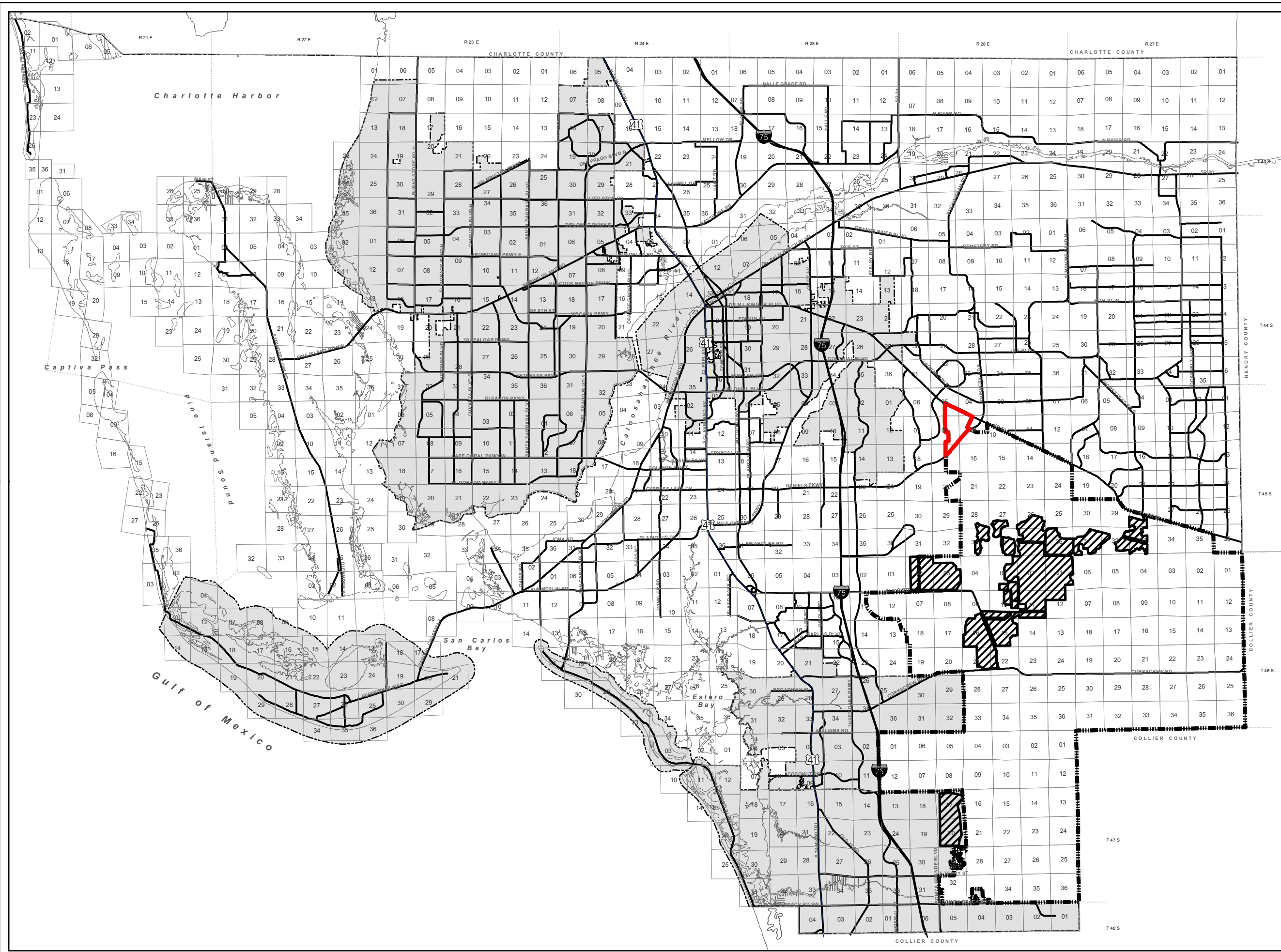
**CPA2016-00007
TIMBER CREEK**

-  Remove from Southeast Lee County



Map Generated: March 2017
 City Limits current to date of map generation
 Adopted By Ord. No. 90-43, 9/6/90
 Amended By Ord. Nos. 10-20, 10-43

Lee Plan Map 14



LEE COUNTY PLANNING COMMUNITIES


Year 2030
Planning Communities

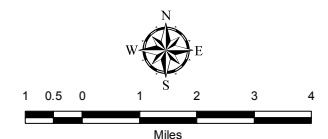
- 1. Northeast Lee County
- 2. Boca Grande
- 3. Bonita Springs
- 4. Fort Myers Shores
- 5. Burnt Store
- 6. Cape Coral
- 7. Captiva
- 8. Fort Myers
- 9. Fort Myers Beach
- 10. Gateway/Airport
- 11. Daniels Parkway
- 12. Iona/McGregor
- 13. San Carlos
- 14. Sanibel
- 15. South Fort Myers
- 16. Pine Island
- 17. Lehigh Acres
- 18. Southeast Lee County
- 19. North Fort Myers
- 20. Buckingham
- 21. Estero
- 22. Bayshore

 City Limits

The Planning Communities Map and Acreage Allocation Table (see Table 1(b) and Policies 1.1.1 and 2.2.2) depict the proposed distribution, extent, and location of generalized land uses for the year 2030.

**CPA2016-0007
TIMBER CREEK**

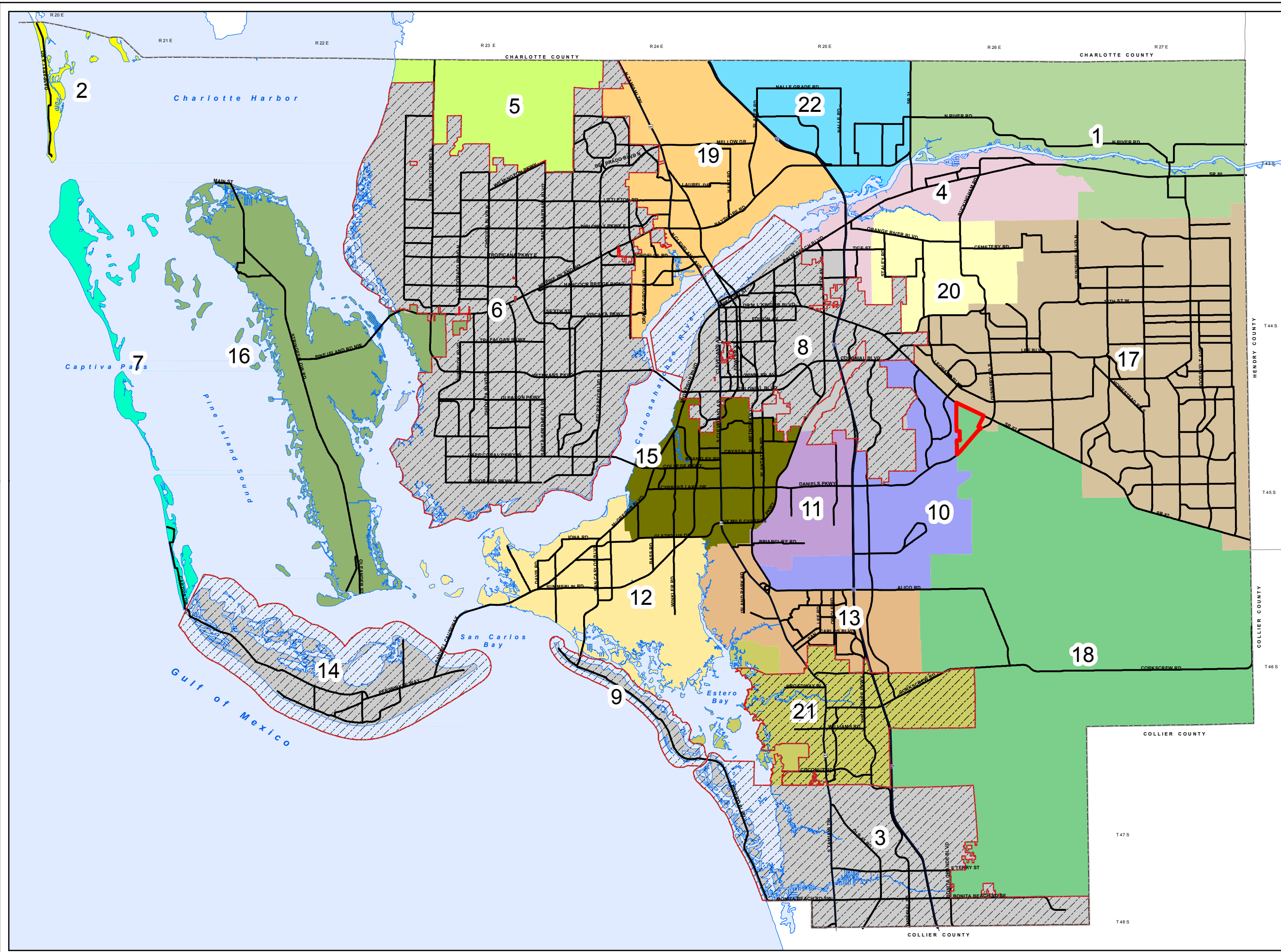
 Add to Gateway/Airport
Planning Community

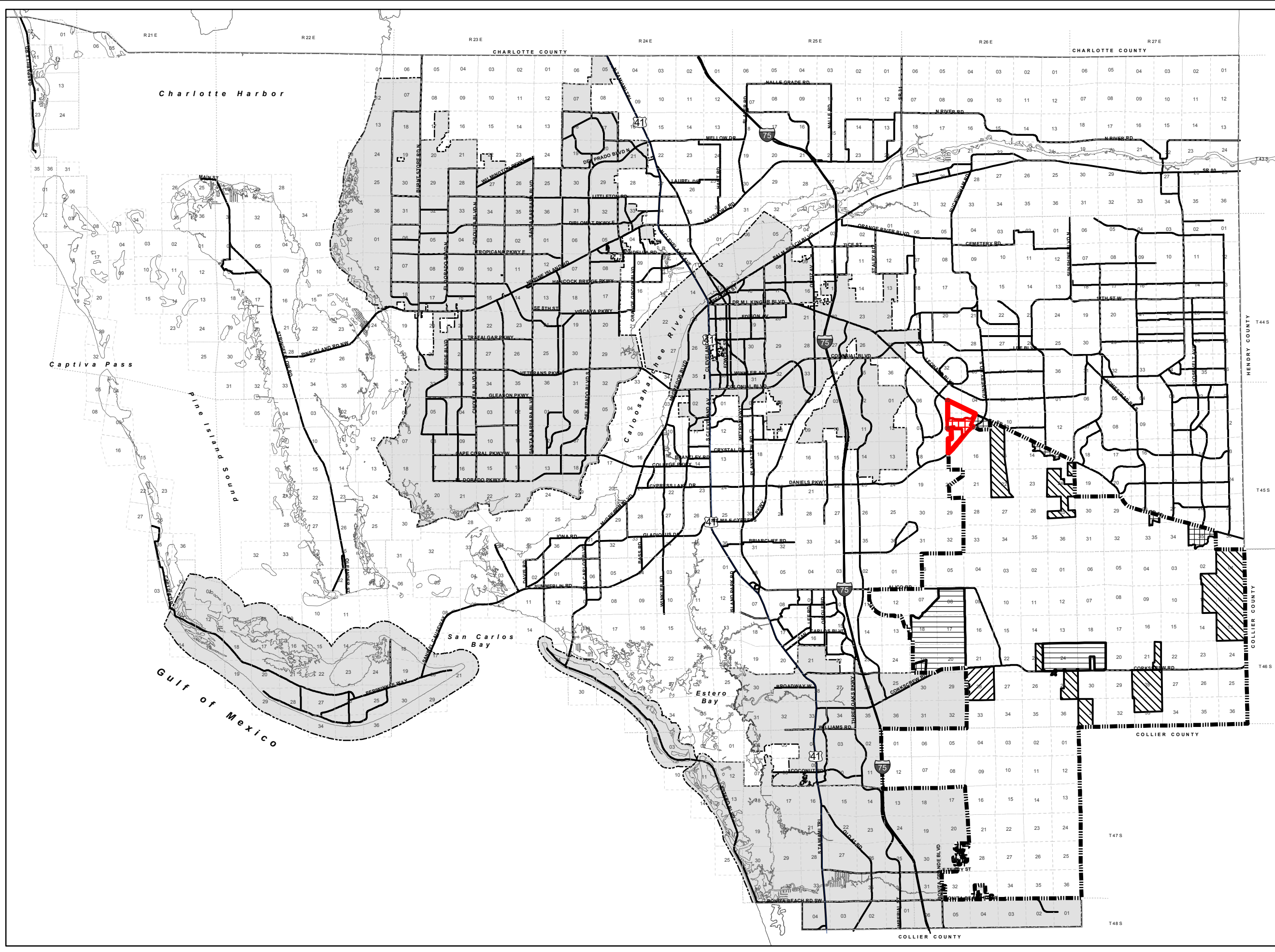


Map Generated: March 2017
City Limits current to date of map generation












Adopted by Ord. No. 98-09, 6/3/1998
Amended by Ord. Nos. 02-02, 07-09, 07-13, 10-15,
10-16, 10-40, 11-14

Lee Plan Map 16







SOUTHEAST DR/GR RESIDENTIAL OVERLAY Legend

-  Southeast Lee County
-  Existing Acreage Subd.
-  Mixed-Use Community
-  Rural Golf Course Community
-  Improved Residential Community
-  Environmental Enhancement and Preservation Community
-  County Line
-  Section Lines
-  Major Roads
-  Minor Roads
-  City Limits

**CPA2016-0007
TIMBER CREEK**

-  Remove from Overlay
-  Remove from Southeast Lee County



Map Generated: March 2017
City Limits current to date of map generation







Adopted By: Ords 10-19, 10-21 (3/3/10), & 10-43 (11/1/10)

Amended By: Ord 12-24, 14-21, 15-13, 15-14


Lee Plan Map 17

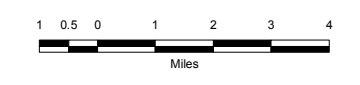
CONTIGUOUS AGRICULTURAL PARCELS OVER 100 ACRES IN NON-URBAN FUTURE LAND USE CATEGORIES

LEGEND

-  City Limits
-  Southeast Lee County
-  Major Roads
-  Minor Roads
- Agricultural Overlay**
-  Agricultural Areas
-  Non-Urban Area

CPA2016-00007
TIMBER CREEK

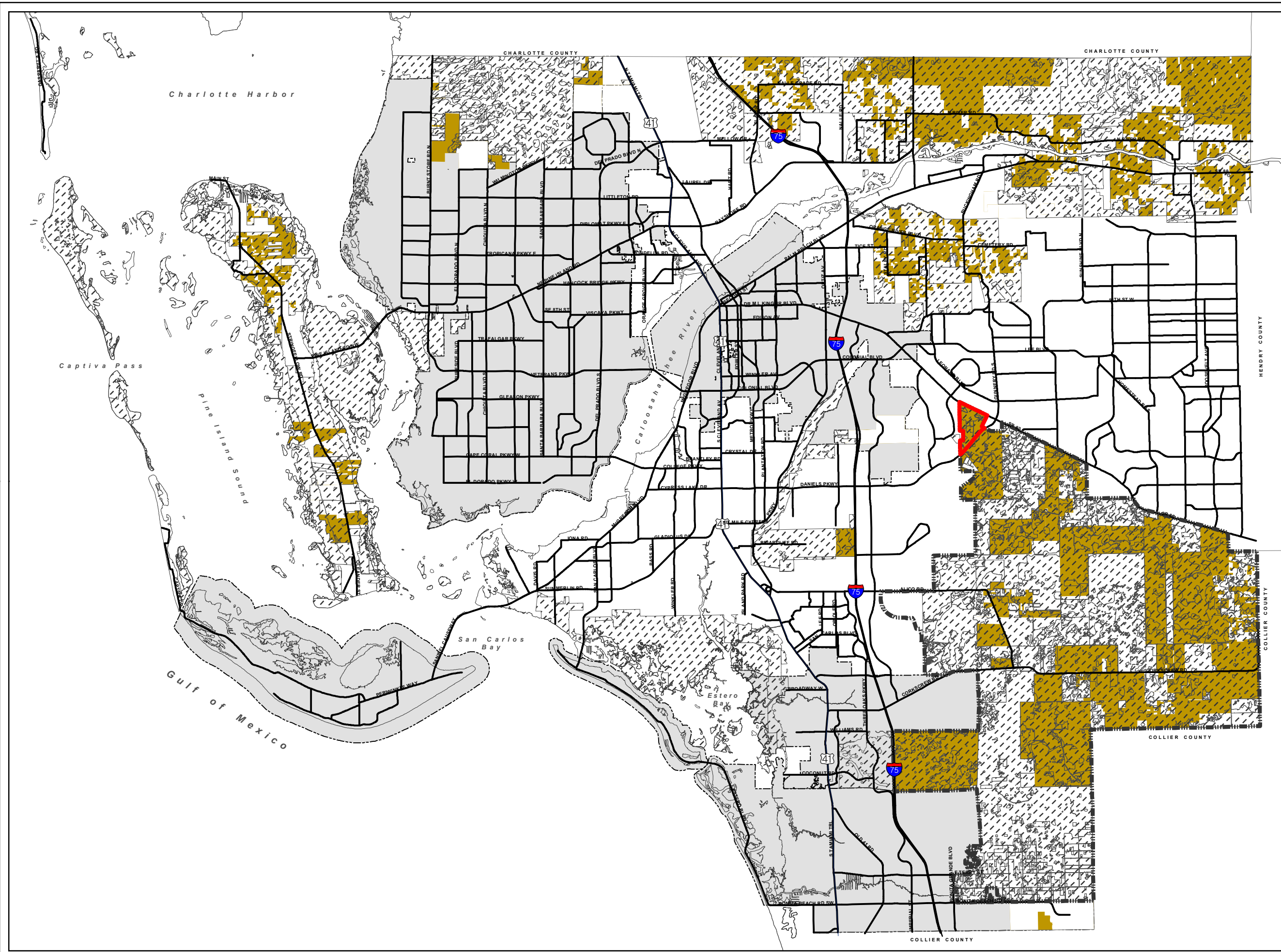
-  Remove from Southeast Lee County



Map Generated: March 2017
City Limits current to date of map generation.







Adopted By Ord. No. 94-30, 11/1/94
Amended By Ord. Nos. 03-04, 10-20, 10-43

Lee Plan Map 20




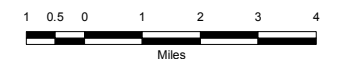
Historic Surface and Groundwater Levels

LEGEND

-  Southeast Lee County
-  County Line
-  Section Lines
-  Major Roads
-  Minor Roads
-  City Limits

**CPA2016-00007
TIMBER CREEK**

 Remove from Southeast Lee County



Map Generated: March 2017
City Limits current to date of map generation

Adopted by Ord. No.10-43, 11/1/2010

Lee Plan Map 25

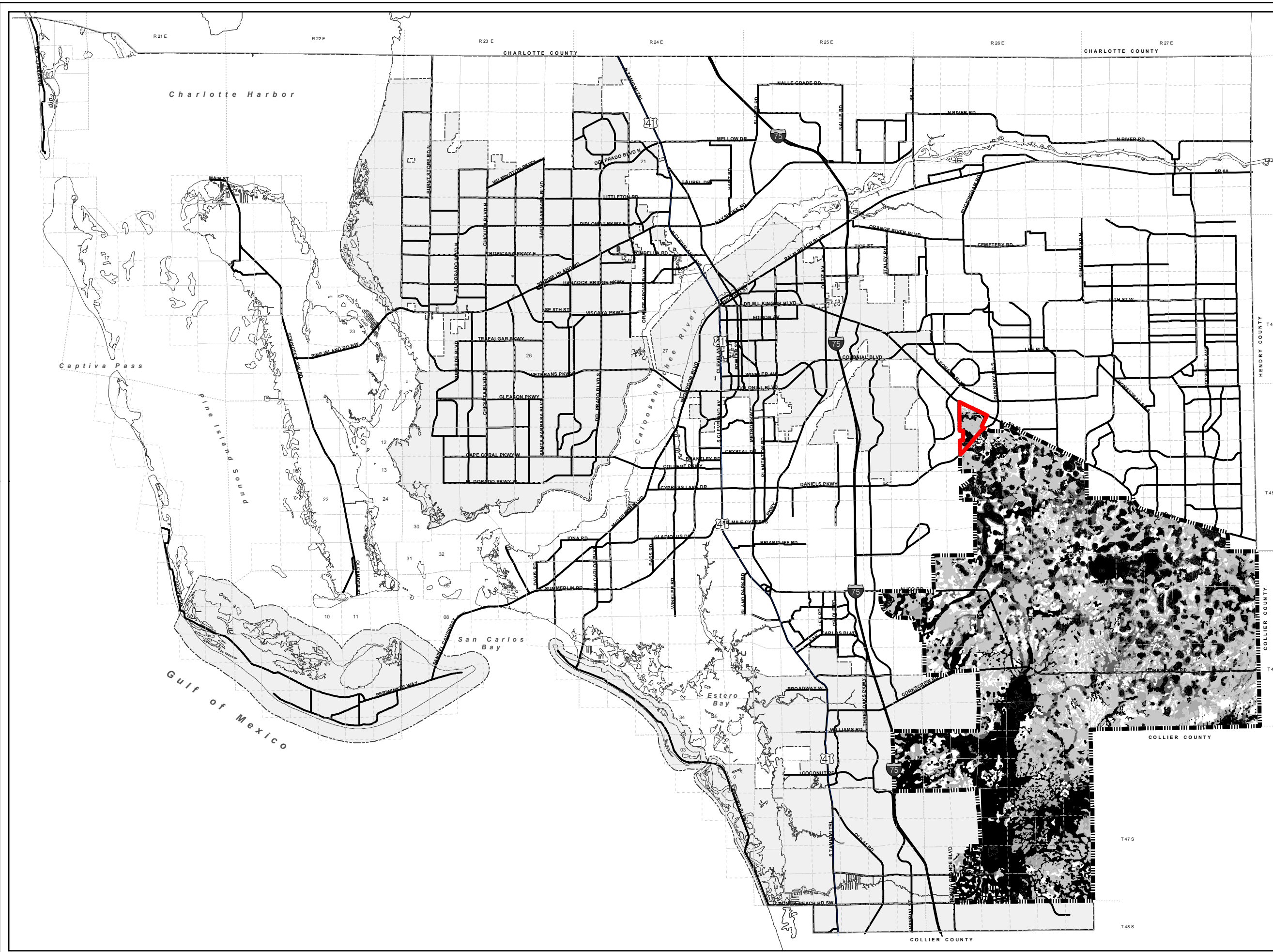


TABLE 1(b)
Year 2030 Allocation

Future Land Use Category	Lee County Totals		Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport		Daniels Parkway
	Existing	Proposed										Existing	Proposed	
Intensive Development	1,376	1,376				20		27		250				
Central Urban	14,766	14,766				225				230				
Urban Community	18,084	17,621	520	485		637						250	250	
Suburban	16,623	16,623				1,810				85				
Outlying Suburban	3,957	3,957	30			40	20	2	500					1,552
Sub-Outlying Suburban	1,548	1,775				367							227	
Commercial														
Industrial	79	79								39		20	20	
Public Facilities	1	1							1					
University Community	850	850												
Destination Resort Mixed Use Water Dependent	8	8												
Burnt Store Marina Village	4	4					4							
Industrial Interchange														
General Interchange	125	125										11	11	32
General Commercial Interchange														
Industrial Commercial Interchange														
University Village Interchange														
Mixed Use Interchange														
New Community	900	900										900	900	
Airport														
Tradeport	9	9										9	9	
Rural	8,313	8,313	1,948			1,400	636							1,500
Rural Community Preserve	3,100	3,100												
Coastal Rural	1,300	1,300												
Outer Island	202	202	5			1			150					
Open Lands	2,805	2,805	250				590							120
Density Reduction/ Groundwater Resource	6,905	6,905	711									94	94	
Conservation Lands Upland														
Wetlands														
Conservation Lands Wetland														
Unincorporated County Total Residential	80,955	80,719	3,464	485		4,500	1,250	29	651	604		1,284	1,511	3,204
Commercial	12,793	12,793	57	52		400	50	17	125	150		1,100	1,100	440
Industrial	13,801	13,801	26	3		400	5	26		300		3,100	3,100	10
Non Regulatory Allocations														
Public	82,313	82,565	7,100	421		2,000	7,000	20	1,961	350		7,500	7,752	2,477
Active AG	17,027	17,027	5,100			550	150							20
Passive AG	45,585	45,106	13,549			2,500	109					1,241	1,241	20
Conservation	81,933	81,933	2,214	611		1,142	3,236	133	1,603	748		2,798	2,947	1,733
Vacant	22,768	23,231	1,953			226	931	34		45		300	300	63
Total	357,175	357,175	33,463	1,572		11,718	12,731	259	4,340	2,197		17,323	17,951	7,967
Population Distribution (unincorporated Lee County)	495,000	495,000	5,090	1,531		30,861	3,270	225	530	5,744		15,115	18,332	16,375

TABLE 1(b)
Year 2030 Allocation

Future Land Use Category	Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres		Southeast Lee County		North Fort Myers	Buckingham	Estero	Bayshore
						Existing	Proposed	Existing	Proposed				
Intensive Development				660	3	42	42			365		9	
Central Urban	375	17		3,140		8,179	8,179			2,600			
Urban Community	850	1,000		860	500	12,422	11,959				110	450	
Suburban	2,488	1,975		1,200	675					6,690		1,700	
Outlying Suburban	377				600					382		454	
Sub-Outlying Suburban		25								140	66		950
Commercial													
Industrial	5	5		10									
Public Facilities													
University Community		850											
Destination Resort Mixed Use Water Dependent	8												
Burnt Store Marina Village													
Industrial Interchange													
General Interchange								15	15	31		6	30
General Commercial Interchange													
Industrial Commercial Interchange													
University Village Interchange													
Mixed Use Interchange													
New Community													
Airport													
Tradeport													
Rural		90			190	14	14			500	50	635	1,350
Rural Community Preserve											3,100		
Coastal Rural					1,300								
Outer Island	1				45								
Open Lands										45			1,800
Density Reduction/ Groundwater Resource								4,000	4,000				2,100
Conservation Lands Upland													
Wetlands													
Conservation Lands Wetland													
Unincorporated County Total Residential	4,104	3,962		5,870	3,313	20,657	20,194	4,015	4,015	10,753	3,326	3,254	6,230
Commercial	1,100	1,944		2,100	226	1,420	1,420	68	68	1,687	18	1,700	139
Industrial	320	450		900	64	300	300	7,246	7,246	554	5	87	5
Non Regulatory Allocations													
Public	3,550	3,059		3,500	2,100	15,289	15,289	12,000	12,000	4,000	1,486	7,000	1,500
Active AG					2,400			7,171	7,171	200	411	125	900
Passive AG					815			18,000	17,521	1,532	3,619	200	4,000
Conservation	9,306	2,969		188	14,767	1,541	1,541	31,359	31,210	1,317	336	5,068	864
Vacant	975	594		309	3,781	8,697	9,160	470	470	2,060	1,000	800	530
Total	19,355	12,978		12,867	27,466	47,904	47,904	80,329	79,701	22,103	10,201	18,234	14,168
Population Distribution (unincorporated Lee County)	34,538	36,963		58,363	13,265	160,405	157,188	1,270	1,270	71,001	6,117	25,577	8,760

STAFF COMMENTS

**MEMORANDUM
FROM
PUBLIC WORKS
Natural Resources Division**

Date: March 2, 2017

TO: Mikki Rozdolski
Manager, Planning Division

From: Anura Karuna-Muni
Operations Manager, Natural
Resources Division

SUBJECT: CPA2016-00007 Timber Creek Comprehensive Plan Amendment

Natural Resources staff has reviewed the information provided by the applicant. The subject property is a disturbed site which was previously used for farming with row crops. Prior uses include firearm practice by the United States Military and raising cattle. The applicant intends to construct onsite lakes and recharge them with water from the Sandstone Aquifer only when there is a need for maintaining minimum water levels in the ponds. The applicant has indicated that recharging lakes would benefit the Surficial Aquifer and wetlands in the vicinity.

The applicant is requesting an amendment to the Lee Plan that includes removal of the subject property from the DRGR land use category. One of the Lee Plan policies as related to this plan amendment request is stated below:

POLICY 2.4.2: All proposed changes to the Future Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in Policy 54.1.9; and all land in the Density Reduction/ Groundwater Resource land use category) will be subject to a special review by the staff of Lee County. This review will analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources, and will assess whether the proposed land uses would cause any significant impact on present or future water resources. If the Board of County Commissioners wishes to approve any such changes to the Future Land Use Map, it must make a formal finding that no significant impacts on present or future water resources will result from the change. (Amended by Ordinance No. 92-47, 94-30, 00-22, 02-02, 14-10)

The Lower West Coast Water Supply Plan (LWCWSP) and its subsequent updates encourage a number of water supply strategies to help conserve and sustain traditional groundwater supplies within Lee County. To meet the challenge of protecting water resources in fast growing regions, the LWCWSP promotes the implementation of alternative water supply sources such as the use of reclaimed water, seasonal surface water usage, and water conservation measures to reduce overall demand.

Since reclaimed water for irrigation is unavailable, the Timber Creek project satisfies many of the LWCWSP's goals and objectives through following methods:

- The conjunctive use of surface and groundwater supply sources (seasonal surface water usage). During periods of high demand and/or dry season, the temporary and limited augmentation of groundwater (i.e., from the Sandstone Aquifer) is also anticipated to improve overall pond water quality. Similar practices are being implemented at Gateway and Jet Blue sites which are at the vicinity of the subject property.
- The centralized master control of the irrigation delivery system that prevents individual homeowners from initiating irrigation events (water conservation/demand management). Irrigation demands are expected to be met using withdrawals from the internal storm water management system ponds by a master-controlled irrigation system. This system will regulate both the timing and duration of irrigation events in order to maximize conservation of water supplies. The withdrawal and recycling of storm water is expected to reduce nutrient load discharge onto County's MS4 system.

No public water supply wells in the Surficial Aquifer are located within 3-mile radius of the subject property. Most of the existing users in the vicinity of this project withdraw from the Sandstone Aquifer. USGS Monitoring Well No. L-729, which monitors the Sandstone Aquifer water levels east of the Timber Creek property, shows a downward trend of water levels since start of monitoring in 1976. However, this trend has "flattened" out during the past few years. To address stresses on the Sandstone Aquifer due to extensive use and to safeguard nearby legal users, the applicant is proposing to install devices to monitor water levels and a cut-off switch to cease pumping to minimize harm to nearby users.

In addition, further benefits to the water resources will be achieved by plugging and abandoning the two onsite wells located in the shallow unconfined Surficial Aquifer System (Water Table Aquifer). Plugging of the existing wells is anticipated to reduce the potential for adverse impacts to nearby wetlands, environmental systems, and improve groundwater recharge potential to the Surficial Aquifer System.

Based on the information provided in the simplified approach of determining significant impacts to water resources and the proposed policy language, the Division of Natural Resources staff finds that no significant impacts on present or future water resources will result from the change. The Division of Natural Resources staff recommends that the Board of County Commissioners make a formal finding that no significant impacts on present or future water resources will result from changing the Future Land Use Category, as required in Lee Plan Policy 2.4.2 and Policy 2.4.3.

This memo does not intend to relieve the applicant from complying with any part of the Lee Plan. The applicant may be required to confirm their findings through additional data and a detailed numerical modeling process at a later stage of plan development. Upon receipt of further information during plan development stage, staff reserves the right to review and disagree with any or all of the water resources analysis. Lee County staff also reserves the right to deny the application for plan amendment or subsequent applications for zoning changes or development, if it is found that the project as proposed is not consistent with the Lee Plan.

To review the Timber Creek application materials, please click the link below:

CPA2016-00007 (Timber Creek)

<http://www.leegov.com/dcd/Documents/Agendas/LPA/2017/03/CPA2016-00007.pdf>